



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Consideration of reports submitted by States parties under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Reports of States parties due in 2012

**Cyprus\***

[Date received: 31 March 2016]

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\* The present document is being issued without formal editing.

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## **I. General measures of implementation**

### **1. Preparation of the Report**

1. The present report has been elaborated in accordance with the instructions of the Committee on the Rights of the Child of the United Nations, with regards to the initial reports the Member States must submit, pursuant to article 8, paragraph 1 of the Protocol.

2. For the preparation of this report, the Ministry of Defense requested information and collaborated with the following services: the National Guard General Staff (NGGS), the Cyprus Police, the Ministry of Interior, the Ministry of Education and Culture, the Ministry of Energy, Commerce, Industry and Tourism, the Ministry of Labour, Welfare and Social Insurance, the Ministry of Justice and Public Order, the Social Welfare Services and the Asylum Service.

### **2. Legal Status of the Optional Protocol**

3. This Optional Protocol constitutes a Part of the 1990 to 2010 Laws on the Convention on the Rights of the Child, the text of which is given (as a Table) in Part III, in English, and in Greek translation in Part IV.

### **3. The implementation of the Optional Protocol with regard to all territories and persons over which the state party exercises jurisdiction including all parts of federal states, dependent or autonomous territories, all military forces of the state party and all locations where such forces exercise effective control**

4. Due to the continuing illegal military occupation of 37% of the territory of the Republic of Cyprus by Turkey, the provisions of the Optional Protocol only apply to those areas under the effective control of the Government of the Republic of Cyprus.

### **4. Information about the intention of the State party to withdraw any reservation(s) it has made to the Optional Protocol**

5. There is no intention to withdraw the reservation made by the Republic of Cyprus in the signing and ratification of the Protocol since it is directly related to the continuing illegal military occupation of part of the territory of the Republic of Cyprus by Turkey.

### **5. If the State party has indicated an age under 18 for voluntary recruitment in its binding declaration under article 3 made upon ratification or accession to the Optional Protocol, the State party is invited to indicate whether there are plans to raise this age to minimum 18 and a tentative timetable for doing so**

6. Military service starts, as provided by the National Guard Law of 2011 to 2015, hereafter referred to as “the Law”, on January, 1st of the year during which the citizen attains the age of 18 years.

7. Moreover, it is worthwhile to mention that, there are only two enlistments per year, in January and July. Since the obligation to military service begins from January, 1st of the year of which citizens attain the age of 18 years, a considerable number of conscripts don't attain the age of 18 years by the time that they are enlisted.

8. Furthermore, according to the provisions of the Law, the Council of Ministers can, according to the decree issued concerning the call up of conscripts, allow the voluntary enlistment into the Force, of citizens of the Republic who have attained the age of 17 years upon the date of their enlistment, in order to fulfil their service.

9. The Council of Ministers, by its decision no 62.250 dated 28.3.2007, decided to approve the signature of the aforementioned Optional Protocol, with the illustrative remark that a very small number of persons is enlisted in the National Guard before attaining the age of 18 years in order not to miss the academic year at the university they will study. With that decision, the Council of Ministers has authorized the Minister of Foreign Affairs to sign the Protocol on behalf of the Republic of Cyprus.

10. Following the aforementioned decision of the Council of Ministers there was a questioning with regards to the issue by the Ministry of Defence in point of the consequences of the signature and ratification of the Optional Protocol by the Republic of Cyprus, especially concerning the age of compulsory recruitment, considering that the standing legislation foresee the compulsory and voluntary recruitment to the National Guard in order to fulfill the obligation for compulsory military service and before attaining the age of 18 years of the conscript.

11. Through careful consideration of the issue by the Ministry of Defence, it arises that the number of persons recruited by the National Guard, compulsory or voluntarily, before attaining the age of 18 years, is not small as stated in the aforementioned decision of the Council of Ministers. Specifically, after a relevant research conducted by the Ministry of Defence, in cooperation with the National Guard General Staff, it comes up that on the whole of the persons enlisted in the National Guard, a big percentage are persons who have not attained the age of 18 years. It is noted that the bigger part of this category are persons compulsory recruited and the smaller part volunteers.

12. Furthermore, it is noted that, as mentioned before, the number of conscripts compulsory recruited, on a yearly average, in the National Guard, before attaining the age of 18 years, is not negligible and this category is considerably reinforcing its strength.

13. The Ministry of Defence, having in mind that the signature of the Optional Protocol would be a commitment for the Republic of Cyprus and after relevant discussions with the Legislation Commissioner, suggested to the Council of Ministers the signature of the Protocol simultaneously with the submission of the standing Declaration and Reservation of the Republic of Cyprus in order to ensure the compulsory recruitment to the National Guard of citizens below the age of 18 years and having attained the age of 17 years.

14. The Council of Ministers, by its decision no 66.667 dated 3.1.2008 abolished its previous decision no 65.250 dated 28.3.2007 and approved the adherence of the Republic of Cyprus to the aforementioned Protocol with the simultaneous submission of the standing Declaration and Reservation and authorized the Minister of Defence to sign the Protocol on behalf of the Republic of Cyprus. The Optional Protocol has been signed by the Permanent Representative of the Republic of Cyprus to the UN, on July 1st, 2008 simultaneously with the submission of the standing Declaration and Reservation.

15. Subsequently, the House of Representatives ratified the 2000 Optional Protocol with the (Ratifying) (Amending) Law about the Convention for the Rights of the Child.

16. The Ministry of Defence and the NGGS consider that any amendment of the relevant Law, to provide for the enlistment of all recruits who have not attained the age of 18 on a voluntary basis, will overturn the policy implemented by the Government about enlistment, which is socially consolidated. That is that young people first complete their military obligations and then move on to their higher studies. A change in the aforementioned policy will drive an important number of recruits not to be enlisted, with negative consequences on the manning and the operational capability of the National Guard, taking into account the existing conditions in the Republic of Cyprus resulting from the continuous illegal military occupation of the 37% of her territory by Turkey.

