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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Cyprus**

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## **I. Description of the methodology and consultation process for the preparation of the report**

1. The present Report has been prepared in line with the guidance provided by the relevant Human Rights Council (HRC) Resolutions and Decisions, including Resolutions No.5/1 and No.16/21 concerning the Review of the work and function of the HRC, as well as the Decision of the HRC17/119.
2. The Report has been prepared by the Law Commissioner of Cyprus, who, pursuant to a Decision of the Council of Ministers (Decision No. 38.958, dated 25/2/1993), is entrusted with ensuring compliance by Cyprus with its reporting obligations under international human rights instruments. It was compiled on the basis of information and data provided by the Ministries and Services having competence for the specific matters. Information was also obtained from the Ombudsman, the Anti-Discrimination Body (ADB), the National Machinery for Women's Rights (NMWR) and the Independent Authority for the Investigation of Allegations and Complaints against the Police (IAIACAP).
3. Due to the continued illegal occupation of 36.2% of the territory of the Republic of Cyprus, the Government is not in a position to exercise control over all of its territory and cannot ensure the application of the Human Rights Treaties in areas not under its control. This is a fact reflected in the Report of the Office of the United Nations High Commissioner for Human Rights on the Question of Human Rights in Cyprus (A/HRC/22/18). As a consequence, the Government of the Republic of Cyprus is unable to ensure full realization of its policies and to apply its laws, policies and programmes concerning human rights, to those living at the occupied part of the country. It is relevant to recall that, the accession of Cyprus to the EU was subject to Protocol 10 of the 2003 Act of Accession, according to which the application of the *acquis* is “suspended in those areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control”. Consequently, all information and data presented in the present Report, concern the Government-controlled areas. Refer also to the Country Background of the 2009 Cyprus National Report (A/HRC/WG.6/6/CYP/1. paragraphs. 5–17).
4. The present Report focuses on the developments in legislation, administration, government policies and National Action Plans (NAPs), from November 2009 onwards. Reference is made to the recommendations that emanated during the first cycle session of UPR (A/HRC/13/7).

## **II. Developments since the previous review in country background**

5. In 2009, Cyprus was hit by the world financial turmoil, the economic impact of which gradually spread over all sectors and areas of life. This has led Cyprus to sign, in April 2013, a Memorandum of Understanding (MoU) with the European Commission, the European Central Bank and the International Monetary Fund (Troika), in order to acquire financial assistance. The majority of budgetary cuts are due to the terms imposed by the MoU. Despite the economic difficulties that Cyprus is currently facing, it is determined to continue its coordinated efforts to ensure full compliance with all international human rights treaties to which it is a party, and safeguard the human rights of all people in Cyprus. Respect of human rights is of paramount importance for Cyprus and the efforts of the authorities to that effect will continue unabated. Cyprus continues to grant voluntary contributions to various UN Funds and Agencies involved in human rights related activities, manifesting its adherence to and determination in, promoting human rights.

### III. Developments since the first review of Cyprus, especially with regard to the normative and institutional framework for the protection of human rights

6. The normative and institutional framework for the protection of human rights stands on solid foundations on which Cyprus continues to build and enhance its human rights legislation, institutions and monitoring mechanisms (A/HRC/WG.6/6/CYP/1, Section B).

#### A. Legislation

7. Since the first UPR review, Cyprus has consistently worked towards improving its Human Rights situation and track record by embarking on a number of initiatives, legislation and policies as outlined in the present Report. New and amendment laws have been enacted or are in the process of being amended, international conventions have been ratified and EU Directives have been transposed into national law. These are indicatively listed below and a further analysis where appropriate, is given in Section V.

- *The Refugees Law* [L.6(I)/2000], as amended by L.122(I)/2009, harmonizes national law with Council Directive 2005/85/EC on minimum standards on procedures in Member States for granting and withdrawing refugee status. The Law was again amended in 2013, by L.9(I)/2013 so as to harmonize national law with Council Directive 2005/85/EC on minimum standards on procedures in Member States for granting and withdrawing refugee status and Council Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted (See Section V).
- *The Equal Pay Between Men and Women for the Same Work or for Work to which Equal Value is attributed Law* [L.177(I)/2002], was amended by L.38(I)/2009, granting the Ombudsman authority to independently examine complaints in relation to equal pay between men and women and to safeguard the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation.(CERD/C/CYP/17-22, para. 12g).
- *The Equal Treatment of Men and Women in Employment and Vocational Training Law* [L.205(I)/2002], as amended by L.39(I)/2009, harmonizes national law with Directive 2006/54/EC of the European Parliament and of the Council on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, (CEDAW/C/CYP/6-7, para. 5).
- *The Independent Authority for the Investigation of Allegations and Complaints Against the Police (IAIACAP) Law*, [L.9(I)/2006 as amended by Law L.112(I)/2010] confers to the IAIACAP the right to investigate complaints against members of the police concerning corruption, bribery or unlawful enrichment, violation of human rights and actions which constitute favourable treatment or undermine the police repute (CERD/C/CYP/17-22, paras. 60-67).
- *The Commissioner for Administration Law* [L.3/1991] as amended by Law L.158(I)/2011, transferred the competences of the National Institution for the Protection of Human Rights (NHRI) established in 1998 to the Ombudsman creating the National Independent Authority for Human Rights, with express powers and competence for the promotion and protection of human rights.

- The *Combating Certain Forms and Expressions of Racism and Xenophobia by means of Criminal Law*, [L.134(I)/2011] transposing the Council Framework Decision 2008/913/JHA of 28/11/2008, which inter alia, expressly provides that the racist motivation for any offence constitutes aggravating circumstance.
- The *Rights of Persons Who Are Arrested and Detained Law*, [L.163 (I)/2005]), *The Police Law, 2004*, [L.73(I)/2004, as amended by L.4(I)/2013], *The Law and Regulations for the establishment and regulation of premises of Prohibited -Immigrants* [L.83(I)/2011], and *Regulations 161/2011*, and *The Prisons Law*, [L.62(I)/1996, as amended by L.37(I)/2009] and *Prisons (General) Regulations* (P.I. 121/97 to 576/2002), expand the constitutional provisions safeguarding the rights of persons arrested and being held in custody (CAT/C/54/Add.2, article 3).
- The *Legal Aid Law* [L.165(I)/2002] as amended by L. 132(I)/2009, harmonizing national Law with Council Directive 2005/85/EC, on minimum standards on procedures in EU Member States (EUMS) for granting and withdrawing refugee status, and by L.8(I)/2012, harmonizing national law with Directive 2008/115/EC of the European Parliament and of the Council, on common standards and procedures in EUMS for returning illegally staying third-country nationals (CERD/C/CYP/17–22, paras. 109–112 and Section V herebelow).
- The *Combating of Trafficking and Exploitation of Persons and the Protection of Victims Law* [L.87(I)/2007] as amended by L.13(I)/2012.(see Section V).
- Law L.2(III)/2009 ratifying the *Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*.
- Law L.8(III)/2011 ratifying the *Convention on the Rights of Persons with Disabilities and Optional Protocol to this Convention*.
- The *Education and Training of Children with Special Needs Law* [L.113(I)/1999] and *Regulations* are under review, aiming to further strengthen the rights of children with disabilities.

