



**International Covenant on  
Civil and Political Rights**

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**Human Rights Committee**

**Fifth periodic report submitted by Cyprus under article 40 of  
the Covenant pursuant to the optional reporting procedure,  
due in 2020\*, \*\***

[Date received: 27 July 2020]

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\* The present document is being issued without formal editing.  
\*\* The annexes to the present report are on file with the secretariat and are available for consultation.  
They may also be accessed from the web page of the Human Rights Committee.



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## List of Abbreviations

ACPCVF	Advisory Committee on the Prevention and Combating of Violence in the Family
APHDV	Association for the Prevention and Handling of Domestic Violence
AS	Asylum Service
COP	Chief of the Police
CH	Children's House
CAHR	Commissioner for Administration and Human Rights
CMP	Committee on Missing Persons
CM	Council of Ministers
CP	Cyprus Police
CPA	Cyprus Police Academy
DL	Department of Labour
EASO	European Asylum Service Organisation
ECDC	European Centre for Disease Prevention and Control
EC	European Commission
ECHR	European Court of Human Rights
EU	European Union
GC	Greek Cypriots
HT	Homophobia and Transphobia
IAIACAP	Independent Authority for the Investigation of Allegations and Complaints Against the Police
MHS	Mental Health Services
MACPGE	Military Advisory Council for the Promotion of Gender Equality
MOECSY	Ministry of Education, Culture, Sport and Youth
MFA	Ministry of Foreign Affairs
MIO	Ministry of Interior
MOH	Ministry of Health
MJPO	Ministry of Justice and Public Order
MLWSI	Ministry of Labour, Welfare and Social Insurance
MCG	Multidisciplinary Coordinating Group
NAP	National Action Plan
NAPEWM	National Action Plan on Equality between Women and Men
NAPGE	National Action Plan on Gender Equality
NRM	National Referral Mechanism
NGO	Non-governmental organisation
OCTHB	Office of Combating Trafficking in Human Beings
PI	Pedagogical Institute

POCD	Police Office for Combating Discrimination
PSO	Police Standing Orders
PD	Prisons Department
PES	Public Employment Services
ROC	Republic of Cyprus
RAP	Risk Assessment Protocol
SWS	Social Welfare Services
TC	Turkish Cypriots
Present Report:	The fifth periodic report of Cyprus on the International Covenant on Civil and Political Rights (ICCPR)
Previous Report:	The fourth periodic report of Cyprus – Published 19 August 2013
Concluding Observations:	Concluding Observations adopted by the Committee on the 31 March 2015 (published 29 April 2015)
Follow-up Report:	Information provided by Cyprus in follow-up to the Concluding Observations – 15 March 2018

## I. Introduction

1. The fifth periodic report of Cyprus (hereinafter the “Present Report”) on the International Covenant on Civil and Political Rights (ICCPR) addresses the issues and recommendations raised in the concluding observations of the Human Rights Committee in consideration of the fourth periodic report of Cyprus (hereinafter referred to as the “previous report”) and covers the developments on the implementation of the International Covenant on Civil and Political Rights, during the period 2012–July 2020.
2. The present report has been prepared by the Law Commissioner of Cyprus who, pursuant to a Decision of the Council of Ministers (CM), is entrusted with ensuring compliance of Cyprus with its reporting obligations under international human rights instruments with information and data provided by the Ministries/Departments competent for the specific matters [i.e. the Ministry of Foreign Affairs (MFA), the Ministry of Interior (MOI), the Ministry of Justice and Public Order (MJPO), the Ministry of Labour, Welfare and Social Insurance (MLWSI), the Ministry of Education, Culture, Sport and Youth (MOECSY), the Ministry of Defence, the Law Office of the Republic, the Civil Registry and Migration Department], as well as, the Commissioner for Administration and Human Rights (CAHR).
3. Since the assessment of the previous periodic report and the concluding observations of the Human Rights Committee, significant developments took place as regards Cyprus, with a direct impact on human rights protection and their implementation.
4. The Government of the Republic of Cyprus (ROC) regrets that due to the continued occupation is unable to ensure the enjoyment of the rights provided for in the ICCPR on the whole of its territory and that, therefore, it is also deprived of its ability to apply the provisions of the ICCPR to those living in the areas not under the effective control of the Government. Due to the above described situation, no information and data is available regarding the enjoyment of the relevant rights by the Cypriot population living in the areas not under the effective control of the Government. Therefore, all information and data presented in the present report concern the Government controlled areas.

## II. Provisions of the Covenant

### A. General information on the national human rights situation, including new measures and developments relating to the implementation of the Covenant

#### Answer to Question 1

5. Cyprus ratified the Covenant and both Optional Protocols by Laws L. 16/1969 (Covenant), L. 17(III)/1992 (Optional Protocol) and L. 12(III)/1999 (Second Optional Protocol), as amended by Law 10(III)/2003. Law Offices in Cyprus were directly informed on the option of lodging a complaint via the Committee, for any assumed violation of civil and political rights.
6. The Government contributes to the raising of awareness and training of police officers and other stakeholders either governmental or non-governmental for all the issues relevant to the Covenant.
7. The results of the implemented actions are visible at operational level as during the reporting period, cooperation has been established and developed with competent authorities both in Cyprus and abroad, knowledge and expertise has been developed as regards to financial investigation, victim identification, and improvement of investigation techniques.
8. The CAHR as the competent authority contributes a lot to implement the recommendations regarding the Covenant and its Protocols.

**Answer to Question 2**

9. List of the Laws that were enacted and other amending Laws and Court cases in the reporting period is attached as Annex A.

10. Education in public schools is focused on the acceptance of difference, tolerance as well as the respect for other cultures promoting a multicultural environment. The MOECSY emphasizes equal access to education for all children living in Cyprus, without any discrimination based on gender, abilities, language, color, religion, political beliefs, sexual orientation or ethnic background.

11. Through its three-year strategic plan for the period 2020–2022, the MOECSY is aiming to the values of equality, inclusiveness, creativity and innovation. Education is considered as the means for social mobility, inclusion and active participation of all in the society and a basic tool for effectively combating inequalities, various social problems and achieving social cohesion. Within this context, the MOECSY primarily focuses on five key strategic priorities, that are important for improving education in Cyprus:

- Pupil evaluation across the whole range of the educational system;
- Teachers' evaluation and evaluation of the educational work;
- Prevention of violence and delinquency;
- Integration of children with migrant background into the educational system;
- Special and inclusive education.

**B. Specific information on the implementation of articles 1–27 of the Covenant, including with regard to the previous recommendations of the Committee****Constitutional and legal framework within which the Covenant is implemented (art. 2)****Answer to Question 3**

12. The CAHR (Ombudsman) promotes the respect and protection of human rights in Cyprus through its recommendations aiming to improve respect and protection of specific human rights in Cyprus and its interventions (Reports/Opinions) emphasizing mainly the human rights of vulnerable groups, such as victims of trafficking, asylum seekers, beneficiaries of international protection, the rights of migrants, the rights of persons deprived of their liberty and the freedom of expression. Please find attached as Annex B a list of the Reports and Opinions of the CHRA.

13. The CAHR's interventions, concerned the release from detention of migrants and asylum seekers, access of migrants and asylum seekers to basic public services (e.g. healthcare and welfare), the removal of names from the "stop list" because of many years of waiting, expedition and positive evaluation of applications for residence permits, citizenships and family reunifications.

14. In the framework the CAHR's competence to generally promote a culture of respect for human rights in the Cyprus society, a number of actions have been done in recent years, including policing practices, pupils' education on human rights, and has organised several events which have raised awareness for the respect of human rights amongst society.

15. Officers of the CAHR regularly made presentations to police officers regarding the need to respect and protection of human rights in the exercise of their duties. They regularly made training seminars to primary and secondary school pupils, to sensitize them on human rights issues.

16. The CAHR organised an awareness campaign for the 70th anniversary of the signing of the UN Universal Declaration for Human Rights. The campaign included an opening event (December 5, 2018) on the subject of "the Protection of Human Rights 70 years later", and a number of other awareness raising events, in public places (between 5–21 of December 2018).

17. In April 2019, and in view of the forthcoming European Parliament Elections, the CAHR organised a campaign on “Combating Discrimination and Hate Speech in Election Campaigns”. In the framework of the campaign letters were sent, addressing the issue, to all the political parties/movements taking part in the elections, as well as major news networks. With the said letters, the recipients were informed about the Recommendations that the European Network of Equality Bodies (Equinet) had prepared on combatting discrimination and hate speech specifically during election campaigns.

18. The CAHR also organised, or took part, in a number of events/seminars which addressed human rights issues.

19. The procedure for appointing the staff of the Office of the CAHR has now changed for the recruitment of specific positions in the Office. The final selection of any new staff will be made by the Public Service Commission, from the pool of applicants who succeed in the exams after consultation with the CAHR and upon her recommendation.

20. There is no Turkish speaking staff in the Office of the CAHR. Complaints from Turkish Cypriots (TC) could be lodged in the Turkish language and are translated by the Press and Information Office of the ROC.

21. The CAHR is appointed by the President of the ROC, with the prior agreement/approval of the majority of the House of Representatives at the suggestion of the CM. The independence of the CAHR’s appointment is further enhanced by the fact that Cyprus has a presidential democracy and the ruling political party does not have majority in the Parliament. So, it is necessary for all political parties to approve with their vote the CAHR, before the appointment.

**Non-discrimination, gender equality and prohibition of advocacy of national, racial or religious hatred (arts. 2, 3, 20, 24 and 26)**

**Answer to Question 4**

22. The Cyprus Constitution and Citizenship Law ensure that nationality legislation is applied in a non-discriminatory manner. All applications are examined according to the date of filing and the decisions are issued within a reasonable period of time. Case law proves that there is no discrimination in the examination of applications.

23. Children of beneficiaries of international protection, asylum seekers and stateless children can acquire the Cypriot citizenship provided that their parents have acquired the Cypriot citizenship. Otherwise, they can apply for citizenship after the age of 18, provided that they have been legally residing in Cyprus for at least five years prior to their application and the last 12 months of the five-year period, the stay must be continuous.

**Answer to Question 5**

24. Regarding LGBTI persons, new section 99A of the Criminal Code (2015) penalizes public incitement of acts that may be discriminatory or of hatred or violence against persons because of their sexual orientation or their gender identity.

25. New section 35A of the Criminal Code (2017) provides that the court, at the sentencing stage may take into account as an aggravating factor the motivation of prejudice against a group of persons or a member of such a group of persons on the basis of race, colour, national or ethnic origin, religion or other belief, descent, sexual orientation or gender identity. Racist, religious, xenophobic and homophobic motivation constitutes aggravating circumstances in relation to all offences.

26. The data collected take into account the following information per case/incident:

- Victim/complainant and offender/accused (name, age, nationality), brief (telegraphic) description of the incident/offence, which allows for their classification;
- Whether it was officially recorded as a criminal offence or as a reported incident, and the reference/details of each case;
- Charges raised and whether specific racial charges were investigated;

- Court verdict/outcome/result.

27. Data recording and analysis are based on the incident/offence/case approach. Therefore, multiple charges and/or offenders and/or victims may be counted as a single incident. Although the recording system is updated on a continuous basis, reviews are conducted periodically. An official review is conducted annually, upon the end of each year, before official police statistics on the issue are released.

28. Statistics are available upon request by researchers or national or international bodies, and in any case, are readily available on the Cyprus Police (CP) website in English and Greek. The statistics for the years 2012–2019 are attached as Annex C.

29. Various seminars were organised for police members by the Cyprus Police Academy (CPA), as well as in cooperation with other organisations as associated partners, in European projects focusing on the issues of good policing practices of subsequent recognition, investigation and data collection of hate and/or racially motivated crimes against various vulnerable groups, including LGBTI, Turkish Cypriots (TC) and Roma and raising awareness against discrimination and xenophobia.

30. During 2016, the Police Office for Combating Discrimination (POCD), in cooperation with and NGOs, organised training seminars for police officers which are shown in Annex D.

31. As part of the CPA training curricula, and apart from other relevant programmes covering the issues of human rights, multiculturalism and diversity, the POCD, in cooperation with the CPA, enriched the training programme with seminars and courses that appear in Annex D.

32. The Roma that reside in Cyprus are TC or European Union (EU) citizens and they have free access to the labour market. The Public Employment Services (PES) of the Department of Labour (DL) offer job seekers, including Roma, assistance in finding employment, through registration, job search services and placement services, which include vocational guidance, counseling and referrals to training programmes and job vacancies. Furthermore, the Roma can participate in the Employment Subsidization Schemes that are promoted by the DL.

33. The MOI has introduced a procedure for the data amendment of the travel documents for persons who wish to change their name and sex. In order for persons not to be discriminated and to eliminate any offensive behaviour towards them, once a person meets specific criteria, the State proceeds with the amendment. Any person over the age of 18 may apply for a change of name and gender. Correction of the registered sex cannot be done more than two times.