**6. The governmental departments or bodies having primary responsibility for the implementation of the Optional Protocol and the mechanism(s) that have been established or are used to ensure coordination between them and the relevant regional and local authorities, as well as with civil society**

17. The Minister of Defence is defined as the competent authority for the implementation of the Optional Protocol.

18. Furthermore, it is noted that the Ministry of Defence aims at communicating and discussing any issues arising or/and accepts proposals and suggestions made by other services, such as the Commissioner for the Protection of the Rights of the Child, and the Social Services, as well as organisations representing Mothers and Friends of Conscripts, in the framework of anthropocentric administration and takes any measures needed for the wellbeing of the soldiers.

**7. Dissemination of the Optional Protocol and the appropriate human rights training offered to all relevant professional groups**

19. The text of the protocol, in Greek, has been sent to the Ministries/Agencies involved with this issue and to the competent NGGS directorates for consideration, information and relevant reference on issues concerning the recruits and conscripts and generally with the protection and welfare of children.

**Training offered to military personnel**

20. According to the General Education Guidelines of the NGGS, members of the NG are trained about issues concerning Human Rights.

21. Furthermore, it is noted that soldiers do not participate in peacekeeping operations taking place abroad.

**Training offered to Asylum service personnel**

22. According to the Refugee Law, asylum service officers must receive specific training prior to examining asylum applications. Furthermore, specialised training should be offered to officers dealing with child cases. Therefore, officers of the Asylum Service have received and continue to receive regular trainings by UNHCR and EASO, on matters relating to international protection, vulnerable groups, such as minors, unaccompanied minors, as well as on matters relating to sexual orientation or gender identity. For example, officers of the Asylum Service attended the train-the-trainer sessions of interviewing children of EASO in Malta and Cyprus also participated together with Sweden, in the first joint processing action facilitated by EASO that concerned processing of applications from unaccompanied minors.

23. Moreover, trainings and seminars are offered to the Aliens and Immigration Department police officers regarding asylum procedures as well as the handling of asylum seekers in detention centers, by officers of the Asylum Service.

24. Please note that, on June 5th, 2014, the European Asylum Support Office (EASO) and Cyprus have signed a Special Support Plan which provides for EASO support to Cyprus, until July 2015, in a number of prioritized areas, such as training of staff, vulnerable groups (including minors), advice on age assessment procedures, enhancing the reception conditions, as well as on data collection and analytical capacity. The plan aimed at helping Cyprus cope with the pressure on its asylum and reception system and strengthens its capacity in managing and being prepared for the implementation of the instruments of the Common European Asylum System (CEAS).

25. Finally, a national training on interviewing children is scheduled to take place on 13-14 of October 2015, with the participation of the following authorities: Asylum Service, Refugee Reviewing Authority, Social Welfare Services, Office of Combating Trafficking in Human Beings and Police Academy.

#### **Training offered to law enforcement personnel**

26. Cyprus Police Academy provides educational programmes on human rights, at all levels of Police training. Such courses aiming to educate Police constables of all ranks, are offered at the basic Training Programmes for Recruiting Police Officers, at advanced courses such as the Sergeant Course, Inspector Course and Chief Inspector Course, as well as at specialized courses. Specifically, the following lectures are taught among others, as a means of promoting Human Rights awareness among police members:

- Communication in a Multicultural Society
- Policing in a Multicultural Society
- Securing Human Rights: Law Enforcement Agencies, the Constitution of
- Cyprus and International Law
- Enforcement of Human Rights by Law Enforcement Agencies
- Prohibition of torture and other forms of inhuman or degrading treatment or punishment
- Citizens' Rights Charter
- Racial Discrimination and other forms of Discrimination
- Human Rights & Police Ethics
- Human Rights, Migration and Asylum issues
- Torture, Asylum, Migration and Human Rights
- Asylum and Human Rights
- Introduction to Asylum and Refugees/Legal Principles
- Trafficking in Human Beings
- Smuggling of migrants and trafficking in persons

27. Furthermore a number of specialized seminars are included in the Strategic Plan of the Cyprus Police for the Academic Years 2013-2017, and are organized at the Cyprus Police Academy as follows:

- Handling juvenile victims of domestic violence
- Handling criminal and traffic juvenile offenders
- Non-Suggestive Interviewing Techniques for Child Victims of Sexual Violence
- Investigation of child sexual abuse cases

28. The target group of the above courses are police officers who work in Police Departments/Services/Units, that deal with related issues, whereas the scope of training is to get acquainted with relevant legislation, address the special needs of vulnerable persons and be able to handle Police related issues with professionalism.

**Training offered to teaching staff**

29. The Pedagogical Institute, which is responsible for the in-service training of teachers and its trainers, contributes to the overall development of the human personnel within its competency. Among its activities that aim towards this direction are various optional afternoon seminars for teachers, in all levels of education, on topics related to human rights, such as managing diversity in a democratic school and education for democratic citizenship. There are also: (a) an induction course, for newly appointed teachers of primary and secondary schools, that includes training in dealing with mixed ability pupils in multicultural educational settings and (b) a session for newly appointed headteachers and deputy headteachers of primary and secondary schools on multicultural education, educational policy and the role of school leadership, within the context of formulating a strategy for their school units. The Institute also organises other activities such as: (1) training of trainers; (2) school-based seminars; and (3) conferences-workshops that are related to promoting human rights.

30. Moreover, in the recent past, a team of trainers from the Office of the Commissioner for Children's Rights and the NGO Support Center have organised a number of in-service training sessions to support the teaching staff in using Compasito activities into teaching. Additionally, the Ministry of Education and Culture (MOEC) has translated and distributed to all primary school teachers the Social Learning Package — Teachers' Manual, published by the Commonwealth Secretariat and the CARE Organisation in India. This manual includes topics on consumer education, human rights, citizenship, globalisation issues etc. and is an important tool in terms of content and teaching approaches.

31. Cyprus also participates in the project of the Council of Europe "Teaching controversial issues — developing effective training for teachers and school leaders". The aim of the project is to develop effective training on teaching controversial issues and strengthen the capability and confidence of teachers and school leaders in this area within a number of Council of Europe and European Union member states and beyond. The expected outcome is the development and implementation of a pilot teacher training programme for the development of the skills and self-confidence of teachers in teaching controversial issues in the classroom, based on effective principles and processes.