## **B. Independent national human rights institutions**

8. National Independent Authority for Human Rights: Pursuant to L.158(I)/2011, the Ombudsman also functions as the National Independent Authority for Human Rights with extensive powers for the promotion and protection of human rights. This is in addition to the general powers of the Ombudsman to examine issues of maladministration and violation of human rights and issue reports with recommendations to the Government and its mandate as the ADB as well as National Mechanism for the Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (A/HRC/WG.6/6/CYP/1, para.30).

9. Independent Mechanism for the Promotion, Protection and Monitoring of the Convention on the Rights of Persons with Disabilities (IMPPMCRPD): Based on Law L.8(III)/2011 the Council of Ministers, by a Decision No.73.519, dated 9/5/2012, appointed the Ombudsman as the *Independent Mechanism for the Promotion, Protection and Monitoring of the Implementation of the CRPD*. The competencies exercised by the IMPPMCRPD include, amongst others: (a) investigations, research and data collection on disability issues, (b) investigation of individual or group complaints, (c) submission of reports/recommendations to public and private services, (d) imposition of penalties following a finding of unequal treatment. The IMPPMCRPD cooperates with individual persons with disabilities and the organizations representing them.

10. National Mechanism for the Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (NMPTCIDTP): The NMPTCIDTP was established by Law L.2(III)/2009 ratifying the OP CAT. The Ombudsman is appointed as the NMPTCIDTP. The Ombudsman is authorized to conduct uninterrupted visits to places of detention in order to monitor compliance with the Convention and to have confidential individual interviews. The Ombudsman observes and records the detention conditions and makes recommendations to improve living conditions and review the relevant legislation.

### C. National monitoring mechanisms

11. Parliamentary Committee on Human Rights and on Equal Opportunities for Men and Women (PCHREOMW): The PCHREOMW is the Parliamentary Mechanism monitoring respect of human rights. It examines the application of provisions safeguarding human rights of the Constitution, international treaties and national laws. It deals with violations of human rights of all people in Cyprus and introduces relevant reports to the Plenary of the House. The PCHREOMW frequently considers issues of: Domestic violence, Trafficking, Unemployment, Migration, Youth, Children's Rights, Women's Rights and Rights of Persons with Disabilities.

12. Police Office for Combating Discrimination (POCD), (A/HRC/WG.6/6/CYP/1, para 151): In 2010, the POCD applied a project titled "Cyprus Police for Diversity, Against Discrimination", with a budget of €110,000, co-financed by the Government and the EU (Progress Program). A study on the history and role of women in the Police was published in January 2010, and a documentary on Women and Policing was presented in November 2010 (CEDAW/C/CYP/6-7, para. 14(i)).

13. Commissioner for Humanitarian Issues (CHI): The CHI was appointed in 2013 as an Independent State Official with a mandate to promote the cooperation between the State and the religious minority groups (RMG) (A/HRC/WG.6/6/CYP/1, paras. 15-17, 80, 81). It focuses on the development and adoption of a structured policy on issues and concerns raised by RMG. The CHI holds meetings with their Representatives and presents their views to the Government.

14. Supervisory Committee of the Prohibited Immigrants Detention Centers: Section 5 of the *Law on the establishment and regulation of premises of Prohibited Immigrants*, [L.83(1)/2011] provides that a Committee for the supervision of the prohibited immigrants detention centre (Supervisory Committee) is set up by a Decision of the Council of Ministers (Decision No.74.638, dated 5/2/2013). Pursuant to this Law, the Committee visits prohibited immigrants detention centres at least 8 times/year and whenever it considers it necessary for monitoring purposes.

15. Complaints Committee of the Prohibited Immigrants Detention Centre in Menoyia: This Committee was established by Ministerial decision dated 5/5/2013 pursuant to Regulation 28 of the *Regulations for the establishment and regulation of premises of Prohibited Immigrants* No.161/2011, which provide that the Minister of Justice and Public Order appoints a Complaints Committee consisting of 3 members (representatives of the Ministry of Health (MOH), Ministry of Interior (MOI) and Ministry of Labour and Social Insurance (MLSI)). This Committee may, either ex proprio motu or following a detainee's complaint, (a) re-examine a decision of the Director of the Detention Centre (DDC) and (b) to examine detainees' complaints regarding the detention and treatment conditions. Any detainee may (a) appeal against a decision of the DDC or (b) submit a complaint for any matter relating to detention or treatment conditions in 15 days from the day the decision of the DDC was taken, or as of the act, omission or treatment based on which the complaint was submitted. The Committee, before reaching a decision, hears both sides (either in a hearing or in writing) in 15 days from the appeal or the submission of the complaint, and

has the right to suspend the DDC's decision until the completion of the re-examination procedure. There is a complaints box in each wing of the detention centre to which the detainees have free access. The DDC is under an obligation to immediately transmit to the Complaints Committee any oral complaint of any detainee either through a telephone call or fax.

#### **IV. Developments since the first review of Cyprus, especially with regard to the promotion and protection of human rights**

16. Cyprus is party to all core Human Rights instruments under which it regularly submits its reports to the competent Treaty Bodies and duly takes into consideration their recommendations/ observations in an effort to improve the situation in relation to the respect of human rights.

- **CRC**  
Cyprus deposited its 3<sup>rd</sup>-4<sup>th</sup> Periodic Report in August 2009 and was examined in May 2012.
- **CEDAW**  
Cyprus deposited its 6<sup>th</sup>-7<sup>th</sup> Periodic Report in May 2011 and was examined in February 2013.
- **ICERD**  
Cyprus deposited its 17<sup>th</sup>-22<sup>nd</sup> Periodic Report in November 2012 and was examined in August 2013.
- **CAT**  
Cyprus deposited its 4<sup>th</sup>-5<sup>th</sup> Periodic Report in November 2012 and will be examined in May 2014.
- **ICCPR**  
Cyprus deposited its 4<sup>th</sup> Periodic Report on the ICCPR in December 2012 and will be examined in 2015.

#### **V. Developments since the first review of Cyprus – The implementation of recommendations accepted by Cyprus**

17. Over the past four years, Cyprus has dedicated itself to the implementation of the recommendations accepted in the 1<sup>st</sup> UPR session. The steps taken are presented below.

##### **A. New international obligations, implementation of existing obligations, collaboration with international human rights instruments**

###### **Recommendations 2, 6, 7, 8, 9, 21**

18. Cyprus intensified its efforts for closer cooperation with Human Rights Treaty Bodies as well as to meet its international obligations, and speeded up the submission of its national reports. Cyprus is up to date with all its treaty reporting obligations.

19. Cyprus ratified the following:

- the CRPD (June 2011), and its Optional Protocol (June 2011);
- the OP CRC-AC (July 2010);

- OPCAT (April 2009).
20. Cyprus signed the following:
- the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (July 2012) and is in the process of ratification;
  - the CED (February 2007). Consultation among the competent authorities is in process with the view to its ratification.
21. Cyprus is in the process of signing the OP ICESCR (Optional Protocol in the International Covenant on Economic, Social and Cultural Rights).