34. In the last three school years the “Code of Conduct against Racism and Guide for Managing and Recording Racist Incidents” was implemented across schools. The Pedagogical Institute (PI) has collected data from the implementation of the MOECSY’s anti-racist policy as follows:

- For the school year 2016–2017, 41 reports were received from schools with details about the racist incidents they recorded. Out of these, 24 schools reported no incidents, while 17 recorded a total of 127 racist incidents. The most frequent criteria related to the racist behaviour were the victims’ appearance, age and gender. The victims in all cases were pupils except in nine incidents where the victims were teachers and one incident in which the victim was another member of the school community.
- For the school year 2017–2018, 100 reports were received from schools with details about the racist incidents they recorded. Out of these, 57 schools reported no incidents, while 43 recorded a total of 302 racist incidents. The most frequent criteria related to the racist behaviour were the victims’ appearance, ethnicity and language. 268 pupils and 13 teachers/other school community members were involved as victims, while 301 pupils and six teachers/other school community members were involved as perpetrators.
- For the school year 2018–2019, 124 reports were received from schools with details about the racist incidents they recorded. Out of these, 76 schools reported no incidents,

while 48 recorded a total of 357 racist incidents. The most frequent criteria related to the racist behaviour were the victims' appearance, ethnicity and skills/abilities. 400 pupils and 27 teachers/other school community members were involved as victims, while 319 pupils and three teachers/other school community members were involved as perpetrators.

35. Relevant numbers of incidents for the last three school years, are attached as Annex E.

36. The creation of the school network appears to be the most effective support strategy for schools implementing the policy. The schools' teams established in the various districts have the opportunity to exchange experiences and views on policy implementation processes and reflect on their role and ways of managing the behavior of colleagues, children and parents. The support to schools and teachers for the implementation of the anti-racist policy has been multi-dimensional and ongoing throughout the year (e.g. educational activities in various contexts and lines of communication). The positive response received by the support actions can be seen through the feedback from the network participants, mainly regarding the substantive help and interaction they experience.

37. Despite the improvement in numbers of implementation, some challenges remain in terms of the following:

- Insufficient reporting on racist incidents;
- Lack of schools' accountability for the policy implementation;
- Insufficient reporting leads to failure to develop contextually appropriate pedagogical interventions based on the racisms operating;
- Further support is needed for schools to deal with racist behavior by teachers themselves.

38. The PI continued its support to the HOMBAT project which was funded by the European Commission (EC) and its objective was to contribute to the prevention and combating of Homophobia and Transphobia (HT) in Greece, Cyprus and Lithuania. The project was mainly targeted at school advisors, school professionals, teachers, pupils, parents at primary and secondary levels and educational authorities, civil society and other professionals. In particular, HOMBAT:

- Promoted and strengthened the prevention and tackling of HT bullying in schools;
- Built the capacities of teachers and school advisors on preventing and addressing HT bullying;
- Enhanced multi-actor cooperation and exchange on combating HT bullying in schools;
- Raised awareness about HT bullying in the educational environment and support prevention through counter narratives development and promotion.

39. The CAHR as Equality Body has carried out a broad spectrum of activities to promote the principal of non-discrimination and assist individuals who were victims of discrimination. In particular, several Reports or Opinions, covering different grounds of discrimination are cited in Annex B, per ground of discrimination.

40. Acting as an Equality Body the CAHR also engaged in mediatory action which resulted in the satisfaction of claims of people who were victims of discrimination. For example, the CAHR's facilitated two different trans persons, the first, to change her name and gender on official documents, and, the second, to acquire a certificate regarding her secondary school diploma that reflected her new gender identity.

41. In addition, the CAHR published a "Code of Conduct on Preventing and Combating Sexual Harassment and Harassment in the Public Service", which was approved by the CM in July 2018. Subsequently, officers of the Office organised training sessions to raise awareness of public servants on sexual harassment in the workplace and the introduction of the Code. During 2019, about 25 such trainings were organised and around 700 people participated.

**Answer to Question 6 (a)**

42. In terms of political appointments, high-ranking posts have been filled by women including the Law Commissioner, the Commissioner for Children's Rights, the Commissioner for Administration and Human Rights, the Commissioner for the Protection of Personal Data, the Commissioner for Gender Equality, the Commissioner for the Environment, the Chairperson of the Tax Tribunal, the Chairperson of the Advisory Committee for the Prevention and Combating of Family Violence and the Chairperson of the Gender Equality Committee in Employment and Vocational Training.

43. There are three women in the CM and a woman holds the constitutional post of the Accountant-General of the Republic.

44. Women have also been appointed as the Chairpersons of the Securities and Exchange Commission and the Commission for the Protection of Competition.

45. Recently, a large number of women have been appointed as Chairpersons at the Boards of the following semi-governmental organisations:

- The Cyprus Telecommunication Authority;
- The Housing Finance Corporation;
- The Cyprus Theatre Organisation;
- The Board of Loan Commissioners;
- The Council for Registration and Control of Building and Civil Engineering Contractors;
- The Cyprus Radiotelevision Authority;
- The Tenders Review Authority;
- The Committee of Exercising Control over execution of impartial public duties.

Women also serve as Vice-Chairpersons at the Boards of:

- The Cyprus Sports Organisation;
- The Cyprus Ports Authority;
- The Cyprus Theatre Organisation;
- The Council for Registration and Control of Building and Civil Engineering Contractors;
- The Committee of Exercising Control over execution of impartial public duties;
- The Cyprus Radiotelevision Authority;
- The Licensing Authority;
- The Foundation of the Cyprus Symphony Orchestra.

46. Taking into consideration the above-mentioned appointments, women's participation in the boards of semi-governmental organisations has been strengthened, with women accounting for 36% compared to 30% in 2016. At the same time women participate as chairpersons in the Councils of semi-governmental organisations at 33% compared to 24% in 2016.

47. The Government, aiming to promote the balanced participation between women and men in decision-making positions in all areas and to reach parity, decided to promote, among others, the following measures through the new National Action Plan on Gender Equality (NAPGE) 2019–2023:

- Examine the introduction of special temporary measures to increase the participation of women at decision-making levels, including quotas;
- Create an Observatory and Database on participation of women in positions of responsibility in politics, the economy, society and the business sector;

- Awareness-raising campaigns aiming to promote women candidates in view of the Parliamentary and Municipal Elections of 2021;
- Meetings and contacts with political parties and media organisations;
- Dissemination of statistical data and research findings and the exchange of good practices through conferences and seminars;
- Research programme on integrating gender equality in municipal and community policies;
- Dissemination of a Guide on Gender Mainstreaming in public policies;
- The new National Action Plan on Equality between Women and Men (NAPEWM) 2019–2023 has been prepared and approved by the CM (September 2019), as a project of close collaboration between the Government, the Commissioner for Gender Equality, local authorities, women’s organisations, non-governmental organisations (NGOs), academic institutions and human rights bodies;
- The NAPEWM was formulated on the basis of international conventions and recommendations, particularly the UN Convention on the Elimination of all Forms of Discrimination Against Women and its latest Concluding Observations, the Beijing Declaration and Platform for Action, the 2013 Sustainable Development Goals (SDGs), as well as EU policy frameworks;
- The NAPGE, which is the most significant achievement in terms of the national policy on gender equality, includes the following seven thematic areas:
  - (i) Combating all forms of violence against women and gradual implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (“Istanbul Convention”);
  - (ii) Promoting balanced participation between women and men in decision-making positions in public, political, social and economic life;
  - (iii) Modernizing/improving the legislative framework;
  - (iv) Protecting and empowering vulnerable groups of women;
  - (v) Promoting equality between men and women in employment;
  - (vi) Eliminating gender stereotypes and social prejudices;
  - (vii) Educating and training women in information and communication technologies.

**Answer Question 6 (b)**

48. In 2019, the Minister of Foreign Affairs has appointed a Gender Advisor whose mandate, inter alia, includes:

- The implementation of specific actions and initiatives within the framework of the foreign policy of the ROC, on issues related to the advancement of women’s rights and gender equality;
- The engagement and development of collaborations with civil society in the promotion of women’s rights and gender equality in foreign policy;
- Drafting, designing, planning and evaluating the Policy Framework of Action related to mainstream gender in foreign policy of the ROC;
- Promoting the institutional strategy towards equality between women and men and the integration of the gender dimension within the Ministry of Foreign Affairs.

49. Since the appointment of the Gender Advisor a number of activities have taken place, including:

- Financial contribution to UN institutions as these related to the advancement of women rights.

- Financial contributions to neighboring countries in relation to women and girls education, sexual, reproductive, health and rights.
- Actively and substantially contributing on women's and girls' rights on international/regional/European discussions, including on joint statements, recommendations and resolutions.
- Organising different events, such as international conferences on issues related to for example "Women in Diplomacy", meetings with civil society organisations on the impact of COVID-19 on women and girls and the role of the international community.
- The organisation of internal trainings on mainstreaming gender in foreign policy including on the implementation of 1325 (2000) resolution: women, peace and security.

50. The draft National Action Plan (NAP) on Women, Peace and Security (2020–2024) underwent wide public consultation between 5 February–5 March 2020. The competent body for drafting and overseeing the implementation of the NAP is the Commissioner for Gender Equality, an independent body of the ROC. The NAP is expected to be finalized and adopted by the end of 2020.

51. While the ROC is the subject of international law that assumes obligations pursuant to UN Security Council Resolutions, it does not itself participate in the Cyprus peace process, which is conducted between the two communities of Cyprus (see Track I below). The Government participates in the talks only when it comes to discussing relevant international treaties to which is a party, along with other States which are parties to the same treaties. Women are omnipresent in all tracks of the peace process in Cyprus and are in fact responsible for much of the body of work produced towards the resolution of the Cyprus conflict. The participation of women in the Cyprus peace process can be traced back to its early stages and has been continuous ever since.

52. The peace process comprises of Track I and Track II activities. Track I concerns the actual negotiation for the settlement of the Cyprus conflict. Track II includes a number of actions that contribute to daily management of the conflict and conflict mitigation, stability, peacemaking, and dialogue between the two largely segregated communities, including the work of the Technical Committees (established in 2006 in order to enable the resumption of the peace process, covering a wide spectrum of issues with bi-communal composition). Concerning participation of women in the Track I process, in the latest round of negotiations, which commenced in late 2013, a significant number of women have participated at all Track I levels (leaders, negotiators, expert working groups). In addition, the gender perspective has received increasing attention in this round as a substantive matter, with discussions having taken place on possible provisions in the settlement regarding, inter alia, quotas for elected women parliamentarians.

53. Regarding participation of women in Track II process activities, it is noted that women take part both in the decision-making process and the implementation of confidence-building measures, serve as members and or/heads of the Technical Committees, participate in the regular dialogue among Greek Cypriots (GC) and TC political parties, facilitated by the Embassy of Slovakia in Cyprus, are actively involved in policies related to the humanitarian track of the peace process, comprising the work of the Committee on Missing Persons (CMP) and the policies of supporting the enclaved persons, that is, a small number of GC civilians residing in the occupied part of Cyprus and are participating actively in the facilitation of the work of the religious track of the Cyprus peace process (established in 2011 under the auspices of the Embassy of Sweden in Cyprus, comprising all religious leaders of Cyprus, with the aim of working together to support human rights, peace, reconciliation, and the Cyprus peace talks).

54. The Technical Committee on Gender Equality was established in 2015 and its mandate allows it to submit recommendations on addressing specific gender-related issues and on how to better mainstream gender in the negotiations. The Committee has organised gender-related events and discussions, has been planning for future projects, involving also other Technical Committees, and it has fulfilled its mandate on submitting specific recommendations to Track I negotiations, with long, detailed and substantiated suggestions

concerning constitutional and settlement provisions. In previous reports concerning his good offices mission, the UN Secretary General notes his encouragement by the concrete steps undertaken to foster the participation of women in the negotiations, often in leading positions and the importance of ensuring a greater gender perspective in the talks.

55. Besides, the Government of Cyprus, in close collaboration with civil society organisations, has undertaken to draft the first NAP in view of implementing Security Council Resolution 1325 (2000) on “Women, Peace and Security”, covering the period 2020–2024. The NAP aims to ensure full implementation of the Women, Peace and Security agenda and consists of four main pillars: (1) Participation and Empowerment; (2) Protection; (2) Prevention; and (4) Promoting and informing civil society about the aforementioned Resolution.

56. On the basis of the NAP in view of implementing Security Council Resolution, a Military Advisory Council for the Promotion of Gender Equality (MACPGE) was established on 30 October 2019. The MACPGE is made up of three women and two men, officers of the army.