**8 (a) Data on the number of children under the age of 18 voluntarily recruited into national armed forces**

32. As we were informed by the NGGS the above requested information is classified as confidential and therefore cannot be released.

**8 (b & c) Available data on the number of children recruited and used in hostilities by armed groups in the State party. Data should also indicate the number of children incorporated in demobilization and reintegration programmes. Information on whether and how many children have been charged for war crimes committed while recruited or used in hostilities**

33. There are no such elements/data as minors haven't been mobilised or/and used in military conflicts or even in peacekeeping operations in violation of the present Protocol, either in or out of the jurisdiction of the Republic of Cyprus.

**8 (d) Data on the number of child victims of practices prohibited by the Optional Protocol among refugee and asylum-seeking children within the jurisdiction of the State party**

34. Asylum Service does not produce such statistics.

**9. An independent national human rights institution in the promotion and protection of the rights of the child**

35. The Commissioner for Children's Rights is an independent institution which deals exclusively with the rights of the child and whose competences and obligations are prescribed by law. The Commissioner is appointed by the Council of Ministers pursuant to the Commissioner for the Protection of Children's Rights Law, 2007 (Law 74(I)/2007) which came into force on 22/6/2007.

36. The mission of the Commissioner is to protect and promote the rights of the child. Her role is to represent children and their interest at all levels, to promote public awareness and sensitivity so that children's rights in the family, at school, in the community are safeguarded and to identify and promote the views of children where they themselves cannot be heard, to monitor legislation relating to children and to submit proposals aiming at their harmonization with the Convention on the Rights of the Child, to carry out public awareness campaigns, to appoint a representative of the child in judicial proceedings affecting him/her and to represent children in procedures affecting them.

37. More specifically, the Commissioner has competence and responsibility, inter alia:

- To represent children and their interests at all levels
- To promote public awareness and sensitivity so that the society will be mobilized and safeguard in practice children's rights in the family, the school, the community where they live and the society in general
- To have contacts with the children of Cyprus in order to identify and promote their views where they themselves cannot be heard
- To supervise and monitor the implementation of the provisions of the UN Convention and of other Conventions
- To follow up and monitor the legislation and practices in Cyprus concerning children and to submit proposals aiming at their harmonization with the Convention
- To carry out public awareness and change of attitude campaigns with regard to the situation of children in our society
- To conduct studies on the situation of children in Cyprus o make recommendations and proposals to all competent bodies engaged with children so as to promote the interests of children and to give publicity to them whenever she deems it appropriate
- To organise seminars and educational programs relevant to children's rights
- To represent children and their interests in procedures affecting them and to be appointed by the court as their representative
- In general, to take any action as she may deem necessary for the protection and promotion of the rights and interests of the children of Cyprus

38. For carrying out her competences the Commissioner:

- Meets and talks with children in schools, child care institutions, youth centres, etc.
- Gives information on the rights of the child though her webpage, publications, seminars, etc.
- Gives interviews and participates in media programmes
- Cooperates with public bodies, NGOs, international bodies engaged with the protection and promotion of the rights of the child or providing services to children

- Follows the course of the investigation of complains by other authorities and evaluates their outcome concerning violations of children's rights
- Cooperates with equivalent bodies and authorities of other states with regard to issues relating to the exercise of her competences

39. The Commissioner studies individual complaints with the aim of evaluating the existing legislation, policies, procedures and practices and deciding whether these violate the rights of the child. In such cases she proceeds with an intervention where she deems appropriate.

40. Further information can be obtained by visiting the Commissioner's web page ([www.childcom.org.cy](http://www.childcom.org.cy)).

## **10. An Analysis of the factors and the difficulties, affecting the degree of fulfillment of obligations under the Optional Protocol**

### **Factors and difficulties dealt by the MoD and NGGS**

41. In the past and prior to the signature of the Optional Protocol by the Republic of Cyprus, there was concern from the Ministry of Defence and the NGGS in regards to the way people who have the obligation to undertake a military service and who have not attained the age of 18 years should be administered and also in regards to the conscripts below the age of 18 years. There were different points of view/proposals such as: postponement of enlistment or non assignment of line duties etc.

42. But the fact is that the number of people recruited in the National Guard, on a compulsory or volunteer basis before attaining the age of 18 years is not at all inconsiderable and reinforce the number of the force. This, combined with the ongoing illegal military occupation of 37% of the Republic of Cyprus' territory by Turkey, and with all things implied, do not leave major space for the subject to be addressed differently, even though good will is present for moving towards that direction, within the framework of the modernisation of the National Guard.

43. The context of the Declaration by the Republic of Cyprus in the process of signing and ratifying the Optional Protocol is relevant.

### **Factors and difficulties dealt by the Asylum Service**

44. The Asylum Service is receiving a considerable number of applications for international protection from Syrians. Some of them are unaccompanied minors who escaped from their country of origin fearing their compulsory recruitment by the Syrian authorities or other military groups. After the examination of their applications, international protection status was granted to them. Please note that, applications of unaccompanied minors are prioritized.