## **B. Developments regarding the establishment of the National Human Rights Institution (NHRI) in accordance with the Paris Principles**

### **Recommendations: 10, 11, 12, 13, 14**

22. By virtue of *The Commissioner for Administration Law* [L.3/1991], as amended by L.158(I)/2011, the Ombudsman is appointed as NHRI with extensive competence for the promotion and protection of human rights. The Law was enacted in the end of 2011 and the competences were officially assumed by the Ombudsman in 2012. The Institution is in the process of applying to the OHCHR for accreditation in 2014.

## **C. Reinforcement of the ADB and the National Machinery for Women's Rights (NMWR)**

### **Recommendation 16**

23. The ADB does not have a separate budget. It operates on the premises and with the staff of the Ombudsman. Taking into account the current financial constrains in Cyprus, the Ombudsman has not requested increase to its budget.

24. The Equality Unit of the Ministry of Justice and Public Order (MJPO) operates as the General Secretariat of the NMWR. It is composed of one Senior Administrative Officer and two Administrative Officers and is supported, when deemed necessary, by external consultants. Due to the current financial constrains, its budget has been decreased from, €450,000 in 2012 to €400,000 in 2013.

## **D. Children's rights**

### **Recommendation 15, 44**

25. The Social Welfare Services (SWS) takes seriously on board the recommendations of the Commissioner for Children's Rights (CCR) in the exercise of the monitoring role of the institution in all areas concerning children's rights. The SWS seeks the views of the CCR in relation to the introduction of relevant new legislation with a view to achieve full compatibility with UN-CRC and other international instruments relating to children's rights.

26. These include the following which have been drafted in close consultation with the CCR, taking the views of a number of NGOs:

- (a) The Children Law, Cap.352 will be replaced by two new Bills (The Welfare, Care and Protection of Children, The Registration of Child Day-Care and Residential Care)

(b) Four Regulations on minimum standards concerning Day-Care Programmes for Preschool Children, Day-Care Programmes for School-age Children, Child Home-Careers, Child Residential Care.

(c) Law on Adoption.

27. A Bill to amend the institutional law of the CCR is currently under discussion so as to strengthen its independence. Due to the current financial constraints no increase of the financial or human resources can be achieved.

#### **Recommendation 45**

28. Every effort is made for all children in Cyprus to have equal enjoyment of their rights without any discrimination. This is mandated by the applicable Law (including constitutional provisions and the UNCCR and a number of national legislative provisions). The issue is under strict monitoring by the CCR who intervenes in cases of violation and her recommendations are taken seriously into account.

#### **Recommendations 67, 68**

29. As of 1/1/2012, by virtue of an amendment of the *Law on Provision of Housing Concessions to Displaced Persons and other Persons*, [L.155(I)/2011], children whose mother is an internally displaced person (IDP), were given the right to certain Housing Schemes. The Council of Ministers decided (Decision No. 75.317., dated 19/6/2013), to recognize children of IDP mothers as displaced persons, entitled to all rights the children of IDP fathers have regarding all existing benefits (eg. Housing Schemes). The necessary legislative amendment is due to be enacted.

#### **Recommendation 56**

30. There is no segregation of pupils; pursuant to national legislation pupils must enroll at the school nearest to their place of residence. As it has been observed that, financially disadvantaged families tend to live in specific areas, the Ministry of Education and Culture (MOEC) has introduced the institution of the Zones of Educational Priority (ZEP), in line with UNESCO's strategy for positive discrimination. The CCR, within the context of her monitoring role, has undertaken the initiative to evaluate the work and the general functioning of schools included in the ZEPs, in the framework of safeguarding children's rights. (See Section VII)

### **E. Human rights education**

#### **Recommendations 19, 20**

31. The Plan of Action 2005-2009 of the World Programme for Human Rights Education was the basis for the amendment of the Cyprus Human Rights Education programme and the school curricula. Human rights spectrum was incorporated in the amended school curriculum, which includes concrete measures for prevention and abolition of discrimination practices, such as modernized educational policies, coordination mechanisms, better allocation of resources, special educative tools for social development within a multicultural environment. A school subject was introduced during 2011–2012, titled "*Health Education*" focusing, among others, on Human Rights education. It encourages the empowerment of individuals and the development of a collective sense of responsibility in a diverse society. The MOEC's website provides online teaching material on human rights. The CCR and the NGO Support Center organized a series of training sessions to support the teaching staff in using Compasito activities into teaching. The CCR's office carries out a series of workshops for children at its premises and at schools.



32. The Pedagogical Institute is responsible for the training of teachers. Its activities include optional seminars for teachers on topics related to managing diversity and fighting discrimination (i.e. Diversity in a democratic school, Education for democratic citizenship and human rights).

## F. Women's rights

### Recommendation 17

33. The National Action Plan on Gender Equality (NAPGE) was initiated by the NMWR. It is an important tool aiming to change deeply rooted social attitude on traditional gender roles. The NAPGE addresses six priority areas, namely: employment, education, decision-making, social rights, violence and gender stereotypes. For the development of the NAPGE, government departments, local authorities, women's organizations as well as NGOs, academic institutions and human rights bodies were consulted.

34. An interim report on the evaluation of the implementation of NAPGE was carried out by an external consultant, covering the period 2007–2010. The assessment report indicated a significant progress in achieving the main goals of the NAPGE and identified areas where there is room for further improvement.

35. Other measures taken to combat gender inequality include:

- Amendment of relevant legislation regarding the workplace. The protection from dismissal for pregnant women was significantly strengthened so as to ensure that they would remain in employment from the beginning of their pregnancy until 3 months after the end of the maternity leave, even in cases where they informed of their pregnancy within 5 working days after their dismissal.
- Training and informative seminars: dissemination of information to social partners and employees and employers about the rights and obligations under the relevant legislation.
- Schemes to support female employability and allow for furtherance of stay in the job market.

### Recommendations 18, 23, 24

36. The MOEC has developed its own Action Plan on gender equality, based on NAPGE, shaping gender equality training and educational policies, in order to tackle stereotyping attitudes. An Independent Committee evaluated the relevant material. The MOEC took up a series of actions to implement the Committee's recommendations. Material was also distributed among teachers during special conferences, seminars and workshops, in collaboration with experts. For the current school year 2013-2014, special emphasis is given to the goal "*Cultivating active citizenship with emphasis on social solidarity*" which sets in motion an effort of elimination of all forms of stereotyping and, in particular, the gender inequality. Specifically:

- *New Modern Apprenticeship scheme*: encouragement of girls' participation to information technologies.
- *Special training for school counselors*: raising awareness on the restrictive role of traditional gender roles and stereotypes.
- *School unit*: participation of local community and women authors in prevention programmes.

- *Parents and the family role*: special projects tailored to review the traditional family role.

37. The Police Committee on Gender Equality (PCGE) was set up to restructure the police training and eliminate institutionalized gender discriminatory practices. The Police carried out studies on “Women and Policing” and projects such as “Sexual Harassment in the Workplace”. Police trainers receive special training on gender equality and sexual harassment.