57. The role of the MACPGE is as follows:

- Identification of issues related to the relevant Resolution and submission of relevant recommendations to address them;
- Advocate for gender equality and promote policies to increase the presence of women at all levels of the army;
- Ensuring that gender specificities are taken into account in the implementation of army actions;
- Encouraging members of the army to cooperate and contribute to its activities and report on gender equality issues;
- Inform members of the army of the impact of armed conflict on both sexes and the value of women’s involvement in conflict resolution and decision-making.

58. At same time, the MACPGE carries out the tasks of the Gender Equality Committee in the prevention of harassment and sexual harassment in the army of the ROC, the elimination of stereotypes that maintain and reproduce discrimination, inequality and gender based violence.

59. The MACPGE will take the following actions in co-operation with competent bodies:

- Develop a Code of Conduct for personnel serving in military and civilian missions in respect of their obligations to respect the rights of women and girls during conflicts and peace processes;
- Organise seminars and experiential workshops to train members of the army, regardless of their position, in order to inform them on gender equality issues.

60. It must be noted that:

- 22 of the 44 female Officers serve in positions of responsibility and administration, largely participating and shaping decision-making;
- Female non-commissioned Officers occupy the proportion of 32,6% in the army and female soldiers with contract the proportion of 20,7%.

#### **Answer to Question 6 (c)**

61. The MLWSI is responsible for the enforcement of the *legislation on Equal Pay between Men and Women for the Same Work or for Work to which Equal Value is Attributed* [L. 177(1)/2002, as amended]. During the period 2010–2015, the Ministry implemented a project a €2 million budget, co-funded by the European Social Fund, under the title “Actions for Reducing the Gender Pay Gap”. The successful implementation of the above measures, has contributed, amongst others, to the significant decrease of the gender pay gap. The gender pay gap has decreased since 2007 (22%) and it keeps following a downward trend reaching a percentage as low as 13,7% in 2017 (according to the latest official data).

62. After the completion of the project, the MLWSI has kept several actions which are ongoing. Firstly, the inspection mechanism continues its activities and an annual target for this field is being set. Specifically, 256 inspections were conducted in 2019, 230 in 2018 and 200 in 2017. During the implementation of the project (2010–2015) 1000 inspections were conducted. Also, a complaint mechanism exists that accepts complaints, including anonymous ones.

63. Another ongoing action is the national model for certifying enterprises which adopts policies promoting gender equality in the workplace. A National Certification Body was established in April 2014 by decision of the CM and it is responsible for granting certifications. The National Body is chaired by the MLWSI, while its members are the Commissioner ON Gender Equality and representatives of the employers' and employees' associations. Until 2019, 54 companies in total were awarded a certification.

#### **Answer to Question 7**

64. The registration of a Cypriot citizen for purposes of the right to vote in elections is automatic for persons born as of 01/06/1999. In 2014, Cyprus amended the *Civil Registry Law* [L.104(I)/2002, as amended], to include within the right of citizenship, persons who had either a matrilineal or patrilineal connection, regardless of the date they were born.

#### **Right to life, prohibition of torture and other cruel, inhuman or degrading treatment or punishment, and domestic violence (arts. 2, 3, 6, 7 and 26)**

#### **Answer to Question 8**

65. An overall effort is made towards building public awareness regarding domestic violence, which also encourages reporting, through campaigns, the publication, production and distribution of informational material such as leaflets, brochures, radio and TV spots etc. In the last few years, the internet and the social media in particular have been increasingly used for this purpose.

66. Competent government authorities, cooperate on a permanent basis regarding the handling of various cases of domestic violence, from the initial stage of the investigation and throughout the whole procedure. In addition, good cooperation has been developed with relevant NGOs on the basis of Protocols of Cooperation.

67. A Protocol on Risk Assessment of Intimate Partners Violence has been adopted (January 2018) and is implemented during the investigation of these cases by specially trained members. A new series of training seminars aimed at training a larger number of first-line officers has been launched on the 7th of October 2019.

68. According to the Violence in the Family (Prevention and Protection of Victims) Law [L.119(I)/2000, as amended] services are provided to all victims of violence in the family. Cases of domestic violence are handled according to the Manual of Interdepartmental Cooperation on Domestic Violence (a cooperation between government agencies and NGOs), approved by the CM in 2002. The Manual of Interdepartmental Procedures concerning the handling of cases of domestic violence against children was reviewed and a new version was introduced in 2017.

69. The NAP on the Prevention and Combating of Violence in the Family (NAPPCVF) 2017–2019, has been prepared by the Advisory Committee on the Prevention and Combating of Violence in the Family (ACPCVF) in cooperation with all the relevant Ministries/Services/other stakeholders and approved by the CM on May 25, 2017. The new NAP is under preparation.

70. Since 2002, the Domestic Violence and Child Abuse Office has been operating at the Police Headquarters, mainly performing coordinating and advisory functions. Reported cases of domestic violence are investigated by either the police stations or the Divisional Crime Investigation Departments, depending on the seriousness of each case.

71. There was a signing of a bilateral cooperation protocol between the MJPO and the NGO, Association for the Prevention and Handling of Domestic Violence (APHDV). The APHDV runs a 24-hour telephone helpline for women victims of violence, funded by the

MJPO. In addition, the CP has adopted a special Risk Assessment Protocol (RAP) for cases related to intimate partner violence. The RAP is used in cases of allegations of violence, involving (former) spouses, cohabitee or partners.

72. In 2019 the number of shelters for victims of violence in Cyprus increased to three operated by an NGO, the APHDV and subsidized by the Government.

73. In the context of the implementation of the obligations arising from the Council of Europe Convention on the Prevention and Combating of Violence against Women and Domestic Violence (Istanbul Convention), ratified by the ROC in 2017, the CM, approved in January 2019, the creation and operation of a “Women’s House”, where specially trained professionals will work under one roof to provide services to women victims of violence and their families, based on a multiagency/multidisciplinary approach. The CM also approved the creation of an Ad-Hoc Committee (consisting of three Ministries, the MLWSI, the MJPO and the Ministry of Health (MOH)) for the coordination of the actions for the creation and operation of the “Women’s House”. The ACPCVF has been designated as the coordinator of the Ad-Hoc Committee. The ACPCVF has already established cooperation with similar Houses/Centers abroad and found the place where the “Women’s House” will be housed, which is expected to operate by the end of 2020.

74. A bill in line with the Council of Europe Convention of Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) (2019), as regards violence against women and girls, implementing in national law the extensive provisions of the Convention, is currently under legal vetting.

75. More specifically, the bill:

- Covers all forms of violence against women and girls as these are stated in the Convention;
- Strengthens the protection and assistance of women and girl victims of violence;
- Sets out proportionate, deterrent and effective sanctions;
- Lays concrete basis for the provision of specialised assistance to victims;
- Sets out a comprehensive, holistic, women centered approach (while recognizing the individual agency of women), as well as preventative actions and enforcement measures;
- Provides for the establishment of a coordinated body to implement the Istanbul Convention, which amongst others, will undertake the responsibility for the creation of a unified data collection system on all forms of violence against women which will include desegregated data by sex and age of the victims and perpetrators and the relationship between them as well as the type of violence;
- Sets the basis to establish international and national cooperation in the field of violence against women.

76. With regards to stalking and harassment, a bill currently pending for enactment in the Parliament will regulate the protection of individuals from behaviour such as harassing and stalking, behaviour that constitutes harassment, as well as other related offenses. Its purpose is to criminalize harassment by varying the penalties imposed and its consequences on the victim and also provides for the possibility for the court to issue decrees with a view to protecting the victim or other persons in his/her environment. A special section on urban therapies is included and, in particular, the right of the victim to compensation and rehabilitation after a final conviction is provided for. The bill is now being discussed at the Parliament.

77. *The Violence in the Family (Prevention and Protection of Victims) Law* [L.119(I)/2000, as amended], provides that the court can decide on a different place for the child victim’s testimony, other than the Court Room.

78. In recent years, the CP has been making continuous and systematic efforts to combat the sexual abuse of children, substantially contributing to the implementation of the National Strategy to Protect Children Against Sexual Abuse.

79. Since January 1st, 2017, a central special unit has been established and operates at the Police Headquarters investigating all child sexual abuse allegations nationally.

80. The Children's House (CH) in Cyprus has been in operation since September 2017. It adopts a multidisciplinary approach in a child friendly environment, while all services (forensic interview, medical/psychological/social services) are provided under one roof. A multidisciplinary/interagency team discusses the cases referred to the House once a week and also in emergency cases. This team consists of the Coordinator, the Social Worker and the Psychologist of the CH and representatives from the Social Welfare Services (SWS), the CP, the Mental Health Services and the MOECSY.

81. The CPA provides education to police officers on the legislation and procedures followed in such cases, as well as on the psycho-social aspects of domestic violence. Specialised programmes are often organised by the CPA, in collaboration with the Domestic Violence and Child Abuse Office, focusing on addressing specific needs. Such programmes are:

- Specialised programmes on domestic violence issues;
- Seminars on handling child/juvenile victims of violence;
- Courses on interviewing vulnerable/child victims/witnesses;
- Courses on investigating sexual abuse crimes.

82. More information is provided in Annex D.

83. Law 51(I)/2016, incorporating EU directive 2012/29 (establishing minimum standards on the rights, support and protection of victims), is included in the lectures that are offered as part of the basic training programme for Recruit Police Officers.

84. Police Standing Orders (PSO), Circular letters of the Chief of the Police (COP) and other official documentation are regularly prepared or updated, codifying procedures and defining obligations and responsibilities of police officers when handling cases of domestic violence. In order for all relevant material to be directly accessible to the police officers, a special category has been recently created on the police portal. The uploaded material is updated, according to any changes and new developments arising.

85. Specialised programmes are also periodically organised in collaboration with the Domestic Violence and Child Abuse Combating Office, focusing on addressing specific needs. Such programmes are:

- Specialised programme on domestic violence issues;
- Handling juvenile victims of domestic violence;
- Sources on interviewing vulnerable/child victims.

86. In the last three-years, the CP has participated in two EU programmes with a focus on violence against women. The Circle of Change (Preventing and combating violence against women and girls through gender equality awareness) and STEP4GBV: Support, Training, Exchange Practices for Gender Based Violence) (see also Annex D).

87. Within the framework of their implementation, the following activities have taken place among others:

- A police training manual has been prepared, being an important tool that aids and guides police officers dealing with this type of cases/incidents.
- A series of specialised training programmes have been designed and implemented targeted both at police officers and members of other competent services and organisations.
- An informational leaflet on the rights of victims of gender-based violence has been prepared and translated in eight languages. The leaflet is available on the portal of the CP, in order that the victims of gender-based violence are provided with by the Police. Shortly, this material will be also available in printed form.

88. The SWS participated in the following trainings for the period 2017–2019:

<i>Year</i>	<i>Number of trainings/seminars</i>	<i>Number of Social Services Officers</i>
2017	6	67
2018	-	-
2019	5	65

89. Domestic Violence and Child Abuse Data: Racially motivated crimes/incidents and hate crimes are collected and analysed periodically. An official review is conducted annually, upon the end of each year.

90. The last revision and conduct of official data was prepared on March 2019. The CP data are publicly available and accessible through the CP website. The relevant statistics for the years 2015–2019 are attached as Annex F.

#### **Answer to Question 9**

91. As a result of the 1974 Turkish invasion, approximately more than 3000 GC civilians and military personnel were killed or went missing.

92. In 1981, the CMP started a programme of excavations and identifications of remains. As a result of the exhumations and identifications of the CMP the following cases were identified by DNA:

From the list of 1493 missing from the Turkish invasion:

2013 – 64

2014 – 132

2015 – 46

2016 – 78

2017 – 89

2018 – 34

2019 – 20

2020 – 0

From the list of 44 missing of 1963–1967 period:

2013 – 1

2014 – 8

2015 – 0

2016 – 2

2017 – 1

2018 – 0

2019 – 0

2020 – 0

93. More than 50% of the cases of GC missing persons submitted to the CMP are still pending.

94. The Government supported and continues to support in every possible way, the humanitarian efforts of the CMP. Nevertheless, the Government is not satisfied with the fact that the CMP continues to be faced with a number of challenges which are mainly the following:

- The dramatic decrease in the number of remains exhumed from burial sites in the occupied northern part of Cyprus. In 2017, approximately 40 remains or part of remains have been located whereas in 2018 only about 10 remains or part of remains

have also been located. In 2019, approximately 15 remains or part of remains have been located. In the first three months of 2020 two remains presumed to belong to missing persons were located. As a result, a lot of resources financial and human are wasted since no remains are located. The CMP has relied so far exclusively on information from ordinary GC and TC and this source of information is nearly exhausted as time goes by.