## **II. Prevention (arts. 1, 2, 4; para. 2, and art. 6; para. 2)**

### **11 (a) The process of compulsory recruitment**

45. Pursuant to Article 27 of the Law, the record of citizens to be recruited is done by the Recruiting Stations (RS), based on the data issued by the Department of Population and Immigration of the Ministry of Interior and the registration lists of students sent to the Stations by Secondary Schools. In detail, they refer to the following:

- (i) Every year, the relevant Directorate of the National Guard General Staff (NGGS) (Recruiting Directorate) ensures from the Population archives, the data of



the Republic's male citizens who are at the age of 16 to 17 years and gives these records to the Recruiting Station in order to draw up the Male Registration Lists, by district;

(ii) In the Male Registration Lists which constitute the base in order to draw up the Recruitment Registers, are registered in alphabetical order everyone registered in the Population Archives born during the same year;

(iii) The update of the Male Registration Lists with the residence information, the educational level, the profession etc is done via the Declarations of Personal Data (DPD);

(iv) Every male citizen, liable for military service during the year attaining 16 years of age, is obliged to submit a DPD;

(v) Secondary school students submit their DPD to their schools' Secretariat. The rest go to the Recruiting Stations in order to fill in the DPD. The completion of the DPD is done by the person himself, or his parents, or by his legal representatives, by hand or, in the case where this is done at the recruitment Stations directly, on the computer;

(vi) The completion of the DPD has to be done clearly and accurately in accordance to the directions included on the DPD. Further details about the DPD are included in paragraph 11 (b) below;

(vii) The DPD is filled in, or submitted complete, depending on the case, at the competent Recruitment Station or the Recruitment Station near the residence area of the citizen or at the school of the citizen;

(viii) The Directors or Principals of the Secondary Schools send to the their district Recruitment Station registration lists of their students attaining 16 years of age, of the current year of studies, with their DPD. The Students Lists, which are sent to the Recruitment Stations, include the students' full name, their identity card numbers, addresses, telephone numbers and their parents' full names;

(ix) The Recruitment Registers are established by class and district and are filled in via the Name Lists data, following the check/correction and completion, provided in the DPD;

(x) The ratio of the Recruitment Register are numbered by serial number and contain the recruitment changes for each;

(xi) Each citizen of the Republic liable for military service has a Recruitment Register Number (RRN), assigned after the registration of the data in the relevant recruitment ratio of the Recruitment Register of his Class. It is noted that "recruitment class" refers to the number resulting from the addition of the number eighteen (18) to the year of birth, by which every citizen of the Republic is registered to the Archives of the Department of Population and Immigration.

46. According to the Law (article 18), all citizens of the Republic, as of January the 1st of the year that they attain the age of 18 years and up to December 31st of the year they attain the age of 50 years, have the obligation to fulfill a military service.

47. According to the existing practice two enlistments take place (Conscripts Training Course — CTC) yearly. The first CTC (A' CTC) in January and the second CTC (B' CTC) in July.

48. The call for enlistment of conscripts is effected by a decree of the Council of Ministers, published in the Official Journal of the Republic. Subsequently, by decision of the Minister of Defence, also published in the Official Journal of the Republic, are settled

the units (Conscripts Training Centres — CTCen) and the enlistment dates as well as every necessary details in order to implement the call up of the conscripts.

49. The RS issue and send to the candidates for enlistment Call up Notices announcing the day, hour and unit of enlistment. It is noted that the Call up Notes are sent to the conscripts' addresses according to the data given and submitted in the past, in the DPD.

50. The citizens of the Republic liable for military service who are not registered at the Archives of the Department of Population and Immigration of the Ministry of Interior, or at the recruitment registers, and belong to the same recruitment class, or category with those called up, are obliged to enlist without any further invitation.

51. Along with the Call up Notice detailed informative leaflets are sent (Appendix III of the ANNEX).

52. The conscripts, called up to enlist are obliged to be recruited at the date, or within the notice period and at the unit of recruitment — CTCen, designated in the Minister's decision.

53. It is noted that people wishing to be enlisted as volunteers, meaning before the call up of their class, shall address themselves, with their family, at the RS of their area of residence in order to be relevantly informed and receive, if they wish so, a Call up Notice. Further information about the existing procedure concerning volunteers is given in paragraph 12 below.

**11 (b) The documents considered reliable to verify potential recruits' age prior to their acceptance into compulsory military service**

54. As mentioned above, every citizen of the Republic liable for military service, during the year he attains the age of 16 years, he is obliged to submit a DPD. The DPDs include, among other things, the following important data:

- (i) Recruitment data: Competent RS which follows them and their Number of Recruitment Register (NRR);
- (ii) Full name, name of father and mother, date, place and year of birth, Identity Card or Passport Number;
- (iii) Full address of residence;
- (iv) School and class.

55. It is noted that the type and way of filling in the DPD, the data given in it, the justification and evidence documents that must be attached, the deadline and the services where the DPD will be submitted are determined in a Decision of the Minister of Defence.<sup>1</sup> A specimen of the DPD is included as Appendix I of the ANNEX.

56. The following documents must be submitted with the DPD:

- A photocopy of both sides of the identity card, or the pages of the passport, containing their record data
- Medical reports or certificates of all those having health issues, for which a committal for examination without personal attendance is foreseen

57. The RS, after completion of the control procedure of the DPD, give/send, depending on the case, relevant conclusive evidence. A specimen of the DPD is included in Appendix I of the ANNEX.

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<sup>1</sup> Decision of the Minister of Defense no 15, File no 8.18.001.15, published in the Official Journal of the Republic, Part II, dated 17.2.2012, no 106.

**11 (c) Any legal provision enabling the age of conscription to be lowered in exceptional circumstances**

58. Pursuant to the Law, in case of war, mobilization or other public danger threatening the existence of the Republic, the Council of Ministers can, by a decree, issued after being proposed by the Minister of Defence, published in the Official Journal of the Republic, call up for enlistment citizens of the Republic who exceeded the age of 50 years. This is not foreseen for citizens who are below the age of 18 years.

**12 (a) A detailed description of the guarantees in place to ensure that the recruitment is genuinely voluntary and of the procedures used for such recruitment, from the expression of intention to volunteer to the physical integration into the armed forces**

59. The Council of Ministers can allow the voluntary recruitment, in order to accomplish their military service, to citizens of the Republic having attained the age of 17 years by the date of their recruitment.

60. For the recruitment of persons wishing to be voluntarily enlisted, the submission of a written declaration of their part is necessary as well as the written assentation of their parent or guardian. A specimen of this declaration for voluntary enlistment is given as Appendix II of the ANNEX.