#### **Recommendation 29**

38. According to the NAPGE the participation of women in decision-making process is a priority. During the last Parliamentary and Local elections awareness-raising campaigns were conducted in cooperation with women’s organizations, political parties and media. Dissemination of statistical data and research findings as well as exchange of good practices proved a useful tool. Women have an important role in the peace process as advisers to the leader of the Greek Cypriot Community and members of the negotiating teams. They participate in bi-communal training seminars/workshops for professionals and civil society. The Government encourages women NGO’s involvement and initiatives in support of the peace process.

#### **Recommendations 22, 57, 58**

39. The NMWR conducts researches and collects statistical data on gender related matters. During 2010-2012 the NMWR subsidized programs and activities addressing the multifaceted discrimination against vulnerable groups of women.

40. The SWS provide technical and financial support to nonprofit organizations and local authorities for the development and operation of supportive programmes and services including children’s day-care centers. National Legislation protects all women against gender inequality. The Department of Labour Relations (DLR) is implementing the Project “Actions for reducing the gender pay gap”, which is co-financed by the European Social Fund (total budget around 3 million euros). The implementation of the Project started in July 2010 and will be concluded by the end of 2015.

41. The Project aims at combating the root causes of gender pay gap. The measures target various groups such as, officers and inspectors of equal pay and equal treatment in employment legislation, career advice professionals, primary and secondary education teachers, parents, enterprises, social partners and the civil society.

42. The Project focuses on:

- Training of Officers and Inspectors of the DLR regarding the enforcement of equal pay and equal treatment in employment legislation.
- The establishment of a Gender Equality Certification Body which will evaluate enterprises as regards the incorporation, or the application of best practices relating to equal treatment in their working environment.
- Measures for preventing stereotyping regarding gender roles, which lead to occupational and sectoral segregation.
- Training of managerial staff of enterprises, trade unions and employers associations on the use of codes of practice regarding the enforcement of equal pay and the use of job evaluation tools.
- Examination of all collective agreements for the identification of direct discrimination regarding pay.

- Campaigns for raising awareness on equal pay.
- Dissemination of informative leaflets and guides.

#### **Recommendations 28, 30, 68**

43. Since 2009 Cyprus enacted further legislative measures relating to gender equality amongst persons with disabilities in order to enhance the legislative framework in place (see Section III).

#### **Recommendations 32, 33, 34, 35, 42, 43**

44. A NAP for the Prevention and Combating of Domestic Violence (NAPPCDV), for 2010-2013 is implemented focusing on monitoring, prevention, implementation of legislation and provision of support and protection of victims.

45. Cyprus adopted further actions regarding the battle against domestic violence, such as:

- The Manual of Interdepartmental Cooperation on Domestic Violence with the participation of NGOs which is currently under review and will be completed by the end of 2013. The SWS provide financial and technical support to the Association for the Prevention and Handling of Violence in the Family for the operation of the shelter, through a State de minimis aid scheme (based on the Commission Regulation (EU) No. 360/2012). In 2013 the financial assistance provided was €30,000.
- The NMWR encourages the funding of projects and researches of women's organizations and NGOs. It provides financial support to the Crisis Centre Association, the women's Shelter and the telephone helpline for the victims of domestic violence. In 2012, the first national research on the prevalence of domestic violence and the consequences on women's health, was carried out by the Advisory Committee for the Prevention and Combating of Domestic Violence with the financial support of the NMWR. During the Cyprus Presidency of the Council of the EU, a Conference on *Combating Domestic Violence against Women in the EU* was organized in Nicosia (8–9/11/2012), in order to review progress at the EU level and exchange of good practices and lessons learned.
- The electronic Crime Report System of Cyprus Police was set up. It facilitates gender data analysis (e.g. domestic violence and sexual offences). Police crime data is used in several national, international studies to develop proper actions to tackle violence against women.
- The Police published a brochure on victims of spousal abuse, which documented that foreign women-spouses are at increased risk for spousal abuse.
- Police informative material on spousal abuse, protection of vulnerable groups is available in Greek, English and Turkish.

## **G. Non Discrimination and protection of vulnerable groups**

#### **Recommendation 31**

46. Raising awareness:

- Members of the Police participate in "Cyprus Police Torch Run" Association to support persons participating in Special Olympics.

- The Police with the cooperation of the ADB issued a Police Policy Statement for the prevention, handling and combating of discrimination and racist crime.
  - The MOEC prepared an induction guide for new foreign pupils, translated in eight languages, with basic information for the pupils and the parents, regarding the educational system of Cyprus.
47. Case Law Data on Discrimination: During 2010–2012 there were convictions in 73% of cases and there are still pending cases at court, as of June 2013 (CERD/C/CYP/17–22, paras. 9–15).
48. The MOEC caters for the specialized needs of vulnerable groups:
- *Special Education*: The goal of the MOEC is to abolish any form of discrimination against children with special needs. The majority of children with special needs are educated alongside their non-disabled peers. The Board of Special Education, which is appointed by the Council of Ministers and acts as a consultative committee, monitors the implementation of legislation procedures and other issues regarding the educational services provided to children with special needs and gives feedback to the MOEC. In 2011, the CCR issued a report with specific recommendations relating to the legislative framework and practice on children with special needs which she submitted to the MOEC and the Parliamentary Committee on Education. The MOEC was committed to examine them with a view to implement them.
  - *Other groups*: Roma children have priority for admission to public kindergartens, whereas families receiving public allowance are exempted for paying fees in public kindergartens.

## H. Discrimination based on sexual orientation

### Recommendations 26, 27, 36

49. In light of the Recommendation of the Committee of Ministers of the Council of Europe (CM/Rec(2010)5), the MJPO promoted an amendment to the Criminal Code by criminalizing public incitement of acts against persons on the basis of sexual orientation or gender identity.

50. Cyprus promotes the protection of asylum seekers claiming persecution due to their sexual orientation and gender identity. The Asylum Service and the Refugee Reviewing Authority have granted international protection to applicants establishing a well founded fear of persecution because of their sexual orientation/ gender identity. Each case is examined on its merits. The staff of the Asylum Service receives regular trainings by UNHCR and European Asylum Support Office (EASO), on matters relating to sexual orientation or gender identity. In 2006, the officers of the Refugee Reviewing Authority received training by UNHCR, based on which a Handbook of Procedures was issued. Officers of the Asylum Service receive trainers' training by the EASO.

51. In an attempt to improve policing by taking into consideration the specific circumstances relating to LGBTs community, cooperation between the Police and the NGO ACCEPT LGBT – Cyprus Organization is initiated. This led to an invitation to representatives of Accept LGBT - Cyprus to lecture during a “Train the Trainer” seminar on “Diversity and Policing”, in December 2010. Police training curricula on Racial and Other Discrimination has been updated to address issues related to LGBTs.

52. The ADB submitted reports on LGBTs rights, particularly on the necessity of legal recognition of same sex relationships. Following ADB's intervention, a Bill regulating the civil partnership pact for different and same sex couple was prepared by the MOI and is due

to open for consultation with other Government entities (e.g. MOH, MLSI etc.) and NGOs with a view to its enactment within 2014.

53. The ADB, following the recently adopted legislation against racist hate speech, recommended the introduction of legislation against homophobic speech.