- The Turkish army is in a position to provide the needed information from its archives to the CMP because the Turkish army carried out a lot of burials that TC are not aware of, especially burials of GC missing in action, that took place after the clearing of the battlefields by the units of the Turkish army. Despite the fact that Turkey was repeatedly called upon for the disclosure of the necessary information to the CMP, there has never been a response from the part of Turkey. Neither was there any information from the Turkish military archives submitted by Turkey although there has been an agreement to do so.
- There is also a legitimate need for the provision of more information to the families, who receive for burial the remains or fragmented skeletal elements of their loved ones. However, the Turkish military refused so far to cooperate on this issue although we have serious grounds to believe that they do have the information.
- It has been scientifically established that in the past, a number of mass burial sites of GC had been purposely interfered and the remains have been removed to unknown locations. As a result, during the exhumations, only fragmented and commingled skeletal elements are located. This unfortunate development increases dramatically the cost and time of the exhumations as well as the other scientific processes that are necessary for the identification. The worst, however, is that the families receive for burial only small parts of skeletal elements of their loved ones. This creates a lot of additional problems to the families and does not allow them to proceed to a closure of a chapter of their tragedy.
- A lot of information still exists about mass burial sites located in areas classified as military by the Turkish army in the areas not under the effective control of the Government. The CMP does not have unhindered access for exhumations or for carrying out investigations to document and record the burial sites in military areas. Despite the permissions given by Turkey in the last few years, the problems and the obstacles in exhumations and investigations in military zones continue.

95. The Government is and has always been committed to the full determination of the fate of all the missing TC (503 cases from the 1963–1967 period and 1974). A lot of information has been submitted to the CMP, for burial places of missing TC by the GC Members from 1989 onwards, that is 16 years before the programme of exhumations started by the CMP. At the same time, a similar response for the missing GC is expected from Turkey.

96. As a result of the work of the CMP, the following cases of missing TC were identified by DNA:

2013 – 38

2014 – 30

2015 – 15

2016 – 35

2017 – 26

2018 – 21

2019 – 21

2020 – 2

97. In order to improve the effectiveness of the CMP and to secure the needed information it is imperative that:

- Turkey release the information concerning the mass burials of GC carried out by the Turkish army;
- Turkey is expected to release all information contained in its military archives concerning missing persons;
- Release the information concerning the location at the new burial sites pertaining to the remains they were removed intentionally by the Turkish army from the primary burial places;
- Implements without further delays the 2001 Judgment of the European Court of Human Rights concerning the missing GC;
- Allows unimpeded access to military zones for investigation as well as excavations.

98. In conclusion, it is stressed that without the sincere cooperation of Turkey unfortunately, no real progress towards the solution of this tragedy can be achieved in the foreseeable future.

99. In addition to the work of the CMP the Government initiated in 1999, a programme of exhumations and identifications of remains in the areas under the effective control of the Government.

100. In 1974, a number of dead persons, because of the injuries suffered and other factors could not be identified and were buried as unknown in cemeteries. As a result of the exhumations from 1999 until today, remains of 26 missing persons of the original list of 1619 were located and identified.

101. In relation to the cases concerning missing persons, the CMP is currently in the process of re-evaluating all old cases, to establish that all suitable measures were taken and the investigation into these cases was thorough, and also to examine whether there are any further actions that need to be taken.

102. As of May 2020, 47 cases over the total 78 have been re-evaluated. The evaluation is done following the new PSO on investigating missing persons' reports, which was issued in June 2019. It has special provisions concerning vulnerable groups, children etc. As regards the CMP, all necessary support is provided during the reporting period. A special team based in the Criminal Investigation Department of the Police Headquarters, deals with these criminal cases, based on the findings and other relevant information received from the CMP.

#### **Answer to Question 10 (a)**

103. Allegations for ill-treatment and/or torture against:

A. Police officers: From 2015 to 2019 the Independent Authority for the Investigation of Allegations and Complaints Against the Police (IAIACAP) received 374 complaints concerning ill-treatment or torture. In 267 cases no offences were justified, while 82 are still pending investigation. In 25 cases, criminal prosecution was exercised against the members of the police involved. The outcome of these cases is attached as Annex G.

B. Prison staff: During the reporting period, eight complaints were made by male adult inmates and all were duly investigated by the Police. In four of the cases the allegations proved to be false, two cases were withdrawn and unsubstantiated, one case is pending before Court and the prison officer is still suspended and one case was under investigation but there is no further update on it, as the officer decided to terminate his services from Prisons early this year.

#### **Answer to Question 10 (b)**

104. In relation to the prevention of ill treatment of inmates by staff and the protection of an ill-treated inmate, a number of effective fundamental safeguards and measures are applied, and a prompt, independent and efficient investigation is carried out by the CP and internally by the Prisons Department (PD).

105. When a complaint/allegation of ill treatment/abuse of power comes into the attention of the prison management, either in a formal manner or even in the absence of a formal

complaint (i.e. collected information from whistleblowing, doctors, psychologists, psychiatrists, etc.), the circumstances are immediately investigated by the CP and internally by the PD.

106. To ensure adequate protection for all persons against torture or cruel, inhuman or degrading treatment, inmates have immediate access to medical care following an ill-treatment incident or allegation for ill-treatment, and they undergo a systemic medical screening according to Istanbul Protocol for effective investigation of such incidents. There is zero tolerance to ill-treatment or to any other form of violence, bullying and hate speech.

107. There are many channels for communicating such incidents, and the use of skype prison facilities, was considered as a good practice for the prevention of ill-treatment and was included in the edition of the Council of Europe (2016) “A handbook for prison staff with focus on the prevention of ill-treatment in prison”.

108. As regards the procedure and the safeguards for the investigation of such allegations or incidents and the protection of alleged victims, please see Annex H.

#### **Answer to Question 10 (c)**

109. Prison leadership have repeated and made clear to the members of staff that there will be zero tolerance by the administration to any abuse or reprisals by the prison staff and has alerted the staff to demonstrate more diligence to any incident that requires investigation in finding any form of violence or ill-treatment and to inform the prison management in due time.

110. To this end, policies and procedures are imposed to prevent ill-treatment, abuse of power and reprisals and the Director reiterates at regular intervals during meetings with the staff and through prison orders/instructions that all forms of ill-treatment are unacceptable as they do not reflect the culture promoted by the leadership.

111. The Director of the PD, in an effort to prevent ill-treatment and torture, has established an effective complaints system and procedures to control and filter the discretionary powers of the prison staff and has opened new channels of communication for the inmates with her Office and with the outside world:

- In addition to the formal procedure of complaints, the Director has established an office in the administration for the requests/complaints of the inmates and their relatives so as the inmates have another channel of communication with the Director. A member of the Director’s office on a daily basis, receives all requests, and in case of a complaint for ill-treatment, this is directly referred to the Director.
- The Director with her team occasionally visits all areas of the prison establishments and meet in person with the inmates.
- She further established a procedure for filtering and controlling all the discretionary powers of the prison staff by issuing a Prison Standing Order, prohibiting prison staff to take any action against inmates for placement an inmate in confinement, without first informing the Director and following a written report.
- The inmates have free access to the boxes (daily from 08:00 – 21:00 hours) of the CAHR, and the Council of Prisons, and Director’s box for any complaint or request.
- The office of the Director facilitates access for the visits of the officers from the Council of Prisons and from the CAHR.

112. Further there is an effective remedy to complaints according to the recent amendments of the *Prisons Law* and the relevant Regulations issued under it.

113. In the framework of the implementation of the above, staff members attend pertinent courses and training in Cyprus and abroad and special orders have been issued on how to deal with such incidents.

114. The special training of the staff aims to equip and assist staff to be in line with the philosophy behind the reforms of the prison leadership, that promotes respect for the human dignity and diversity, safeguards the human rights of all inmates without any form of

discrimination, and encourages reporting of every such incident that comes into their attention.

115. The past five years 45% of the prison staff have received training for identifying vulnerable inmates at risk of ill-treatment, inter-prisoner violence or of suicidal behaviours etc., and 40 prison officers have received training on the prevention of alleged victims of ill-treatment and the steps for the investigation of such incidents according to the Istanbul Protocol.

116. Investigation of complaints by IAIACAP: The IAIACAP is composed of five members appointed by the CM for five years with one member appointed as its President.

117. According to the Law 9(I)/2006, the IAIACAP investigates complaints against members of the police in relation to the three following categories:

- Corruption, bribery or unlawful enrichment;
- Violation of human rights;
- Actions which constitute favourable treatment or undermine the police repute.

118. The IAIACAP can carry out an investigation *ex proprio motu* into allegations of human rights violations which come to its knowledge in any manner whatsoever and also following written complaint to it. The Attorney General of the ROC and the Minister of Justice and the Public Order may also assign to the IAIACAP in writing the investigation of complaints submitted to them or allegations which come to their knowledge in any manner whatsoever.

119. The investigations carried out are criminal ones. Members of the IAIACAP and other investigators carrying out an investigation are expressly given by the Law all the powers possessed by the police force in the investigation of crime under the *Criminal Procedure Law*. The procedure for collecting evidence and taking statements from witnesses is governed by the *Criminal Procedure Law* in the same way that is applicable to criminal investigations carried out by the police force. The IAIACAP is moreover empowered to engage the services of experts/specialists such as photographers, interpreters, forensic doctors and others that may be necessary for an investigation.

120. The IAIACAP examines the evidential material collected in the investigation and if in its view it discloses that a criminal act may have been committed the investigation file is transmitted to the Attorney General with the IAIACAP's views and suggestions, for evaluating the evidence and deciding whether to proceed with a prosecution. If it discloses that disciplinary act may have been committed, the investigation file is transmitted to the COP for taking disciplinary action. The IAIACAP informs complainants in writing regarding the outcome of its investigations.

121. The European Court of Human Rights (ECHR) issued a decision on 18 June 2009 (application no. 20198/05, by Morteza Mollazeinal v. Cyprus), providing that the IAIACAP is an independent authority that is not linked in any way, hierarchically or institutionally, to the CP. Additionally, the ECHR found that the investigation carried out by the IAIACAP was sufficiently thorough to meet the requirements of Article 3 of the European Convention for the Protection of Human Rights.

122. Regarding the financial aspect, the IAIACAP faces no real problems, as both the Government and the Parliament, respond positively to the financial needs of the IAIACAP. Unfortunately, the IAIACAP has been understaffed for the past five years and despite the fact that this issue has been repeatedly pointed out, the governmental authorities have not yet responded positively.

123. The CPA provides education on combating torture and ill-treatment by police members and on human rights issues, at all levels of police training. Specifically, such lectures aiming to educate police constables of all ranks are offered at the basic training programme for recruit police officers and at specialised courses such as the Sergeant Course, the Basic and Advanced Criminal Investigation Department Courses.

124. Also, a 13-week training programme was offered to police officers who joined the CP and were appointed to work at Menogeia detention centre in 2011, and ever since, they

periodically (within six months), receive revisional programmes (two-week refresh course), focusing on subjects such as human rights, racism, xenophobia, the rights of detainees etc.

#### **Answer to Question 11**

125. The ROC through the provisions of its national legislation authorizes the members of the CP to use force under certain conditions. The main provisions relating to these conditions are included in the following:

- Criminal Code (Cap. 154, art. 17): Situation of necessity;
- Criminal Code (Cap. 154, art. 74): Use of force to disperse rioters;
- Criminal Procedure Law (Cap. 155, art. 9 & 10): Use of force to make an arrest and search following an arrest;
- Regulatory Administrative Act 61/2011, Reg. 10(6), (7) on the Detention Areas for Banned Persons: Use of force in the case of dangerous detainees;
- The Cyprus Constitution (art. 7(3)): lethal force, that is the deprivation of the life of a person as prescribed by Law and when this becomes imperative and the use of force is absolutely necessary and consequently there is no other way of dealing with the situation in order to:
  - (i) defend a person or property and prevent similar and otherwise unavoidable, irreversible and irreparable harm;
  - (ii) make an arrest or prevent the escape of a person from lawful custody;
  - (iii) take action with the aim of controlling riots or insurrection.

126. With regards to the use of firearms, art. 6 of the *Police Law 73(I)/2004* provides that members of the CP may carry firearms, so as to fully and effectively carry out their duties.

127. PSO 5/50 on the “Use of Police firearms” among others, provides for the conditions and basic principles for the use of firearms by members of the CP, in terms of firing against a person as well as for the use of firearms for warning or intimidating purposes.

128. The police members must possess a “Certificate for the Ability to Possess and Use a Police Firearm”, which they obtain following specific training. This certificate is valid for five years and in order to renew it police members have to attend training for one day, at the end of which they have to pass a test (PSO 4/16). Additionally, members of the CP participate in annual shooting practice, so that they are able to effectively and safely use their firearms.

129. Besides the above, the CP has PSO which govern the use of other forms of force, such as through the use of truncheons and various types of chemicals.

130. All of the above are included in the training of police members as part of their basic training at the CPA and the Emergency Response Unit, as well as within the framework of seminars/programmes and other specialised training organised from time to time by various specialised Police Services/Units.