61. In a figurative way, the following is stated:

(i) After the publishing of the Council of Ministers decree concerning the call up of recruits and of the relevant decision of the Minister of defence, citizens wishing to be recruited as volunteers go to the RS of their residence area accompanied by their parents or guardians. It is noted that, as arising from the legislation, the approval is given by one of the parents (Father, mother or guardian);

(ii) DPD The personnel of the RS inform the volunteer and his parent/guardian for issues concerning the recruitment and give them relevant documentation about the recruitment and selection procedures, the regulations of the National Guard, rules and advices for the way of living in the army and generally issues concerning the fulfilment of the military obligations;

(iii) Furthermore it's made clear that, pursuant to the provisions of the legislation in force, the volunteers as of the date of their recruitment are abiding the clauses of the Law for the National Guard;

(iv) After completion of the solemn declaration by both the volunteer and his parent/guardian he is given a Call up Notice.

**12 (b) Medical examinations foreseen before volunteers can be recruited**

62. Based on the provisions of the Law the recruits enlisted into the force (among them the volunteers) in order to fulfil their compulsory service have immediately undergo a medical examination by the following medical committees, depending on the case: Recruitment Committee, Physical Examination Committee and the Special Medical Board.

63. It is stated that in the 2011 Decree about the National Guard (Medical Examination and Re-examination Procedure) are defined in a table the Diseases, Illnesses and Health troubles with the corresponding indication of Physical Condition from Physical Condition first category (I/1) to Unsuitable to Recruit (I/5). Those categories are taken into account by the Medical Committees for the recruits' classification into physical categories.

64. Furthermore it is noted that the Minister, by a decision published in the Official Journal of the Republic, defines the conditions, the way and the procedures of the medical examination substitution of persons called up for recruitment, or re-recruitment into the

Force or fulfilling a military service in the Force, depending on the case, who after a request, for medical reasons, appeal not to be able to move and show themselves to the relevant aforementioned medical committees, as well as those suffering from Diseases, Illnesses and Health troubles, as defined in Minister' Decision.

**12 (c) The documentation considered reliable to verify the age of the volunteers**

65. As stated in the Declaration done by the Republic of Cyprus during the signature and ratification of the Optional Protocol, the verification of the age before recruitment is vindicated through the declaration foreseen by Article 4A of the National Guard Law.

66. It is noted that with a relevant amendment of the Law the request has been replaced by a mentioned in paragraph 11 (b) above.

67. The RS, during the procedure implemented and described, and for the persons wishing to be recruited on a voluntary basis, ask them to show their Identity Card or their birth certificate before giving them the Call up Notice, for identification reasons.

68. The recruits are enlisted through the submission of their call up notice and showing their Identity Card in order to verify once again the identification.

**12 (d) The effective minimum service time and the conditions for early discharge**

69. Pursuant to the Law, the full military service has a duration of 24 months and the diminished service, depending on the case, has a duration of 18, 14, 6 and 3 months.

70. The following categories are among the diminished military service<sup>2</sup> categories:

- (i) Diminished military service of 18 months duration:
  - The permanent residents abroad who, at the date of their arrival in the Republic in order to settle permanently, are exceeding the age of 10 years but not the age of 13 years.
- (ii) Diminished military service of 14 months duration:
  - The eldest brother of a family of four brothers who are alive as well as the two eldest brothers of 5 or more brothers who are alive.
  - All the brothers of two brothers who served a full service.
  - The eldest brother of a family with 5 children who are alive, the two eldest brothers from a family with 6 children who are alive, the 3 eldest brothers from a family with 8 or 9 children who are alive as well as all the brothers from a family with 10 or more children alive.
  - The sons of a dead father.
  - The male non recognised children.
  - The father of one child alive.
  - The second-born and the younger sons of a person who is classified, pursuant the 1988 to 2005 Laws regarding the Relief of Victims, as they are amended or replaced, as disappeared or murdered or dead in a combat or fully invalid, due to injuries or hardships, caused during his service in the Force, or during or because of turmoil directly related to the defence or the security of the Republic.

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<sup>2</sup> The categories for which appliers/ interested persons are older than 18 years of age are not included.

- The only or the eldest son of a person who was judged as invalid with the percentage of invalidity up to 49%, by the Committee for Relief of Victims foreseen into the 1988 to 2005 Laws regarding the Relief of Victims as they are amended or replaced each time.
- Persons acquiring the Cypriot nationality before attaining the age of 18 years, the parents of whom are not of Cypriot origin, provided that they are enlisted into the Force immediately after they graduate from a Secondary School or within one year from the acquisition of the Cypriot nationality, otherwise they bear an additional 2 months service.
- The permanent citizens abroad who have attained the age of 13 years but not exceed the age of 18 years at the date of their arrival in Cyprus for permanent settlement.
- The only or the eldest son of a family of which the two parents are invalid and fully unable to work.

(iii) Diminished military service of 6 months duration:

- The father of two children alive.
- A person born anywhere during the period between August 16th, 1960 and June 11th, 1999 the father of whom is not of agnation Cypriot origin and acquire the Republic's citizenship because his mother was or had the right to be a citizen of the Republic during the year of his birth.
- The children of parents who live continuously and permanently in the occupied by the Turkish Armed Forces areas of the republic, because of the Turkish invasion, in the case they wish so.

71. Regardless of the above and pursuant to the provisions of the Law [article 41 (5)], the Minister of Defence can decide the permanent or temporary discharge of a conscript who does his military service, after taking into consideration the advice of a consultative committee, when there are special familial or financial reasons. It is noted that, in such a case, the conscript must have completed at least three months military service.

72. Moreover, it is noted that the duration of the alternative military service and alternative civilian service of conscripts who are recognized as conscientious objectors, is equal to that which one would fulfill if serving military service, full or reduced, increased as follows:

- For conscripts of alternative military service:
  - (i) Five (5) months, if to fulfill an eighteen (18) month or a full military service;
  - (ii) Four (4) months, if to fulfill a twelve (12) month or a less than an eighteen (18) month military service; and
  - (iii) Three (3) months, if to fulfill a less than a twelve (12) month military service.
- For conscripts of alternative civilian service:
  - (i) Nine (9) months, if to fulfill an eighteen (18) month or a full military service;
  - (ii) Eight (8) months, if to fulfill a twelve (12) month or a less than an eighteen (18) month military service; and
  - (iii) Seven (7) months, if to fulfill a less than a twelve (12) month military service.