54. The ADB raised the issue of homophobic bullying in schools. In a report submitted to the MOEC, the ADB called for the introduction for comprehensive sexual education addressing LGBTs issues. As a response to this report, the MOEC's Observatory on Violence in Schools will enhance the national research on the victimization of pupils and teachers. The matter of homophobic bullying will be investigated for the school year 2013–2014.

## **I. Measures for the support of the religious minority groups (RMG) of Cyprus**

### **Recommendation 55**

55. The Government is committed to meeting the needs of all members of RMG and ensuring that their rights are exercised in full. RMG operate their own schools, which are supported financially by the Government. In an effort to assist them in promoting the identity and culture, children of members of RMG receive financial assistance to attend any private school of their choice. The Government consults frequently the Representatives of the RMG for the planning and implementation of various projects. The Cultural Services have a number of subsidization cultural programmes that members of the three RMG can apply for funding. [See Section III, C].

### **Recommendation 66**

56. In the new Curricula of History and Religious Education, the historical continuity and the religious identity and tradition of the minority groups is safeguarded in the form of teaching objectives. The MOEC published booklets on the history of each RMG. The Council of Ministers, adopting a recommendation by the Law Commissioner, appointed a Committee of Experts for the Codification of the Cyprus Arabic Maronite Language (CMA), (Decision No. 67.823, dated 17/10/2008). The Committee's proposal was endorsed and the MOEC allocated a special budget to safeguard economic synergies and cooperation between different governmental and non-governmental departments for the materialization of the action plan which includes recording, coding, standardization and development of the language. The MOEC has undertaken the responsibility to acquire the necessary equipment, as well as to fully fund the programme "*Language Nests*" for the instruction of the CMA to school children and youngsters. Research experts will undertake the codification, language teaching and teacher training of the CMA.

57. The Ombudsman organized in August 2010, a one day event regarding the history, culture and minority rights of the RMG in Cyprus.

## **J. Migrants' rights**

58. In the framework of further improving the immigration policy, Cyprus signed a Cooperation Agreement with IOM, in December 2012 which includes provisions on special programmes, capacity building, technical support and exchange of best practices in the fields of healthcare, International Immigration Law, trafficking and voluntary repatriation.

### **Recommendations 59, 63**

59. A new policy on Multicultural Education has been approved by the Council of Ministers entitled "*Policy Report of the Ministry of Education for Multicultural Education*" (Decision No. 67.598, dated 30/7/2008) that aims to the inclusion of non-native speaking pupils to the school system and society.

60. The NAP for the Integration of Third Country Nationals Legally Residing in Cyprus (NAPITCNLRC) which was launched in 2010 to cover the years 2010–12 was renewed by a Decision of the Council of Ministers (Decision No. 74.746, dated 20/2/2013) to cover the years 2013–2015. The Council of Ministers decided (Decision No. 72.672, dated 10/10/2011), to appoint an Advisory Committee vested with the power to monitor and assess the integration policies. Both the Special Experts' Committee (who initiated this NAPITCNLRC) and the Advisory Committee, consist of representatives of the relevant Ministries, the Ombudsman, local authorities, main Trade and Employers' Unions and NGOs.

### **Recommendation 60**

61. The MOI and the Civil Registry and Migration Department provide on-line information and leaflets on entry and residence procedures set out in the relevant migration legislations which refers to general orientation guidance, migration facts, migrants' policies and initiatives, migrants' rights, rules and procedures to acquire citizenship, residency status, property, entry regulations, application forms, contact, access points, etc. Furthermore, design, preparation and implementation of relevant actions and initiatives in this respect have been assigned by the MOI to various governmental organizations, NGOs and other entities. These actions are exclusively or partly funded within the framework of the European Solidarity Funds aiming at providing information and better access to information for third country nationals. In particular, during 2009–2013:

- the NGOs 'CARDET' and 'Innovade LI Ltd' published a Cyprus Information Guide for third country national in several languages;
- the business consulting and human resources company 'Enoros Consulting Ltd' and private strategy management, public relations and advertising company 'Marketway Ltd' have launched an information campaign for third country nationals about the highway driving code;
- Opinion and Action Services implemented an annual information programme of sensitizing the public on issues related to international protection;
- 'Delema Communications Ltd' launched a campaign on issues relating to third-country nationals;
- the Center for Counseling and Professional Development (KESEA) carried out introductory orientation courses for beneficiaries of international protection;
- The Nicosia District municipalities have implemented actions aiming at informing migrants on issues, such as civil society, Cyprus and EU legislation, history and culture, human rights, women's health.

### **Recommendation 61**

62. *The Legal Aid Law* [L.165(I)/2002] provides that, legal aid is granted in proceedings before the Courts of Cyprus in civil and criminal proceedings for specific violations of human rights. In 2009, the Legal Aid Law was amended by L.132(I)/2009 in order to expand the legal aid scheme so as to cover judicial procedures in Cyprus for asylum seekers and refugees. In 2012, it was again amended by L.8(I)/2012 in order to cover returning

illegally staying third country nationals. The Legal Aid Law is under review so as to cover alleged victims of trafficking, including children.

63. Pursuant to the *Rights of Detained Persons Law* [L.163(I)/2005], a person in custody is provided with adequate facilitations regarding the communication with their lawyer.

#### **Recommendation 62**

64. The *Aliens and Immigration Law* CAP.105, as amended by L.117(I)/2012, provides that (1) 'Unless if, in the specific case, it is allowed to apply other less coercive, yet adequate measures, the Minister of the Interior, may issue an order with which to order the detention of a third-country national, due to be deported, only for the preparation of his/her return and/or for concluding the deportation procedure, especially when (a) there is a danger of absconding, or (b) the particular third country national avoids or obstructs the return or removal procedure (Section 18QF). Irregular immigrants detained in Police Detention Centers enjoy all rights and accommodation facilities, according to the CPT Standards'.

65. The Ombudsman on the basis of complains received from long term residing irregular immigrants in Cyprus is due to issue a report with recommendations which will deal with the issue of alternative measures in accordance with the principle of proportionality. The Government will examine the report and pay due consideration to the recommendations.

#### **Recommendation 64**

66. Persons at the Reception Centre in Kofinou are supported by a social worker and a psychologist. A social worker is available for the asylum seekers residing at reception centres under the pilot project for the European Refugee Fund (2011–2013). If a person is suspected to be a victim of torture, he/she is referred to a special Medical Council. This Council was reinforced with a psychologist in 2012. Children of asylum seekers entitled to the full respect of children's rights including free public education and health care services.

67. Persons belonging to vulnerable groups, including irregular immigrants, prisoners, children of irregular immigrants, pregnant women, asylum seekers, are entitled to the necessary medical care free of charge. The MOH, despite the pressure of budget cuts, is trying to maintain the access to healthcare treatment particularly to vulnerable groups. In December 2011, adopting a recommendation of the CCR, the MOH issued a circular to all public healthcare institutions directing them to facilitate the prompt granting of any required healthcare services to all pregnant women and children belonging to vulnerable groups (including those who are not otherwise entitled, and even if they are illegally in Cyprus). The CCR monitors regularly the situation of these children and intervenes to the competent authorities with recommendations relating to individual cases and immigration issues in general.