131. Additionally, following the submission of a recommendation by the CP, there is currently a draft legislation before the Parliament, which will allow the CP to obtain and use conductive energy devices.

#### **Answer to Question 12**

132. For complying with the judgment of the European Court of Human Rights in the case of *M.A. v. Cyprus* (no. 41872/10) the Attorney General’s Office prepared a bill amending the *Establishment and Operation of Administrative Court Law*. Following its approval by the CM, the bill is currently pending at the Parliamentary Committee for Legal Affairs. In accordance with the said bill, when a person challenges a deportation order, a decision to return or a decision to remove which had been issued pursuant to the *Aliens and Immigration Law*, the enforcement of the administrative act is automatically suspended pending the outcome of the recourse on a first instance level. In practice, this means that the authorities responsible for deportation and removals are legally bound not to deport, return or remove

the said person because in accordance with the new legislation the enforcement of the deportation order, decision to return or a decision to remove is suspended.

133. The principle of non-refoulement is provided for in the *Refugee Law* [L. 6(I)/2000, as amended]. The applicant is considered and treated as an asylum seeker and his/her deportation orders are suspended, in case where new evidence is submitted and its accepted that there is valid reason to reopen the asylum file.

### **Trafficking in persons (art. 8)**

#### **Answer to Question 13 (a)**

134. The relevant statistics information is attached as Annex I.

135. The NAP was adopted by the Multidisciplinary Coordinating Group (MCG) against trafficking in September 2019. Its implementation has been discussed at the MCG's December meeting, and it will be further discussed in the forthcoming July 2020 meeting.

136. All victims of trafficking have access to adequate measures of protection and support. They receive services and benefits as specified in the anti-trafficking law. Victims are entitled to financial, psychological and social support, which they receive from the Government, in cooperation with NGOs. There is no difference in the services provided to male and female victims of trafficking, except the temporary accommodation at the governmental shelter for female victims of trafficking for sexual exploitation. Men are accommodated elsewhere.

137. The main legislative development is the adoption of the *Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims Law* [L.60(I)/2014], which provides the legal framework regarding the prevention and combating of trafficking and exploitation of human beings, as well as victim protection. This law is aligned with the EU directives 2004/81/EC and 2011/36/EU.

138. The penalties envisaged by the aforementioned Law were amended by the *Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims Law* [L. 117(I)/2019, as amended]. The penalty for the basic offence of trafficking was raised from 10 years to up to 25 years imprisonment; the penalty for Trafficking in Human Beings (THB) for organ removal was raised from 25 years to life imprisonment, and in the event where the life of the victim is in danger, from 30 years to life imprisonment; the penalty for THB for labour exploitation was raised from 6 years to up to 15 years and in the event where the victim is a child, from 10 years to life imprisonment; the penalty for THB for sexual exploitation was raised from 10 years to up to 25 years; and the penalty for child trafficking was raised from 25 years to life imprisonment.

139. Moreover, the penalty provided for in article 17 of Law 60(I)/2014, which criminalizes the use of services provided by victims of trafficking where their client should reasonably have been able to conclude or suspect that the service was provided by a victim of trafficking, was raised from three year to up to 10 years or €50.000, or both. In the event where the victim is a child, the penalty was raised from 10 years or €80.000, or both to life imprisonment or €100.000, or both. Further, a new article 17A was inserted in July 2019 concerning the criminalization exclusively of the use of sexual services.

140. As provided by the *Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims Law* [L.60(I)/2014, as amended], a National Referral Mechanism (NRM) has been established and a respective manual has been published and circulated to all parties, governmental and non-governmental. All presumed victims are informed of their rights and the cooperation of all competent authorities ensures the access to their rights as well as to be granted the necessary assistance and protection up to the stage of filing of compensation.

141. Within the CP the Office of Combating Trafficking in Human Beings (OCTHB) operates and is considered to be the specialised unit for the investigation of THB cases. Among its duties is the investigation of all serious cases of THB, the identification of victims, the assistance and guidance of other police departments concerning issues of THB.

142. Members of the OCTHB conduct, open source investigation and electronic devices are being confiscated (mobile phones, tablets, laptops, etc.). The mentioned devices are forensically examined by the specialised police laboratory after court orders are obtained in order to gain access to private communication data.

143. During the reporting period, the CP has conducted several cooperative international investigations on human trafficking and European and international arrest warrants have been issued. In addition, the OCTHB was a member of two Joint Investigation Teams on trafficking cases with Polish and UK authorities as well as with the Bulgarian Authorities.

144. Random checks are conducted in places that are considered as high risk for victimization, in cooperation with the Aliens and Immigration Service and the Labor Inspectors, to combat labor exploitation of workers.

145. In 2019, the ROC participated in the campaign of the European Crime Prevention Network with other European countries aiming to step up the fight against THB by informing (potential) victims that they could be or become victims of trafficking, where they can find help, protection and information and that they have EU-wide rights. Relevant posters have been placed at Cyprus airports, police stations, etc. Moreover, videos also produced for the same reason, were disseminated on social media channels and websites.

146. In the framework of cooperation, during the reporting period, the OCTHB undergone investigations on trafficking issues after mutual legal assistance requests from other countries were received.

147. The CP is in close cooperation with the foreign embassies located in Cyprus, and when a victim is referred or located by the CP, the respective embassy is informed and there is a close cooperation to ensure the best interest of the victim.

#### **Answer to Question 13 (b)**

148. The NRM provides for the appropriate guidance and standard operating procedures for handling victims and potential victims of trafficking (including identifying and referring victims to services), so that they have access to their rights. All authorities and organisations deal with (presumed) victims are informed and trained on the mechanism for a more effective outcome.

149. There is no gender discrimination in relation to the handling of identified victims of human trafficking. In addition, in 2019, the Manual for the Identification of Victims has been revised and, includes among others, the indicators for the identification of children.

150. In accordance with article 32 of the Law 60(I)/2014, the CP is responsible to provide the victims with all necessary information, in the language they understand, regarding the protection of their interests, including all legal information and advice needed. All information is given in the native language of the victim, with the use of interpreters. In this respect risk assessments are carried out for all the victims during all the stages of their handling (identification, investigation, prosecution, repatriation, etc.).

151. Information includes the kind of services they are entitled to and the organisations they can address to for support, including the legal advice and/or other advice they may need. Also, the victims are informed of the kind of assistance and support they can receive in regards to the criminal proceeding, where and how they can file a complaint against the perpetrator, the procedure that follows the official complaint and the role of the victims in those procedures, the conditions under which they can receive protection, legal advice, legal aid or other types of advice. Additionally, the victims are informed of their right and the conditions met to file for compensation. Moreover, all Victims of Trafficking are referred to the MHS for psychological evaluation, support and empowerment.

152. The CP and specifically the members of the OCTHB, arrange scheduled meetings with a victim of trafficking, before, during and after criminal proceedings in order to conduct risk assessments to determine the needs and possible threats. Therefore, the risk assessments are conducted throughout the criminal procedure. Moreover, according to the individual risk assessments, the members of the OCTHB advise the victims on issues related to their safety, discuss with them all the possible solutions and give clear instructions what to do in case of

emergency. The assessment carried out by the Clinical Psychologists contributes to the selection of the measures for their protection.

**Answer to Question 13 (c)**

153. Training activities for professionals are considered as a major tool towards ensuring the identification, assistance, support and protection of victims.

154. Three series of trainings, organised by the MCG, were completed during the reporting period:

- First-line officers were trained for early detection and referral of cases of trafficking and exploitation of persons, training on the main provisions of the legislation, the indicators for detection of victims and the NRM. The sessions took place in all districts in February–September 2017.
- First-line officers were trained for early detection and referral of cases of trafficking specifically for labour exploitation and on the main provisions of the legislation, the indicators for detection of victims and the NRM. The sessions were organised in collaboration with the Office of CAHR and took place in the Ammochostos district, due to the high level of labourers in the area.
- Marriage officers and public officials received training about the main provisions of the legislation within the frame of combating of THB, for the purpose of forced marriages and the indicators for detection of victims and the NRM. The trainings took place in May–September 2017, for the marriage officers and public officials of all the districts.
- Through the above trainings, a total of 200–220 officers were trained.

155. A specialised training to judges and another one to law officers (counsels) of the ROC, public prosecutors and the CP have been taken place on 4 and 5 March 2020 with the initiative of the MOI, in cooperation and with the support of the US Embassy and in collaboration with the Supreme Court and the Law Office of the Republic. 30 judges, 15 counsels of the ROC and public prosecutors and 15 members of the CP participated in the trainings.

156. As far as the CP is concerned, human trafficking is incorporated in all recruitment and sergeant courses, as well as in the Crime Investigation Department's courses. Also, specialised trainings are offered to members of the Aliens and Immigration Department, as well as to members of Community Policing.

157. The Social Welfare Officers are trained to provide the necessary assistance, support and counselling to victims of trafficking. First-line officers are trained for early detection and referral of cases of trafficking and exploitation of persons. These sessions included training on the main provisions of the legislation, the indicators for detection of victims and the NRM.

158. The Asylum Service (AS) has organised the following trainings that were conducted and funded by European Asylum Service Organisation (EASO):

- Thematic training on vulnerability in asylum procedure (18–20/09/2019);
- Operational training for EASO interim case workers (28–29/11/2019).

159. Both included a section concerning all aspects of concern of trafficking within the asylum procedure. AS, EASO and reception centres staff were involved in the training.

160. Specialised training has been provided between 2017–2019 to the clinical psychologists of the MHS who offer assessment or therapeutic services to victims of trafficking.

161. During the reporting period, the members of the OCTHB, have continued systematic trainings on issues related to victims' identification, investigation of THB cases, including financial investigations. In addition, members of the OCTHB addressed the impact of today's technology in human trafficking. Furthermore, members of the OCTHB participate and are actively involved in the EMPACT-Operational Action Plan (OAP) for THB, which is under the umbrella of COSI and is coordinated by Europol. Within the framework of the EMPACT-COAP, the OCTHB:

- Is the co-leader of the action regarding financial investigation of THB cases and is associated with the organisation and training of the relevant stakeholders of the member states of the EU that participate in the action;
- Participated in Joint Action Days organised and coordinated by Europol in order to identify and dismantle trafficking networks that are engaged in sexual and labour exploitation;
- Participated in trainings to address issues regarding THB for the purpose of labour exploitation;
- Participated in meetings regarding prevention measures to combat THB;
- Participates in the project “Chinese THB”.

162. In addition, the OCTHB participates in research and cooperation projects. Recently, the Office has signed a support letter for the participation and support to the proposal “Together against Trafficking: Supporting the identification and referral of victims at the airport (TaTAir)”, led by the Centre for European Constitutional Law in collaboration with the School of Law of the University of Nicosia and the Center for the Study of Democracy (Bulgaria).

163. Furthermore, during the reporting period, human trafficking continued to be incorporated in all recruitment and sergeant courses, as well as in the Crime Investigation Department’s courses and in specialised trainings offered to members of the of the Police and of the members of Community Policing. Moreover, several training programmes took place that covered a broad spectrum of the crime of THB.

#### **Liberty and security of person, treatment of persons deprived of their liberty and right to a fair trial (arts. 9, 10 and 14)**

##### **Answer to Question 14 (a)**

164. The general prison reform of the past five years signifies the human-centered philosophy of the current leadership aiming at the rehabilitation and reintegration of inmates. The humane approach and the normalization of the living conditions of inmates led to many positive changes as noted by several international organisations, including the UN Subcommittee Against Torture and the Council of Europe Committee for the Prevention of Torture.

165. The general prison reform has included the aim of improving the facilities and ensuring a more humane approach. This has included provisions for open visits, where glass separators have been removed. There has been a 100% increase in the number of visitors each inmate may receive in total, but also the number of people they can see at any given visit (max three adults, unlimited number of children). Visiting areas have been made more child-friendly and children of inmates have the opportunity not only to make frequent visits, but to also enjoy quality time with their parent during events organised by the prison leadership, like on Children’s Day, Mother’s Day, Father’s Day, including dining in, watching films together, playing games, etc. Visitors who reside abroad are given the opportunity to have lengthier visits (2–3 hours).

166. Inmates are encouraged to participate in social and charity events, art exhibitions “outside” and increased escorts have taken place towards this end, in conjunction with the prison director for family matters based on individual need of the prisoners, including attending family celebrations (weddings), hospital visits to see family members and home leave.

167. To bring further transparency and visibility, to assist prisoners on an individual level and to bring them closer to the outside world, they are permitted to participate in events, such as Europa Donna-International Day against Breast Cancer, gay pride parade, theatrical performances, International Day against Drugs, charity events, arts and crafts exhibitions, blood donations and volunteer events, among others.

168. Socialisation of inmates is deemed of great value and towards this end events are organised for inmates to participate in music concerts, art exhibitions, cinema nights or DJ gatherings.