**The application of military justice or discipline to recruits under 18 and disaggregated data on the number of such recruits being tried or in detention; The minimum and the maximum sanctions foreseen in case of desertion**

73. The military justice or/and discipline apply to all persons doing their military service, from the date of their enlistment up to their discharge, in the same way, independently of their age.

74. Pursuant to the provisions of the Military Penal Code and Legal Procedures, a conscript who perpetrates desertion in the country is guilty for crime and is punished:

- In peace time by imprisonment not exceeding 3 years.
- In war time, armed revolt, emergency situation or mobilization by imprisonment not exceeding 10 years.

75. Sixty eight (68) cases were forwarded to the General Attorney of the Republic (Military Attorney's office), between the years 2010-2014, concerning conscripts who were under-18-years at the time of conducting the crimes.

**12 (e) Information that is made available to the volunteers and to their parents or legal guardians, allowing them to formulate their own opinion and to make them aware of the duties involved in the military service**

76. Copies of informative documentation used /given to recruits, among them volunteers, are included as Appendix III of the ANNEX.

77. Further information can be obtained by visiting the National Guard's web page ([www.army.gov.cy](http://www.army.gov.cy)).

**12 (f) The incentives used by the national armed forces for encouraging volunteers**

78. In the general frame of the briefing and contact of the students with the military environment, a number of school visits to military units of the National Guard are scheduled and take place.

79. Regardless of this, however, the obligation to serve in the National Guard is socially known. Though, the volunteer recruits wish to be enlisted before the call up of their CTC in order to earlier accomplish their military obligations.

**13 (a-e) The age of entry into schools operated by or under the control of the armed forces and disaggregated data**

80. There are no military schools in the Republic of Cyprus.

81. The majority of career Officers and NCOs serving in the Army of the Republic graduated from Major Military Institutes/Schools and Military NCOs Schools, respectively, abroad and especially in Greece. The same applies with the Reserve Officers, who are trained in military schools in Greece.

82. Pursuant to the provisions of the relevant Regulations concerning the Officers and NCOs, the candidates to enter the aforementioned Institutes and Schools have to be, among other criteria, graduates from recognised Secondary Schools and at the deadline of submission of justifying documents, up to the age of 22 years for the Major Military Institutes/Schools and up to the age of 24 years for the NCOs Schools.

83. A highest level of age is foreseen in the relevant Regulations for entering the aforementioned Military Institutes and Schools but not a lowest.

84. It is noted that among the persons obtaining a place in those schools, a number of persons under the age of 18 but higher than 17 is possibly included.

85. Those enrolled in Military Educational Institute and Schools, have the right to resign at any stage of their education and not to pursue a military career. It is noted that in such case, the resigned must return the actual expenses paid by the Republic of Cyprus throughout their military education.

**14 & 15 Details of measures taken to prevent recruitment of children by armed forces distinct from the State. The methods used to identify children who are especially vulnerable to practices contrary to the Optional Protocol due to their economic and social status**

86. There are no armed forces/groups operating independently or/and different from the legal armed forces of the Republic of Cyprus in the areas controlled by the State, in order to add further information on the aforementioned subject.

**16. Information on measures taken to prevent attacks on civilian objects protected under international humanitarian law and other international instruments, including places that generally have a significant presence of children, such as schools and hospitals**

**Education**

87. The Civil Defence, Health and Safety Office of the MOEC is an independent office directly accountable to the Permanent Secretary. It has an interdepartmental character and its personnel consists of three officers representing the three levels of school education (primary, secondary and technical and vocational education). The officers' task is to provide a safe and healthy environment for all stakeholders in the Cyprus Educational System, that is all those involved within the educational institutions. At the same time, they are involved in actions in case of an emergency at the school unit. Their main concern as Health and Safety Officers is to ensure healthy and safe conditions at work, according to the European Directives and the Cyprus legislation, in all educational institutions (pupils and staff in all public schools) and services of the MOEC.

88. The Office is also responsible for the schools' emergency plans and their readiness to act fast and effectively during a disaster or a crisis, such as a terrorist and/or a hostile act, as well as schools' effective reaction in cases of emergency. Each school has the obligation to prepare an emergency plan and put it into practice, at least twice a year, with a large scale of emergency evacuation or lock down drill. The Office's annual base actions include, among others, the following:

- Risk Management System for all public schools
- On site visits and safety reports
- Promotion of preventive and repressive measures in order to protect pupils, teachers and visitors from the possible results caused by hostile actions (and or natural or technological disasters), through the following actions:
  - Emergency Response Plans
  - Variety of training courses
  - Evacuation drills
  - Collaboration with emergency response authorities
- Training courses: provision of instructions and basic tools to assess and evaluate risks in order for measures to be taken in case of emergency evacuation

- Participation of primary and secondary schools, in joint earthquake and evacuation exercises
- Visits/inspections in schools for counselling management crisis and evacuation issues
- Informative educational seminars to school headteachers of all levels of education on safety and health — analysis of School Action Plan during an emergency
- Lectures on First Aid for teachers
- Lectures on Firefighting — workshop for teachers
- Checking and providing schools with Civil Defense materials
- Collaboration with governmental services such as the Cyprus Civil Defence Headquarters with monthly meetings
- Provision of Automated External Defibrillators (AED) in schools
- Giving lectures to schools' personnel, pupils and parents

### **Health care**

89. During sudden influxes of migrants, medical teams (Doctors, Nurses, ambulance personnel) are responsible for initial medical triage at the point of entry. The scope of the standardized triage system is to identify urgent cases that must be referred to hospitals and also to certify the absence of suspected infectious diseases that contraindicate transfer to a migrant centre. In the case of migrants arriving by sea, medical triage is sometimes conducted on board the rescue boat. Urgent cases are evacuated from the rescue boat to the nearest hospital by helicopter.

90. At the migrant centre a small health center is established with all the necessary medical products, vaccines and technology, providing emergency health care and primary health care, including initial medical examinations. Urgent cases are transferred to the Nicosia General Hospital.