68. *The Refugees Law* [L.6(I)/2000, as amended] provides, inter alia, that:

- Refugees, whose status is being re-examined, have to be informed in writing of the grounds - right of appeal.
- Asylum applicants have the right to remain in Cyprus during the examination of their application and receive a confirmation letter, which guarantees their access to all the rights provided for in the Refugee Law.
- Asylum applicants have the right to legal assistance and representation.

### **Recommendation 65**

69. The policy regulating the employment of foreign workers as domestic workers has been reviewed, making previous experience in domestic work a prerequisite for entry to the Republic. The MLSI continuously enhances its efforts to improve the working conditions of domestic workers.

70. The established mechanism for resolving complaints submitted by Cypriot, EU and third-country employees has been used for a significant number of complaints relating to the violation of terms of employment.

71. All complaints filed by migrant workers against their employers are investigated by the relevant Department, aiming to reach compromise among the two parties. In case there is no compromise between the two parties the complaint is examined by the Labour Dispute Committee and if the decision is against the employer, the migrant worker is given permission to find a new employer. In the case of domestic workers, taking into consideration their vulnerability, they are given permission to stay or work for a different employer until the Committee reaches its decision. Regarding complains submitted by domestic workers, 911 complaints were submitted in 2012 compared to 989 in 2011, representing a decrease of 7.9%. In the first semester of 2013, 372 complaints were submitted, representing a 9.5% decrease.

## **K. Anti-trafficking policy**

### **Recommendations 47, 48, 49, 50, 51, 52, 53**

72. There have been increased efforts to combat Trafficking of Human Beings (THB), namely the relevant legislation, the National Action Plan Against Trafficking of Human Beings 2010-2012 (NAPATHB), the abolition of the so called “artist visa”, the training of Government Officers and international cooperation with other EUMS and third countries.

73. The Law L.13(1)/2012 amending *the Combating of Trafficking and Exploitation of Persons and the Protection of Victims*, is considered of paramount importance in that it: (a) doubled the number of NGOs in the Multidisciplinary Group (MCG), as it is considered that cooperation with NGOs is a key factor in developing effective anti-trafficking policies and strategies and (b) made provision for the National Coordinator to invite experts to attend the meetings of the MCG, when he/she thinks this is necessary. The *Law on Trafficking*, together with the Law on *Legal Aid* [L.165(I)/2002, as amended], are currently at the final stages of further review, so as to fully harmonize with Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims. The aim is to extend the legal aid scheme to include advice, assistance and representation of victims of trafficking and also to cover judicial proceedings where children are involved, especially where children are the alleged victims of trafficking.

74. The MCG has revised the NAPATHB of 2010-2012 and promoted a new NAPATHB 2013-2015 which was approved by the Council of Ministers in April 2013 (Decision No.74.0903, dated 10/4/2013). The NAPATHB 2013-2015, takes into account the EU Strategy 2012-2016, the new EU Directive 2011/36/EU and the recommendations of the Commission of Experts of the Council of Europe (GRETA). Within the framework of the NAPATHB, a series of systematic training of all relevant public officers, such as, Labour Inspectors, Social Welfare Officers, medical professionals, diplomats, asylum and immigration officers, police, prosecutors, judiciary and other stakeholders such as local authorities, private sector and NGOs, was undertaken.



75. The abolition of the ‘artist visa’ and the introduction of a new system with stringent criteria has brought about a major change in society in that it limited to a great extent the possibility of sexual exploitation of women, as numerous establishments, primarily cabarets, where such women were employed, went out of business. The aim of the new visa procedures was to avoid exploitation of the system, as a means to combat exploitation of women in the cabaret business. This aim was largely accomplished. (CERD/C/CYP/17–22, paras. 12 and 92)

76. Within the framework of enhancing international cooperation and improving the fight against THB, Cyprus has undertaken, together with the Netherlands and Poland, an EU funded Project entitled “Putting Rantsev into Practice -Strengthening multidisciplinary operational cooperation”. The Project aims at stimulating the implementation of EUMS obligations and strengthening cross-border multidisciplinary cooperation to fight THB.

77. The Police is in close cooperation with foreign Law Enforcement Agencies, through Europol and Interpol or liaison officers. Police participates in Europol’s Analytical Working File PHOENIX supporting the priority areas. The Government concluded Bilateral Agreements with a number EUMS and third countries, which provide the framework for co-operation in combating and preventing organized crime, including trafficking in human beings.

78. The Police cooperates with local NGOs for the support and welfare of identified victims. The Police supports and participates in awareness raising campaigns, carried out by NGOs or other Governmental Departments.

79. Another key issue in combating THB is the carrying out of assessments of trends in THB and collecting reliable statistics. Cyprus is currently a co-beneficiary of the project “Towards a Pan-European Monitoring System of Trafficking in Human Beings”.

Other concrete measures:

- Informative leaflets presenting the rights and obligations of foreign workers have been issued in six languages.
- Victims of trafficking and/or sexual exploitation that are non EU citizens have full access to employment. Victims who wish to work may visit the Public Employment Services for assistance.
- The employment contracts of foreign workers will be translated in a number foreign languages.
- Seminars are organized for the owners of private employment agencies.
- The National Independent Authority for Human Rights will publish a report on the main shortcomings of the legal and institutional framework on THB and submitting recommendations.
- Informative leaflets presenting the rights and obligations of foreign workers have been issued in six languages.
- Victims of trafficking and/or sexual exploitation who are non EU citizens have full access to employment. Victims who wish to work may visit the Public Employment Services for assistance.
- The employment contracts of foreign workers will be translated in a number foreign languages.
- Seminars are organized for the owners of private employment agencies.

80. The National Independent Authority for Human Rights will publish a report on the main shortcomings of the legal and institutional framework on THB and submitting recommendations.

## **L. Treatment of detainees**

### **Recommendation 46**

81. In order to improve prisons and detention facilities, the construction of new cells and premises was undertaken and concluded as follows:

- For the Open Prison:  
In 2011, 46 additional new cells, staff offices and basic medical facilities for consultation, medical treatment or nursing care were constructed.
- For the Closed Prison:  
In 2011, 41 new cells with a capacity of 82 persons were constructed with the renovation of Wing 2A in the complex of Blocks 1 and 2. In 2013, renovation of Wing 2B was completed creating 39 new cells with a capacity of 78 persons. The renovation and extension works of Wings 1A and 1B will continue.
- For Juvenile and Young Prisoners:  
In 2013, the restoration of a separate Wing 9 and construction of the entire infrastructure was completed in September 2013 and consists of 24 cells with a capacity of 48 persons.
- For Female Prisoners:  
Restoration works in the Women's Wing were completed in June 2011 so that female inmates can serve part of their sentences in the Open Prison and in the Centre of Guidance and Extra-Institutional Employment of Convicts, with 8 new cells for each new establishment.
- For Prohibited Immigrants:  
The Detention Centre for Prohibited Immigrants Awaiting Deportation at Menoyia in Larnaca District, operates since 28/01/13. The Center meets CPT standards.