169. All inmates are provided with unlimited access to telephone calls on a daily basis between 08:00–20:30 hours. In many cases the Prisons' Administration provides inmates with telecards for free, especially those with limited financial resources.

170. Since January 2015, Cyprus is one of few countries internationally providing the option to foreign inmates to contact their relatives and friends through Skype. Skype call meetings were considered as a good practice in the Council of Europe edition (2016).

171. New policies in line with European recommendations (No. R(87)3 and No. R (81) 17) on adult education policy, have been implemented. The updated/revised school programme maintains the same standards with the educational system of the country at all levels, at secondary, tertiary and higher levels and is available to all prisoners. Prisoners are granted the choice to participate in education or work as they are paid equally for their participation either to work or education, while ensuring that in parallel recreational activities, including sports have been enhanced under the supervision of qualified specialists.

172. Rehabilitation programmes are also tailored to assist inmates with mental health problems, addiction issues, while special programmes are also available to young offenders and women.

173. The successful promotion of a learning culture for staff and inmates pinpointed prison education for inmates at an international level and it was selected as the best practice for the years 2017 and 2018 by the European Prison Regime Forum. 75% of inmates attend school programmes while 17 inmates study at the universities for bachelor and master degrees with tutoring and distance learning methods. Prisons have the highest number of participation in school education of the countries of the Council of Europe proportionally to the prison population.

174. The establishment of the Prison Staff Academy has marked the beginning of a new era for staff, who also regularly attend workshops, courses and conferences in Cyprus and abroad, in order to improve their skills and knowledge.

175. The past five years, staff and prisoners have participated in more than 15 European projects.

176. Since diet and nutrition are such an integral component of well-being, the quality and quantity of the food has been improved, with special meals meeting individual needs, including health, allergies and religious needs.

177. Right to medical care for prisoners is deemed all-important, and the prison reform has ensured that all prisoners have access to medical doctors (GPs, psychiatrists) and psychologists upon admission and during imprisonment, while there is coverage by nursing staff located on 24-hour basis within the prison facilities. Many prison officers have received up-to-date first aid training.

178. 50% of the prison population is non-Cypriot. They are actively involved in all activities/education/health care/work, and the principle of non-discrimination is fully respected. The manual on their rights is an essential component to ensuring they are fully informed, as it is available in a wide-variety of languages.

179. Freedom of religion is guaranteed to all prisoners and religious representatives can visit the prison and meet with the inmates as additional visits to their visits with relatives and friends. Furthermore, visits are also arranged for religious festivals of the Christian, Islamic and Buddhist faiths.

180. Prisoners with restricted financial resources are assisted financially, while beyond mobile devices, they may be given clothing items, free tele-cards, canteen coupons, etc.

181. The prison management has made suicide prevention a priority and in the past five years, there have been one suicide, with two attempts of suicide in 2015 and in 2018, both for family issues.

182. These improvements have also had significant impact in the fight against corruption in prisons. In the past five years, 29 visitors and 35 inmates returning to prisons from court, were caught while they were trying to import forbidden things and substances in prisons, like drugs, cell phones, sim cards, money etc., whereas five officers were arrested, two of them were charged for possession of illegal drugs, one of them for possession and procurement of drugs and two for conspiracy. Two of them were immediately suspended and discharged off duty by the Director, two of them were imprisoned and later discharged off duty by the Public Service Commission and one of them was charged with a court fine for two offences and still carries on duty at PD.

**Answer to Question 14 (b)**

183. There are continuous efforts to remedy the problem of overcrowding in prisons, and more specifically:

- With the enlargement of the possibilities for conditional release with the use of parole board, in order the inmates to serve their sentence in the community, under supervision;
- With the use of “Electronic monitoring” which is another way to execute a prison sentence outside prisons. The recent amendments to the *Prisons Law* early in 2020, expand the use of electronic monitoring for those who receive low sentences up to 12 months;
- With pardons that are granted on several occasions, such as the Independence Day, Christmas and Easter, for those that are supposed to be released until 2–3 months later than that date (for Cypriots and non-Cypriots);
- With pardons for reduction of the sentence that are granted every five years upon the assumption of duty by the President of the ROC;
- With suspension of sentences which are granted to persons having very serious health problems and to foreign nationals that have been convicted for short sentences (i.e. for illegal entrance and stay, as well as for other pertinent offences), approximately up to two months before their release.

184. During the COVID-19 period, pardons for early release were granted to inmates that they had served half of their sentence and the remaining time of their release was less than two years. Inmates charged with sexual offences, homicide and murder were excluded.

185. There is an ongoing action plan for repairing, reconstruction and enlargement of prison facilities.

186. Further, there is a commitment from Cyprus in the recent action plan sent to the ECHR (late in July 2019) for the case of Danilzuck against Cyprus, for strengthening the institution of community work as an alternative measure to imprisonment in order to reduce prison overcrowding.

187. In May 2020, a five-member Commission for the study of overcrowding in prisons, was appointed by the CM and it is expected to address the recurring problem of overcrowding in six-month time, with a holistic proposal for effective management and permanent solutions to it.

188. As regards the statistical information (May 2020), the accommodation capacity of prisons is 566 and the actual occupancy number is 629. The problem of overcrowding exists in the closed prisons where the capacity is 435 and the occupancy number is 609.

**Answer to Question 14 (c)**

189. Policies and procedures have been put in place to prevent inter-prisoner violence and bullying, including regular risk assessments, specialised training of prison officers to identifying vulnerable inmates, risks, mental health factors, etc.

190. For the prevention of inter-prisoner violence, the prison administration assesses all the information collected from time to time by the stakeholders (inmates, relatives of inmates,

prison staff, whistle-blowers, doctors, psychiatrists, psychologists, etc.), with regard to conflicts and hostility among prisoners.

191. Effective risk assessment and risk management take place up on admission and during imprisonment. During the admission stage, all inmates are assessed according to their needs and their specificities and are placed in an environment more familiar to them, as possible, so that they can adapt more easily with their new environment, i.e. an inmate is placed with an inmate that speaks the same language or with a friend or relative if they have one, following their request. Further, other issues are taken into consideration during the admission procedure deriving from the interviewing and screening of the newly admitted inmates.

192. Prisons take into consideration the particular circumstances of each inmate-case and all the relevant factors are assessed with regard to the physical integrity and psychological situation of the inmate, individual and cultural specificities and needs and then the inmate is distributed accordingly.

193. In addition, the prison staff receives training in order to carry out their duties with professionalism, to obtain interpersonal communication skills, to identify hostile behaviours or tensions between inmates, to refer and deal effectively with any signs of hostility or persecution against inmates from other inmates and further to be alert to signs of trouble and intervene, when necessary.

194. Other factors that prevent and reduce violence in prisons are the following:

- An open-door regime is being maintained with human-centered approach for facilitating reintegration, resocialization, normalization;
- Constant improvement of living conditions according to the EPRs, CPT standards, SMRs;
- Preparation of sentence plans according to their individual needs;
- Maintaining a secure and safe environment with proportionate security measures;
- Training of staff and inmates;
- Everyone with injuries goes through a medical screening – recording of any injuries according to the Istanbul protocol;
- Interact with and observe any violent behaviours, signs or threats for hostile behaviour during imprisonment;
- Observe potential victims;
- Observe changes in behaviours and in relationships between inmates;
- Prompt flow of information between services (MHS and prison administration);
- Systematic recording of incidents;
- Review of risk factors/readjustments;
- Reinforcement of protective factors of the inmates through rehabilitation and school programmes.

195. Further, during the reporting period (2015–2019), there were three complaints made by four prison officers that they were attacked by inmates; one case is still under investigation and two cases are pending before court.

196. As regards inter-prisoner violence during the reporting period, between the years 2015–2018 there were 18 tussles and seven assaults and for the year 2019 there were 27 incidents of violence (as prisons were overcrowded the past year) and all cases were registered and investigated by the CP. The previous years, prior to 2015 where the prison system was stringent and punitive, there were 2–3 incidents of inter-prisoner violence daily, meaning more than 600 incidents annually.

197. There were two allegations for rape which immediately were investigated by the CP and all the safeguards of the procedures for reporting and protection of the alleged victims as

well as the medical examination of both alleged victims, were implemented according to the Istanbul Protocol. Both cases were proven false as no evidence was found either by the examination of the coroner and the specialist surgeon or from the investigation carried out by the CP, that could match the alleged facts. One inmate withdrew the charges a year following his release and one admitted that he made a false complaint, as he thought he will get an earlier release.

198. Constant efforts are made by the CP to further improve the conditions of detention, to all police detention centres to meet the recommendations of national/international/ European organisations. In this regard, some of the actions taken are:

- The glass from the visiting rooms were removed;
- The detention centres are painted in a colour friendly to the detainees;
- Some of the glass block windows were removed and were replaced with windows that provide access to natural light and fresh air;
- Televisions were installed in five detention centres that are used to detain large number of persons;
- Efforts are made in order to create outdoor exercise areas in detention centres with large capacity;
- Efforts are made for further improvement of the Lakatameia detention centre, in order to make it accessible to persons with disabilities. The CP is taking into account the needs of persons with disabilities when constructing new police detention centres;
- All CP detention centres were equipped with books and board games, in order for the detainees to occupy themselves creatively.

199. The Human Rights Office of the CP was appointed by the MJPO to carry out visits to all detention centres and submit reports with recommendations for the improvement of detention conditions.

200. In addition, circular letters are sent to all members of the CP concerning human rights and treatment of detainees. Specifically, instructions concern the following:

- Transportation of all immigration detainees from police detention centres to Menogeia detention centre within 48 hours;
- Implementation of the visiting schedule, according to the relevant PSO and placement of signs in all police stations with the visiting hours;
- Information of persons arrested and detained about their rights both orally and in writing;
- Systematic inspection of detainees' files in order to ensure the proper completion of the file;
- Placement of the detainees' rights in the cells;
- Guaranteeing the right of the arrested person for contacting a person of his/her choice in the presence of the CP;
- Proper completion of the medical form by the medical officer after medical examinations;
- Prohibition of isolation and any other form of punishment;
- Provision of specific personal hygiene items.

201. Lastly, visits by various NGOs, national and international organisations (CPT, SPT, UNHCR, Commissioner of Human Rights, etc.), are carried out to police detention centres, where they assess the living conditions and interview the detainees so as ensure that detainees enjoy all their rights.

202. As regards Menogeia detention centre, all rights provided by the *Law and Regulations for the Establishment of Premises of Prohibited Immigrants* are granted to all detainees taking

into consideration the recommendations of the national/European/ international relevant independent organisations.

203. The detainees are informed about their rights without delay and in a language which they understand. Moreover, they are immediately handed out the booklet of their rights, according to the Law and they are respectively asked to sign a statement attesting that they have received a copy of their rights, so as to avoid any discrimination practices. These rights are also placed inside the detention centre, so that the detainees have access to them, at any time. The booklet is translated in 17 languages (English, Turkish, Polish, Hindi, Vietnamese, Bulgarian, Arabic, French, Georgian, Chinese, Urdu, Persian, Serbian, Romanian, Filipino, Sri Lankan and Russian).

204. The CP proceeded to the reduction of the capacity of Menogeia detention centre fulfilling the recommendations of the independent national/European agencies. The current capacity of the centre is 128 persons.

205. The CP has obtained a funding (€173.000) from the Asylum, Migration and Integration Fund for the Menogeia detention centre. The amount has been used to improve the detention conditions (i.e. painting of the four wings in friendly colours, installation of computers and exercise equipment, purchase of other means of entertainment (balls, board games, etc.). Also, the CP has already proceeded with the purchase of 16 computers, two ping pong tables, two soccer tables, 33 balls, 29 books, handicrafts, exercise equipment and table games.

206. Upon admission at the Menogeia detention centre a personal hygiene kit is given to every detainee. Additionally, a private cleaning company is in charge for the cleaning of the centre.

207. The detainees have access to the following activities:

- Educational courses: the CP, in cooperation with the MOECSY, provides to detainees at the Menogeia detention centre educational courses (i.e. gymnastics, painting, dance). The main objective of these courses is to provide purposeful activities and cultural development to the detainees.
- Outdoor exercise: Detainees can use the outdoor exercise area for three hours daily during winter months and four hours daily during the summer months, where they can play basketball, volleyball, football, etc. They are not locked in their cells during sleeping hours and they have access to all common areas in the wings. The cells are opened 24/7.
- Books, games and TV: every wing is equipped with a TV, books and games.
- Access to electronic communication: the CP proceeded to the installation of Skype and internet, in order to enable the detainees to have better contact with/access to the outside world. Additionally, more regular visits are provided and the use of mobile phones is allowed 24 hours per day. Lastly, 16 computers (providing internet access) were bought and installed in the common used areas by the detainees.
- Exercise equipment was installed at the outdoor area.