91. Upon arrival to the migrant centre, medical examination, tests for communicable diseases (HIV, Hepatitis B, Hepatitis C, Syphilis, Tuberculosis) and vaccinations (according to the national scheme) carry out. Cases of scabies are transferred to separate isolation rooms in the migrant centre. Suspected cases of tuberculosis are usually moved to the nearest hospital for further examinations.

92. Asylum seekers and refugees are entitled to free access and use of the public health system if he/she is living in a reception centre or; receiving welfare benefits or; capable of demonstrating a lack of sufficient resources or; belonging to a vulnerable group.

93. Additionally, cases of children and adolescents with mental health problems are dealt with particular sensitivity and are given priority when they visit the Children and Adolescents Department of the Mental Health Services of the Ministry of Health. It is also noted that interpreting services are offered to these children in order to facilitate the diagnostic and therapeutic work.

94. Finally, it is clarified that all children residing in Cyprus, including those coming from countries where there is armed conflict, have free of charge access to Child Welfare Centers (walk in centres), where they can receive preventive services such as measurement of weight and height, vision and hearing acuity tests and can receive their vaccinations according to the Immunization Scheme of the Ministry of Health.



- 17. Campaigns or other measures that have been taken to promote public awareness of the principles and provisions of the Optional Protocol, including:**
- (a) Measures, specifically aimed at making children aware of the harmful consequences of involvement in armed conflict, and of resources and sources of assistance intended to prevent children from falling victim to recruitment;**
  - (b) Efforts undertaken to include peace education in the school curricula;**
  - (c) Programmes targeting any specific groups other than children and the general public;**
  - (d) The role played by non-governmental organizations, the media, the private sector and the community, in particular children, in the design and implementation of the awareness measures described above;**
  - (e) Any steps taken to measure and evaluate the effectiveness of the measures described above, and the results obtained.**

95. The general aim of education in Cyprus is the development of free and democratic citizens with a fully developed personality, who contribute generally with their work and their activity to the social, scientific, economic and cultural progress of the country and to the promotion of cooperation, mutual understanding, respect and love among individuals and people for the prevalence of freedom, justice and peace. The MOEC is committed to the important role education has in an increasingly changing world, hence it considers that the educational system should focus on the acceptance of difference, tolerance, the respect for other cultures as well as to prepare tomorrow's citizens for living in a multicultural environment in order to enable them to participate effectively in society. The MOEC has undertaken specific actions to incorporate human rights in school curricula. These actions include educational policies (i.e. modernizing curricula and upgrading teacher training), policy implementation measures (i.e. establishing coordination mechanisms and allocating resources), learning environment changes (i.e. sharing understanding, respect and responsibility) and opportunities for professional development of teachers.

96. More specifically, the newly reformed curricula encourage personal and social development within a socio-cultural environment that respects human rights and principles. As part of the revised Curricula, an innovative school subject has been introduced during 2011-2012, titled "Health Education". The Health Education Curriculum provides solutions towards the empowerment of individuals and the development of a collective sense of responsibility towards the sustainability of the society. Regarding publications on human rights, there is online teaching material on the Ministry's website which is accessible to everyone. Apart from this, the *Compassito Manual on Human Rights Education for Children* (published by the Council of Europe) has been translated into Greek and has been distributed to all public schools around the island to support the implementation of the new Curriculum. In addition, a primary school teachers' handbook was electronically published with indicative activities for dealing with diversity through Health Education. The handbook includes activities for the promotion of empathy, the challenge of stereotypes, the awareness of the multiple forms of exclusion and their consequences, respect for all forms of diversity etc. A series of in-service teacher trainings took place, both optional (afternoon) and compulsory (morning) through workshops on the theory and research supporting the critical multicultural approach on which the handbook is based. The workshops also included implementation of activities with teachers aiming to enable them to self-reflect and challenge stereotypes.

97. The Health Education Office supports schools in developing and implementing an action plan on health education and prevention of delinquency, for the pupils and school staff that meets the needs and characteristics of the school, but also exploits opportunities for collaboration with parents, the community and other stakeholders. The funding of

interventions practically supports the development and implementation of the health education and citizenship action plan of each school.

98. The MOEC is also promoting Global Education, which is understood to encompass, among others, human rights education, peace education and conflict prevention and multicultural education. The above issues are touched upon in schools, in a cross-curricular way, involving a number of governmental and non-governmental organisations which can offer their expertise and valuable knowledge. A recent significant development towards human rights and peace education is the “European Year of Development 2015” national work programme (<http://www.cyindep.org/index.php/en/>). It is the first time that under a EuropeAid Programme two governmental organisations formulate a partnership with an NGO platform. The Ministry of Foreign Affairs as national coordinator, the Cyprus Islandwide NGO Development Platform CYINDEP as national beneficiary and the MOEC as affiliate partner are working together to materialise the main five activities proposed in the work programme. These include: (1) a film competition in public and private schools; (2) a documentary film festival followed by thematic discussions; (3) a series of public development lectures; (4) a young journalist competition; and (5) a photo exhibition. Schools and the general public are encouraged to participate in all aforementioned events via school circulars and the social media.

99. The MOEC also implements a policy with regards to multicultural education, aiming at the smooth inclusion of pupils from third countries as well as other European Union member states to the Cyprus Educational System. The policy priorities place particular emphasis on democratization, by cultivating respect for the dignity and uniqueness of each individual; respect for the opinion of the majority; creating opportunities for active participation in the decision-making process; providing equal opportunities in all aspects of school life; and encouraging cooperation and responsibility. In response to the demands of the contemporary society and the changing social environment, both national and international, the overall policy is to promote the implementation of educational measures, which will help groups from different cultural identities to integrate themselves in a creative environment, regardless of their background and enabling teachers to support pupils’ linguistic and cultural needs in an effective way by combating racial stereotypes and discriminatory attitudes.