### **Recommendations 39, 40, 41**

82. The Ombudsman, acting as the NMPTCIDTP regularly visits prison and detention facilities and submits reports and recommendations. In 2013, the Ombudsman visited twice the new area of detention at Menoyia, and concluded that the conditions of detention do meet international standards. The Ombudsman examined allegations of ill-treatment of detainees and issued a report in September 2013. She emphasized that the authorities must demonstrate that such incidents will not be tolerated. She suggested that:

- the Police should enhance the staff-training on the avoidance of authoritative and excessive use of violence;
- the drafting of a Code of Conduct; and
- the Director of the Aliens and Immigration Police should immediately investigate all complaints of ill-treatment and inform the complainants accordingly. The Director of the Aliens and Immigration Service issued a specific circular regarding the treatment of detainees. The Director will also prepare a new circular for both the members of the Service and the members of the Menoyia Detention Centre for Prohibited Immigrants Awaiting Deportation. The complaints mentioned in the ADB's report, are being investigated by the IAIACAP.

83. Visits by various NGOs, national and international organizations (CPT, UNHCR, LIBE, Ombudsman, etc.), are carried out to Police Detention Centres, where they assess the living conditions and interview the detainees so as to ensure that detainees enjoy all their rights and to reduce the risk of potential police misconduct.

84. There are several mechanisms and procedures in place in order to ensure prompt and impartial investigation in allegations of police misconduct, ill-treatment etc.: administrative investigations and disciplinary procedures, criminal procedures, the Police Audit and Inspection Unit and the Police Standards Directory. There are also several independent authorities for the investigation of such alleged cases: the IAIACAP, the Attorney General with the appointment of criminal investigators, the Ombudsman, the CCR, if children are involved or affected.

85. Other actions taken by the Police:

- The Chief of Police issued numerous circular to all members of the Police on the importance of human rights protection.
- The Police translated and published informative material on issues concerning human rights, discrimination, racism and xenophobia, which were distributed to all police officers.

86. The Code of Ethics has been edited by the PHRO and is available at the webpage <http://www.police.gov.cy>. A Police Standing Order (No. 1/73) was prepared and is part of the basic training of the police recruits at the Police Academy. The PHRO organises seminars and training at the Cyprus Police Academy to cover a wide range of issues in the area of human rights and Policing, treatment of detainees, the living conditions in the police detention centers. Since October 2010, 150 police members have attended those seminars.

87. The seminars focus on issues concerning the treatment of detainees, the living conditions at the police detention centres and the needs of detainees. It elaborates on the provisions of national legislation and international conventions which are related to the daily duties, powers and obligations of police members with regard to the detained persons, rights and obligations of the detainees.

88. The Citizens Rights Charter has been issued by the Police in an effort to raise awareness of citizens in relation to their rights and to facilitate public access to Police establishments, procedures and services. A new version of the Citizens Rights Charter will be released in 2013.

89. In 2011, representatives of the Police participated to the European Police Collage courses and the EU Agency for Fundamental Rights round-tables and workshops, organized abroad, concerning human rights issues, police ethics and anti-corruption practices.

## **M. Missing persons in Cyprus**

### **Recommendations 37, 38**

90. The Republic of Cyprus continues to support the work of the Committee on Missing Persons (CMP) in Cyprus and emphasizes the need for removing any obstacles that hinder its operations. In order to cover the CMP's operating costs and to facilitate the speeding up of its process the Republic has contributed the amount 9,484,496 million euros, during 2005–2012. Despite the financial contributions by the Republic and other countries, the CMP faces serious problems in its operations on the ground. As of November 2013, only one exhumation has been recorded in fenced military areas in the occupied part of Cyprus, due to the restrictions imposed by the Turkish army. The U.N. Secretary-General has stated that: "complete access to military areas in the north for the purposes of exhumations

remains crucial. I urge the Turkish Forces to adopt a more forthcoming approach, given the humanitarian dimension of the issue” (S/2010/605, §37). This position was later reiterated: “During the reporting period, the Committee’s access to military areas in the north remained circumscribed” (S/2011/332, §28). The UN Security Council in Resolution 2089 (24/1/2013) reiterated the call for unrestricted access of CMP throughout the island, “including in military areas in the north”.

91. On 4–6/6/2012, the Committee of Ministers’ Deputies (Human Rights) of the Council of Europe discussed the issue of the missing persons of Cyprus, through the supervision of the execution of the judgments of the ECHR in the cases of (1) *Cyprus vs. Turkey* and (2) *Varnava and Others vs Turkey*. The Ministers’ Deputies, inter alia, decided to call on the Turkish authorities to adopt a proactive approach as regards effective investigations into the fate of persons who are still missing and reiterated their request to obtain further concrete information on the steps taken by the authorities aimed at giving the CMP and investigative officers access to all relevant information and places, in particular concerning military zones.

92. The European Court of Human Rights reaffirmed this position in the case of *Varnava and others vs. Turkey* (18/9/2009), in which it stated that there was “no indication that the CMP was going beyond its limited terms of reference to play any role in determining the facts surrounding the deaths of the missing persons who had been identified or was collecting or assessing evidence with a view to holding any perpetrators of unlawful violence to account in a criminal prosecution.” [A/HRC/13/7/Add.1, page. 5].

## **N. Cooperation with civil society**

### **Recommendation 70**

93. The line Ministries have regular contacts with NGOs, particularly in preparing legislation relevant to their scope. For example, the MOEC has close consultations with interested stakeholders. The Educational Reform process was based on a structured dialogue, among Teachers’ Unions; Parents’ associations; Associations of pupils and students; Representatives of the RMG; and Political parties.

94. With regards to the follow-up to the UPR, the MOEC had close cooperation with NGOs (e.g. Family Planning Association, NGO Support Centre), Governmental Committees (e.g. Anti-drug Association, National Anti-smoking Committee), the CCR, the Ombudsman and other Ministries.

95. The NAPITCNLRC 2010-2012 was prepared by the Special Committee of Experts on Integration after prior consultations with NGOs (KISA, Simfiliosi, Mediterranean Institute of Gender Studies, Future World Centre, Cardet). The NAPITCNLRC encourages the cooperation of the local authorities and civil society.

96. Recognising the importance of engagement with civil society, Governmental agencies cooperate with NGOs in the framework of the MCG, i.e. Cyprus STOP Trafficking, KISA, Mediterranean Institute for Gender.

## **VI. Description of achievements, of ‘best practice’ as well as of challenges in implementing the recommendations accepted by Cyprus**

97. Best practices to implement human rights obligations are discussed in Cyprus among Governmental agencies, independent institutions, NGOs and civil society.

Challenges are identified and initiatives are undertaken to improve the human rights situation.

98. The ADB's report (June 2010) identified cases of prosecution based on ethnic grounds (racial profiling). In its conclusions, the ADB underlined that police action should be guided by the principle of proportionality and full respect of human rights of all persons irrespective of their racial or ethnic origin. The practice of racial profiling should be faced out and specific guidelines should be elaborated.