208. The detained persons can:

- Meet for up to one hour a day in a private area of the detention centre, in the presence of a police member, with any relative or other person of their choice.
- The above right is also granted to representatives of the consular or diplomatic mission of the state of which they are nationals and, in the absence of a consular or diplomatic mission in the ROC, to the representatives of any international or national organisation or authority or human rights authority.
- Have a private meeting and contact with the lawyer who is representing them at any time whatsoever.

209. Every detained person is being examined upon admission in order to avoid any contagious diseases, according to the relevant Law. The medical centre at Menogeia is staffed with one doctor on a daily basis (Monday–Friday) between the hours 07:30–15:00, a nurse

on a 24-hour basis, a mental health nurse every day (between the hours 07:30–15:00) and a health visitor once a week. A clinical psychologist also, appointed by the MOH visits the centre four times a week. Additionally, upon arrest or during detention any person is entitled to urgent medical treatment.

210. The rights of detainees concerning medical care are listed as Annex J. The accommodation capacity of detention centres and the actual occupancy rate in each facility are attached as Annex K.

#### **Answer to Question 15**

211. The Constitution provides that an arrested person can be deprived of his/her liberty or detained for a maximum period of 24 hours following the arrest, until he/she is brought before a Court. At the end of that period, the person must either be released or be heard by a judge who will decide on the continuation of his detention.

212. The Constitution also provides that the judge before whom the person arrested is brought, shall promptly proceed to inquire into the grounds of the arrest in a language understandable by the person arrested and shall, as soon as possible and in any event not later than three days from such appearance, either release the person arrested on such terms as he may deem fit or where the investigation into the commission of the offence for which he has been arrested has not been completed remand him in custody and may remand him in custody from time to time for a period not exceeding eight days at any one time. Provided that the total period of such remand in custody shall not exceed three months of the date of the arrest on the expiration of which every person or authority having the custody of the person arrested shall forthwith set him free. Any decision of the judge is subject to appeal.

213. The number of pretrial detainees in police custody in the years 2015–2019 is 21784.

#### **Answer to Question 16**

214. Based on the existing legislations and PSO, the children and juveniles are being diverted away from the formal justice system, to a more friendly one and have different handling procedures than adults. The Law concerning the *Rights of Arrested Persons and Persons under Detention* [L. 163(I)/2005], applies also for children.

215. In case of arresting a minor, the following provisions apply:

- If the juvenile is a pupil, the police have a duty to avoid arrest and interrogation at school;
- If the arrest or interrogation at school is nevertheless necessary, this is done with the consent and in the presence of the school headteacher or his/her representative;
- The police officers must not wear police uniform and go to the school in an unmarked police vehicle;
- If the suspect needs to be taken into custody, handcuffs can only be used as a last resort and no handcuffs should be used on children under the age of 14;
- Media are prohibited from broadcasting the name of a child or any information which may lead to the revelation of the child's identity;
- Police regulations require that the interrogation of children under 18 must always take place in the presence of the parent or guardian or officer of the SWS or another competent person;
- The juvenile has the right to have a lawyer present during questioning;
- Investigators should be trained in the use of more sensitive interview/interrogation techniques and procedures for the best interests of children;
- The Court may order the juvenile arrested to be placed in custody in a police station for the period for which he/she is remanded or until the trial. If a child proves to be of such an "unruly" or "depraved character that he/she cannot be suitably detained in a police station, he/she may be committed to prison. In such a case the child will be

detained in a special section of the central prison where young persons (aged 18–22) are detained;

- Rights to have healthy and satisfactory living conditions and facilities;
- Rights to be informed about their rights;
- List of rights in detention to be handed to each detainee upon arrest in a language he/she understands;
- Right to be posted on the wall of each cell in Greek, English and Turkish;
- Right of communication with an attorney and his/her relatives;
- Right to be facilitated in order to exercise his/her rights;
- Right to have a lawyer present during questioning;
- Right to send and receive letters unopened;
- Right to be visited by relatives;
- Right of foreigners to communicate with their embassies;
- Freedom from torture and right to dignified treatment;
- Right of mothers to breastfeed and other facilities they need;
- Right to medical examination and treatment by doctor of his/her choice (whose fees must be covered by the detainee);
- Detainees' complaints must be thoroughly investigated and measures must be taken;
- Women detainees must be searched by women officers;
- Detainees can have the food delivered from friends or relatives but no alcohol;
- Under 18 years old must stay in separate cells from the cells from other adult/other sex;
- Under 18 subjected to medical exams, in the presence of their parents or guardians.

216. There is not a juvenile court yet. The bill drafted with provisions for the children who are in conflict with the law harmonizing Direction EE 2016/800 is now before the Parliament.

### **Freedom of movement (art. 12)**

#### **Answer to Question 17**

217. In November 2018 two additional crossing points were opened in Deryneia and Apliki/Lefka operating in the framework of Council Regulation (EC) No. 866/2004. To encourage the movement of Cypriots, legally-residing non-Cypriots and visitors, as well as of goods across the island, the Government supports the opening of new crossing points, especially at Kokkina and Pyroi/Athienou.

218. In 2018, the ROC oversaw the successful opening of the two aforementioned new crossing points, for the facilitation of crossings at the east coast of Cyprus and in the north-west mountain area. At present there are no concrete plans for opening new crossing points. Regarding the beneficiaries of international protection with Cypriot residence permits, they are not allowed to cross to the areas not under the effective control of the Government in accordance with the Refugee Law which limits their movement to the areas under the effective control of the Government.

219. Finally, in relation to allegations that authorities of the ROC have turned away travellers who have indicated that they intend to visit the areas not under the effective control of the Government, this has happened only in cases where travellers intended to stay in hotels illegally built and operating on the properties of GC. A list of all these illegally built hotels can be found in the MFA website, along with explanations regarding the political situation in Cyprus and why these hotels are considered illegal. In no other circumstances have the

authorities forbidden the entry of a tourist due to matters related to the areas not under the effective control of the Government of the ROC.

**Treatment of aliens, including refugees and asylum seekers (arts. 9, 13, 14 and 24)**

**Answer to Question 18**

220. Detention is used as a measure of last resort, in a proportionate manner. There are a number of procedures in place which indicate the efforts of the MOI to impose less coercive measures other than detention for the purposes of removal but also on the overall policy on returns. However, it should be noted that the policy on returns follows the EU Directive. Voluntary return instead of forced is applied to the majority of the cases of non-EU nationals who do not own the right to remain in the territory of the ROC. The programme is run by the IOM country office. Return on consent, is also a measure followed by the CP in a negotiation framework with the returnee upon financial incentives. Further, the cases of those that are in detention are evaluated each month and a decision to release them on alternative measures is very frequent. This happens provided that there is no national security risk or danger to public order. If there are humanitarian reasons involved, usually family reasons, etc. then temporary residence permits issued to the persons in concern. Lastly, both the *Alien and Immigration Law* [Cap. 105, as amended] and the *Refugee Law* [L. 6(I)/2000, as amended], provide explicitly for alternative measures to detention.

221. During 2015–2019, 2416 persons were detained at Menogeia detention centre. The relevant statistical information is attached as Annex L.

**Answer to Question 19 (a)**

222. The *Legal Aid Law* [L. 165(I)/2002, as amended], provides for free legal aid to an asylum seeker who has submitted an appeal before Court with reference to art. 30 of the Constitution, which also provides for free interpretation services.

**Answer to Question 19 (b)**

223. Information leaflets for both asylum seekers and beneficiaries of international protection are provided upon submission of asylum application or upon decision to grant international protection. Information leaflets are translated in languages that the majority of applicants and beneficiaries of international protection in Cyprus talk and/or are expected to understand.

**Answer to Question 19 (c)**

224. A screening system has been established in the first reception centre “Pournara” and it is performed by the AS, UNHCR and EASO. Concerning applications submitted before the District Immigration Offices of the CP, the EASO registration assistants or the competent officer in charge, notifies the AS immediately if, through the screening process, a person has been identified as a victim of torture or trafficking or a vulnerable person in general. Furthermore, trained officers are assigned the examination and handling of asylum applications submitted by this category of applicants.

225. The SWS as a first responder authority, in consultation and cooperation with other members of the MCG, have developed a standard referral form, which was introduced in 2019, to improve the identification and referral procedures of potential victims of trafficking into the NRM, including screening of vulnerable asylum seekers from “Pournara” centre.

**Answer to Question 19 (d)**

226. Applicants who are not referred to the Kofinou Reception and Accommodation Centre for applicants for international protection, have access to the Social Welfare Scheme for applicants for international protection, as well as to the labour market (one month after the submission of asylum application). For asylum seekers with disabilities, the SWS are responsible for finding appropriate accommodation. Access to healthcare is also provided upon submission of asylum application. For unaccompanied minor asylum seekers, the SWS

act as their guardian, according to the *Refugee Law* and are referred to special houses for minors operated by the SWS.

227. According to the *Refugee Law*, as soon as an unaccompanied minor enters the ROC, upon entry is placed under the care of the Director of SWS who acts as a guardian. In addition to providing housing and care, the Director of the SWS ensures access to all their rights (i.e. health-care services, education and asylum application, etc.). In this context, the Director has taken various steps in order to create a number of places to host them. Currently, the SWS operate four state homes for unaccompanied minors (two for boys and two for girls), a foster care programme and a semi-independent living programme, which host approximately 35 children each. The operation of the two state homes has been assigned recently to an NGO. Moreover, the MLWSI provided state aid to an NGO for the operation of two homes, for the period 2013–2015. These homes continue their operation under the supervision of the SWS and are funded by European funds. In addition, the SWS cooperate with an NGO for the implementation of a programme for finding and training families to become foster care families for unaccompanied children, as well as for other children in care of the Director of SWS, which receives state aid from the MLWSI. The SWS cooperate with all the relevant services and NGOs in order to provide services to unaccompanied minors and safeguard full access to their rights, such as with the MOECSY for their educational needs, with the MOH for their health and mental health needs, etc. Amongst others, one of the primary considerations, concerning unaccompanied minors, is their integration in society and their preparation to enter adulthood.

228. With effect from June 1st 2019, the CM decided to increase the monthly allowance for the material reception conditions of asylum seekers (as regards subsistence and clothing in the form of coupons, expenses for electricity, water supply and petty expenses and rent allowance). Another change pertains to the continued provision of assistance for families, even if one of the family members is employed, provided that their monthly income is smaller than the total assistance the family is entitled to.

229. According to the Decision of the CM (no. 82.186 dated 7/3/2017), all persons with recognized refugee status or supplementary protection are eligible for the support schemes and benefits provided and administered by the Department for Social Inclusion of Persons with Disabilities. Asylum seekers are not covered under this provision.

230. The MOECSY has developed and implemented an upgraded educational policy aiming at the smooth integration of pupils with migrant background into the educational system of Cyprus. The policy document was approved by the Minister and the departments of the MOECSY have developed an action plan with a variety of targeted actions, through the prism of an intercultural approach, anti-racist education and the methodology of teaching Greek as a second language. The action plan for 2016–2018 has been evaluated and based on this evaluation the action plan for 2019–2022 has been prepared. In March 2019, a European Commission peer counselling session was implemented. The focus was on the integration of pupils with a migrant background into school education, with particular emphasis on the reception phase. The MOECSY's aim was that the peer counselling session would allow it to: (i) collect examples of good practice; (ii) learn from the experiences of its EU peers; (iii) better understand the challenges to integration of pupils with a migrant background; and (iv) receive recommendations for a reception phase tailored to the Cyprus context and its education system which will prepare newcomers for entering smoothly in schools. The activity's results were a set of policy suggestions for the design of a reception phase as well as other issues regarding the wider field of integration of pupils with a migrant background.

231. All children regardless of gender, ethnic origin and irrespective of the residential status of their parents are entitled to have access to free education and are eligible for additional educational support. In keeping with current philosophy, the MOECSY favours the inclusion of children with disabilities into mainstream classrooms. The majority of children with disabilities are educated within the mainstream classroom, at their local school. In 2011, Cyprus has ratified the Convention on the Rights of Disabilities and promotes the respect and protection of human rights and fundamental freedoms of all persons with disabilities without discrimination of any kind.

232. Special emphasis is given on ensuring curriculum access with the use of assistive technology, changes to teaching and learning arrangements, classroom organization, extra time during exams etc. Furthermore, information that is normally provided in writing is made more accessible by providing it in Braille or in large print for children with hearing disability, whereas sign language interpreters are available for deaf children. The MOECSY ensures that schools have suitable infrastructure to accommodate the needs of pupils with disabilities. Schools increase access for individual pupils by making various adjustments. Changes to the physical environment that schools make to increase access include: lighting and paint schemes to help children with visual disability, lifts and ramps to help children with physical disabilities or carpeting of classrooms to help children with hearing disabilities. The MOECSY also provides schools with special equipment, such as wheelchairs and walking aids. In addition, it provides for transportation to all children who do not attend the school of their educational district.

233. Special educational provision is also provided in Special Units within mainstream schools, as well as in Special Schools. A very small percentage of children with disabilities (less than 1% of the school population) are educated in Special Units. Special Units provide more intensive educational support to a small number of pupils in a class, whilst maintaining contact and integration with a specific reference class of the school, following the regular curriculum in specific subjects. Less than 1% of the school population is educated in Special Schools. Some Special Schools are built within the boundaries of mainstream schools. All Special Schools develop networks of contacts and joint activities with mainstream schools to minimize segregation. They have the appropriate staff in order to support and provide the essential means to meet the needs of all children. In addition to their educational programme, the Special Schools' programme contains a major element of self-help and independence skills, social and emotional skills development, recreational skills, communication skills and vocational training. Special Schools also have pre-vocational and vocational training programmes designed to assist the transition from school to work or from school to other vocational training authorities.

234. Currently, the MOECSY is receiving technical assistance from the Directorate General for Structural Reform Support (DG REFORM) of the European Commission and, in cooperation with experts from the European Agency of Special Needs and Inclusive Education, is in the process of reforming the existing *Law of Special Education* [L. 113(I)/99, as amended], so that the education system becomes more efficient and inclusive. The experts have submitted a new draft framework Law which was discussed with all stakeholders and now the project is in its second phase, for the preparation of regulations which will accompany the Law.

### **Freedom of thought, conscience and religion (art. 18)**

#### **Answer to Question 20 (a)**

235. The Government has consistently undertaken systematic efforts for the protection of all places of worship, as well as other monuments and cultural sites on the island, including the Muslim monuments which constitute an inseparable part of the island's cultural heritage. The Government has shown the proper respect towards the Muslim religion and Muslim places of worship and facilitates in every possible way the ritual services of TC and other Muslims who reside in Cyprus. There are no undue restrictions concerning Muslim places of worship including those listed as ancient monuments. All places of worship are accessible upon request. In PD, inmates have access to the Christian Orthodox church and to the mosque for worship and to their religion representatives with unlimited visits by them, in addition to the 10 visits received from family and friends.

#### **Answer to Question 20 (b)**

236. Pupils, within the religious education subject, learn about both the Christian Orthodox tradition and the universal phenomenon of religion, including other Christian denominations and religions. Pupils are expected to cultivate tolerance, respect and love for every human being, as well as to understand and interpret the modern world and religious similarities/differences. Children attending the Saint Maronas public primary school (mainly

from the Maronite community) follow a new curriculum, focusing on their tradition. Armenian children who attend the Nareg Schools follow a curriculum based on their own tradition too.

237. Exemptions from attending religious education are easily granted to those eligible. In order to reduce bureaucratic procedures, exemptions are now granted from the district education offices, instead of the departments of education. In secondary education parents have the right to choose whether their child will stay in the classroom during the lesson or not. In case of the latter, the headteacher decides which subject the pupil will attend throughout the school year. Furthermore, all schools are instructed to facilitate children to follow their religion (e.g. Muslim children fasting during the Ramadan can avoid intense physical activity or even stay at home, if they choose). If a religious community asks for using school buildings during after-school hours, to offer alternative religious education to non-orthodox pupils, the request will be examined within the framework of the established procedure.

### **Freedom of expression (art. 19)**

#### **Answer to Question 21**

238. The provisions of arts. 141 and 142 of the Criminal Code are compatible with the right of expression considering the whole context of provisions criminalizing discrimination on grounds, among others, of religious or other beliefs and also art. 35A of the *Criminal Code (Amendment) Law* [L. 31(I)/2017], providing that the Court, in the exercise of its powers in the determination and punishment, may take into account as an aggravating factor the motive of prejudice against a group of persons determined on the basis of race, colour, national or ethnic origin, religious or other beliefs, pedigree, sexual orientation or gender identity.

239. Referring to the status of the draft freedom of information law (Law 184(I)2017, regarding access to Public Sector Information will come into force on 22.12.2020). Authority responsible for the application of the above mentioned Law is the Commissioner for the Protection of Personal Data.

### **Right to participate in public life (art. 25)**

#### **Answer to Question 22**

240. All citizens of the ROC who are in possession of a ROC identity card are entitled to register in the electoral lists and able to participate in electoral processes. Hence, they can exercise their right to vote, according to the relevant provisions of the Constitution. During the last European parliament elections (May 2019) nine TC run for office as MEPs of the Republic and for the first time, a TC was elected as a MEP representing the Republic.

241. Pursuant to section 9 of the *Election of Members of the European Parliament (Amendment) Law* [L.35(I)/2014], all Cypriot citizens residing in the Government controlled areas have the same electoral rights.

242. The Law provides for the automatic inclusion in the electoral lists of all citizens (including TC holding an identity card of the ROC), upon declaring their address, in accordance with the information provided in the civil registry system, in the areas of Cyprus not under the effective control of the Government. This in fact constitutes favourable discrimination towards the TC, as other GC are not afforded such exemptions. On the basis of this particular Law provision, TC have been automatically transferred to the electoral list for EU elections, out of approximately 95000 individuals that have acquired an identity card of the ROC. Also, the PD, guarantees the right to vote and facilitates inmates to vote and participate without discrimination in the elections.

#### **Answer to Question 23**

243. In 2011, the ROC ratified the UN Convention on the Rights of Persons with Disabilities [L. 8(III)/2011]. According to art. 29 of the Convention, States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others.

244. All persons with disabilities have the right to participate in non-governmental organisations and associations as well as organisations of persons with disabilities, concerned with the public and political life of the country. In Cyprus there is a large number of voluntary organisations that are active in both fighting for the rights of persons with disabilities as well as offering various programmes of social services.

245. Accessibility to public services is improving with continuous increasing accessibility of buildings, websites and electronic information and transactions between the citizens and the Government. According to a CM Decision persons with disabilities have a priority to be served at all public services.

246. Art. 31 of the Constitution of the ROC provides that all people have the right to vote and stand for election. However, every person with disability has the right to be nominated at any stage provided that he/she has no intellectual disability in accordance with arts. 40 and 64 of the Constitution. Individuals with other disabilities may be granted reasonable adjustment measures during the election period and during their tenure.

247. All individuals, including persons with disabilities, who have attained 18 years of age and are residents of the ROC for a period of six months or more in accordance with the *Registration of Voters and Electoral Register Law*, have the right to vote.

248. Persons with disabilities may have reasonable adjustments when voting or accessibility measures or aid attendants. Under current Electoral Act, persons with disabilities may vote on their own, if they declare to the President of the voting centre that they are able to vote. A voter who, due to blindness or other disability, cannot vote on his own, may also ask the President of the voting centre to assist him/her in exercising his/her right to vote, in his/her presence, in the presence of one of the voting centre's assistants. Blind persons or persons with other disabilities can finally, if they wish, ask any other person of their absolute confidence to vote on their behalf, without the intervention of anyone, not even the President of the voting centre or any other person. On the matter of accessibility for persons with disabilities at voting centres, more adequate accessibility solutions are provided to serve the electoral right of persons with disabilities to the best of their ability.

#### **Rights of minorities (art. 27)**

##### **Answer to Question 24 (a)**

249. The PES offer placement and vocational guidance services to the TC job-seekers irrespective of whether they live in the Government controlled areas or in the areas not under the effective control of the Government, provided they have a Cyprus identity card. They are offered support in finding an appropriate job position and information about the subsidized employment programmes implemented by the DL and the training programmes organised by the Human Resource Development Authority. In the regional PES Office in Lefkosia, there is a Turkish speaking employment counsellor. The website of the DL has information in Greek, English and Turkish. The DL operates a telephone line service in the Turkish language and has also prepared informational material, in the Turkish language, which is distributed at all labour offices.

250. All Cypriot citizens and EU citizens who apply for civil service posts should be fluent either in Greek or in Turkish since, according to the Constitution, these are the two official languages of the ROC.

##### **Answer to Question 24 (b)**

251. Turkish is one of the two official languages of Cyprus by virtue of art. 3 of the Constitution. The Constitution does not include references to "bilingualism", but to Greek and Turkish as the two official languages of Cyprus. Lessons of Greek as well as Turkish language are provided for free by the State Institutes for Further Education and the Adult Education Centres. Furthermore, the Turkish language is taught as an elective lesson in upper secondary schools.

**Answer to Question 24 (c)**

252. All children in the ROC enjoy their full rights, since the Government is taking all necessary measures to eliminate and prevent any form of discrimination. In August 2005, the CM has taken the decision to establish a school in Lemesos with Turkish as the language of instruction. However, the survey conducted in early September 2005 among TC parents on the proposal for establishing a separate Turkish school, indicated that parents favoured attendance at the public school of their area. This is the reason why the decision was not implemented, since the MOECSY respected the desire of the parents. Since 2006, the number of Cyprus Roma pupils attending the Agios Antonios Primary School has changed considerably and decreases gradually year by year. In 2006–2007, 47 pupils attended comparing to 13, for the current school year 2019–2020. So there was no need for any additional survey to establish a separate school, since the number of pupils is very small. Furthermore, in the last two reports of the UN Secretary-General on the UN operation in Cyprus (Report 10 July 2019, S/2019/562, and Report 7 January 2020, S/2020/23) no reference is made, which was included in previous reports, on the establishment of a primary school for the members of the TC community.

253. However, the MOECSY continued the promotion of measures to cater for the particular needs of Cyprus Roma pupils enrolled in public schools. Among others, the following measures were implemented, during 2018–2019, in Agios Antonios Primary School (a school with high attendance of Cyprus Roma pupils):

- The school continued the implementation of the programme “School and Social Inclusion Actions” that includes the following additional measures: (a) Extra support provided to pupils in language and mathematics; (b) Teacher assistants in all classes; (c) Additional extra-curricular activities (such as sports and dancing) during school hours as well as after school hours.
- Provision of teachers who teach the Turkish language and Maths to pupils and facilitate the communication between teachers, pupils and parents.
- The Adult Education Centres continued the organisation of the course titled “History-language-culture”, especially designed for Cyprus Roma children, where their history and other elements of their cultural heritage were taught free of charge.
- Cyprus Roma pupils are fully integrated in the break time, with group play activities organized by the school, and participate in group sports activities offered during breaks.
- Children are offered free meals, when they attend the optional all-day school, and are fully integrated into the classroom and school programme.

254. At Agios Antonios Secondary School the following actions, were implemented for the school year 2018–2019:

- The school participated in the project “School and Social Inclusion Actions”. The implementation of this project aims to support the population living below the poverty line or being at risk of poverty and social exclusion. It also aims at ensuring social welfare and supporting financially the weaker groups of the population that are particularly affected by the economic crisis, reducing early school leaving, improving learning outcomes and reducing school failure and delinquency. Various measures were implemented including, inter alia, programmes for reinforcing learning and creativity for pupils (during the morning, afternoon and summer months). Theatre, dance, graffiti, poetry recital, athletic events and other activities were offered to pupils both in morning and afternoon hours. One major objective of the project was that participating schools could open their doors to their local communities, in order to develop cooperation and synergy with all stakeholders. In this context, Greek was taught as a second language in afternoon classes for both parents and pupils. In addition, experts offered psychological support for both pupils and parents and training programmes for the staff involved. The project is co-funded by the European Social Fund.

- The MOECSY employed a TC teacher who taught Turkish language for six periods per week, History, Muslim religion and other social issues.
- The MOECSY employed a bilingual teacher in order to overcome the linguistic barrier arising from the low proficiency in the Greek language. Cyprus Roma children attended Greek language lessons for six periods per week. Greek was taught as a second language and, following the different level of attainment in Greek, a differentiated instruction was employed during the lessons. The teacher also helped pupils to improve their academic achievement in other curriculum subjects.
- Cyprus Roma pupils participated actively in various school events.
- Two Cyprus Roma pupils who were at a high risk of school failure were provided education at home and succeeded to pass their examinations to the next grade.

255. All the above measures show that the right to education of Cyprus Roma pupils is respected in practice and that effective access to compulsory education for all is guaranteed.

#### **Answer to Question 25**

256. Art. 2 of the Constitution recognises as “religious groups” only those groups of people who professed the same religion and, on the date that the Constitution came into force, had a membership of over 1000. However, the enjoyment of freedom of religion in Cyprus and the equality of all religious communities under the Law, should also be viewed considering the provisions of art. 18 of the Constitution, which clearly provide that:

*“Every person has the right to freedom of thought, conscience and religion”,*

*“Every person has the right to profess his faith and to manifest his religion or belief, in worship, teaching, practice or observance, either individually or collectively, in private or in public, and to change his religion or belief”, and that,*

*“All religions ... are free (and) equal before the law”.*

257. Since the Government is committed to finding a solution to the Cyprus problem, any constitutional and other provisions could be examined as part of the comprehensive settlement of the problem. This effort demands a complete restructuring of procedures and legislation, so the process is expected to be long, arduous and complex.

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