99. As a result of the ADB's recommendation, the Police issued a circular incorporating new guidelines for Police officers regarding racial profiling and a Police Standing Order No. 3/38 regulating anti-discrimination practices. According to this standing order, the POCD:

- (a) Coordinates, observes and consults on discrimination issues,
- (b) Monitors the investigation procedure regarding offences and incidents of discrimination,
- (c) Ensures the implementation of the specific legislation, and
- (d) Co-operates with the Police Academy for the training of all members of the Police. The Police Academy organizes training programmes at all level of the Police with specialized subjects such as CID courses, Immigration issues, training on Human rights, Racial Discrimination, Racism, Xenophobia and other technical Police issues, such as Code of Police Ethics, Policing in a Multicultural Society, Communication, Professional Police Behaviour issues, etc.

100. Since the foundation of FRONTEX, the European agency for border management, there has always been a special focus on protecting human rights during operation activities. The respect of human rights during the border surveillance operations and return operations proved a major challenge and led to the need for additional rules, guidelines and instruments in order to meet the complexity of this issue. In response to these concerns, the Council of the EU adopted guidelines for monitoring external maritime borders in FRONTEX activities in 2010. At the end of 2011, the amended FRONTEX regulation entered into force, creating new instruments to ensure the respect of human rights. As a result, FRONTEX endorsed a number of safeguarding mechanisms such as a Fundamental Rights Strategy and a Code of Conduct.

101. The Police Academy offers specialized courses on immigration and border control for police officers that have been transferred to Immigration Office and Police Border Marine. In cooperation with FRONTEX, it organizes training courses on annual basis, on the following issues:

- Persons Seeking Asylum and Human Rights;
- Unaccompanied Minors;
- Communication Rights of people under detention;
- International Provisions concerning Human Rights;
- Identification of victims of trafficking,
- Communication in a multicultural society;
- Prejudices, racism, racial discrimination, xenophobia and other related intolerances.

102. In March 2013, the ADB issued a report on the way schools respond to racist incidents. The report identified gaps in addressing the racist incidents in a decisive manner. A number of schools failed to protect victims, to educate the perpetrators and face the

tensions among pupil groups of different ethnicity. The ADB advocated for better protection of victims of racist violence.

103. In response to this report, the MOEC cooperates with the ADB in drafting a Code of Conduct against racism in schools. Within the framework of supporting schools with regards to violence and juvenile delinquency, the MOEC set up the "*Task Force on School Violence*". It is mandated to provide economic subsidies where needed, support the implementation of the action plans and promote prevention programmes. It implements follow-up action plans and encourages interaction among the main stakeholders such as teachers, counselors and special psychologists.

104. The Observatory for Violence in Schools is one of the institutions of the MOEC's tool kit in addressing violence in schools. The Observatory records, codes, analyses and evaluates data on the extent and the forms of violence. It collects quantitative and qualitative data concerning good practices for the prevention of violence in schools, national and international research on school environment, on school violence and juvenile delinquency, including issues on bullying and racism.

## **VII. Initiatives to further improve the human rights situation in Cyprus**

105. Since 2009, a number of important NAPs, Guidelines and initiatives were enhanced, launched and implemented. These policies proved to be a useful tool in promoting cooperation between Government and the civil society for the implementation of national strategies and policies on human rights.

106. Central elements of these policies include:

- The NAPGE initiated by the NMWR. Its overarching and multi-level strategy focuses on the challenges to the further develop of the support system for women, combating discrimination practices against women. The NAPGE was a useful exercise for all relevant stakeholders. An interim evaluation report on NAPGE for the period 2007–2010 indicated significant progress as well as shortcomings. Government agencies took on board the interim evaluation report and a number of policies were elaborated in this respect.
- In terms of institutional development, the Equality Unit of the MJPO and the NMWR continue to play a leading role in the overall promotion of gender equality and the protection of women's rights. Besides, the establishment of new bodies, authorities, and committees for the promotion of gender equality has given new impetus to the full implementation of gender equality laws and policies. The involvement of women's organizations and NGOs in policy formulation and implementation on gender equality was increased significantly and their contributions were vitally important in ensuring that the needs of all women, including vulnerable groups, are taken into account.
- The NMWR is an important stakeholder for the implementation of the NAPGE as well as for relevant initiatives, such as the financial support of the Advisory Committee for the Prevention and Combating of Domestic Violence to carry out the first national research in 2012 on the prevalence of domestic violence and the consequences on women's health.
- NAPATHB and the NAPITCNLRC – see Section V
- In May 2013, the MOH launched a NAP on Minimising the Consequences of the Economic Crisis in Public Healthcare (NAPMCECPH) to cover the period

September 2013-September 2015. It was specifically designed to provide for vulnerable groups and for the intensification of the existing public health programmes. A NAP for the Elimination of Discrimination in Sport Facilities (NAPEDSF) will be launched. The ADB has agreed to collaborate with the Cyprus Sports Organization on its drafting.

- After the report of the ADB on the issue of homophobic bullying in schools, the MOEC set up the Observatory on Violence in Schools to monitor the situation and enhance the research on the victimization of pupils and teachers. The matter of homophobic bullying will be further examined for the school year 2013–2014, based on Observatory’s findings. The MOEC has introduced a series of initiatives which focuses on the challenges to help and support vulnerable pupils. The ZEP initiative has proven to be a useful tool for the protection of disadvantaged children. The CCR, within the context of her monitoring role, has undertaken the initiative to evaluate the work and the general functioning of schools included in the ZEPs, in the framework of safeguarding children’s rights, aiming to issue a report by the end of 2013. This report will identify possible progress, gaps and challenges in the course of implementation and will make recommendations for further improvement.
- For combating Police ill treatment, the Code of Police Ethics includes provisions concerning the protection and promotion of Human Rights, the prevention of torture and provides guidelines to address aggressive behaviour. Other important measures include the Citizens Rights Charter, aiming to raise awareness of people in relation to their rights and to facilitate public access to Police establishments, procedures and services. A new version of the Citizens Rights Charter is expected to be released by the end of 2013.

## VIII. Way forward

107. During the period under review, there were significant positive developments regarding Cyprus’s compliance with human rights instruments. Many laws were enacted, and policies adopted, several NAPs were initiated. Independent control mechanisms, such as, the National Independent Authority for Human Rights, the IMPPMCRPD, the NMPTCIDTP were established. Independent authorities such as the CHI were created whereas existing mechanisms such as the CCR, the ADB, the NMWR and the POCD further promoted their scope and actions. Specialized training of the Police was further adapted to international standards. The Educational Reform and Restructuring of the educational system were developed, as an ongoing process, aiming at promoting human rights.

108. The envisioned way forward entails the reunification of the country and the end of the foreign military occupation lasting for over 39 years, which will allow the restoration of human rights of all the people of Cyprus, with respect to the rule of law and in full accordance with the universal principles of human rights.

109. Cyprus is determined to intensify its efforts to safeguard human rights and is committed to continue working for the further advancement of raising awareness and education on human rights, despite the current economic constrains which have negatively affected the country’s economy and social cohesion. The greatest challenge for the future is to maintain and secure the necessary resources for the effective operation of the institutional mechanisms and the further development of programmes promoting human rights, so as to prevent any setback in what has been achieved so far. Cyprus will spare no effort to uphold and take into serious consideration the recommendations emanating from this review and continue to work with all relevant stakeholders. The constructive dialogue

during the UPR process is a great opportunity to both build upon existing practices and initiate new ones to this end.

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