100. Multicultural Education is currently being practised in the form of various support measures. These measures can be categorized as measures for language support, which refer to the learning of Greek as a second language and measures for facilitating the inclusion of various groups with different cultural identities. The model that is currently being used is the mainstreaming programme, in which foreign language speaking pupils participate in the classrooms along with the native Greek-speaking pupils. A flexible system of intervention within the ordinary timetable exists. The MOEC also encourages several cultural measures to promote multicultural awareness. It has provided all schools with educational material, which includes books for the teaching of the Greek language, activity and exercise books, as well as teachers’ books with methodological instructions and a variety of suggestions for activities, of mainly communicative character. It also recognizes the need to provide teachers with the opportunity to further develop their learning and teaching approaches to all children.

101. The Council of Ministers approved the “Policy Report of the Ministry of Education for Multicultural Education”. Within the framework of the creation of a democratic school that will incorporate and include all pupils, the following measures, that aim to the inclusion of foreign language speaking pupils to the school system and the Cyprus society, are being implemented:

- Parallel classes for fast acquisition of the Greek language through intensive instruction.

- In-service training seminars for teachers teaching Greek as a second language organised by the Pedagogical Institute.
- Preparation on an induction guide for the new coming foreign language speaking pupils which has been translated in eight languages, with basic information for the pupils and their parents regarding the Cyprus Educational System. The languages are: English, Turkish, Russian, Georgian, Bulgarian, Rumanian, Ukrainian and Arabic. The guides are uploaded on the Ministry's website and are accessible to all stakeholders.

102. Addition of intercultural elements in the new Curricula and the school textbooks that will be prepared within the framework of the changes in the structure and the content of education.

103. In addition to the above actions, the Department of Primary Education has sent to all schools, a detailed circular regarding the applied policy, proposing particular suggestions for the integration of children. The circular also records the general principles' framework for the smooth integration of non-native speaking children in the school environment, proposes suggestions and strategies for the effective teaching of Greek as a second language and provides an indicative list of good practices. At the same time, a separate website has been prepared for Multicultural Education, where the available material that teachers can use has been uploaded.

104. The MOEC, following a recommendation by the European Commission against Racism and Intolerance, and in collaboration with the Anti-Discrimination Body, has drafted a "Code of Conduct Against Racism and Guide for Managing and Reporting Racist Incidents" in schools, taking into account the views of experts in the field of intercultural and anti-racist education. The Code discusses research and policy which identifies the need for a whole-school anti-racist policy, with a broad conceptualization of racism in all forms, in order to include all sorts of discrimination. It also provides schools and teachers with a detailed plan on how to deal with and prevent racist incidents, which they may adjust to their specific needs before they adopt it and begin its implementation. It includes definitions of basic concepts (e.g. racism, racist incident, homophobia, transphobia, bullying, discrimination, stereotypes, diversity etc.), outlines the responsibilities and commitments expected by each member of the school community and provides the steps to be followed by schools for dealing with racist incidents in a practical rubric.

105. The Code was officially presented to the public by the Minister of Education and Culture and the Head of the Anti-Discrimination Body at a press conference in June 2014. As the Code views diversity as a multiple phenomenon, involving various aspects of peoples' identities, it is expected to contribute to the decrease of bullying and discrimination based on any form of diversity in schools (religion, ethnicity, language, appearance, disability, gender etc.). The Code of Conduct has been reviewed and was implemented on a pilot basis in five primary and two secondary schools during the school year 2014-2015. A series of optional afternoon workshops were conducted, focusing on supporting teachers who were participating in the pilot implementation of the Code and Guide. The pilot implementation, as well as the workshops, were enhanced with support by the Anti-Discrimination Body and the Cyprus Office of UNHCR. A conference aiming to evaluate and reflect upon the pilot implementation of the anti-racist policy took place in May 2015.

106. In order to promote tolerance, understanding and dialogue between the two main communities of the island (Greek and Turkish), the MOEC has adopted a goal under emphasis for three consecutive years: "Promoting the culture of peaceful coexistence, mutual respect and cooperation between Greek Cypriots and Turkish Cypriots aiming at liberation from the occupation and the reunification of our country and our people".

Teachers from all levels of education, pupils and parents received information and were encouraged to participate in planned events (conferences, seminars, plays, book-clubs etc.) related to the goal. They also planned special activities that included cross curriculum approaches in order to highlight cooperation, mutual understanding and love between individuals, peoples and generations free from the spectrum of intolerance and chauvinism aiming at safeguarding freedom, justice and peace. Raising pupils' awareness against racism and intolerance and promoting equality and respect in the context of the Council of Europe's campaign against hate speech is the new goal under emphasis that the MOEC has adopted for the current school year 2015-2016.

107. The nature of the Ministry's work entails the principle of close consultation with all interested stakeholders and the process of the educational reform was based on a structured dialogue that was followed. The MOEC believes that the participation and active involvement of all education stakeholders is very important in building consensus to the highest possible degree and the continuity of educational policy, through extensive discussion of the main issues. The MOEC has close cooperation with Non-Governmental Organisations (e.g. Family Planning Association, NGO Support Centre), with Governmental Committees (e.g. Anti-drug Association, National Anti-smoking Committee), with the Office of the Commissioner for Children's Rights and the Ombudsman's Office and other competent Ministries (e.g. Ministry of Health, Ministry of Defense, Ministry of Justice and Public Order). These organisations and committees have been collaborating with the Ministry during the development of the Health Education Curriculum for incorporating human rights in school curricula. They have also been particularly helpful in providing teachers' in-service training.

108. Schools as well as the MOEC evaluate their activities on a regular basis and take measures so that they can achieve their objectives as well as the goals under emphasis that are set each year.

### **III. Prohibition and related matters (art. 1, 2, 4, paras. 1 and 2)**

#### **18 (a-g) Information on all regulations and criminal legislation in force, including details. The definition of the compulsory recruitment and use of children in hostilities and what constitutes direct participation**

109. Pursuant to the Constitution of the Republic of Cyprus (Article 129) an Army of two thousand people is foreseen, of which sixty per cent (60%) are Greeks and forty per cent (40%) are Turkish and that a compulsory military service cannot be imposed, unless it is jointly agreed by the President and the Vice- President of the Republic.

110. However, due to facts which took place in 1963 and 1964, the implementation of a separate Force was deemed necessary in order to help the tactical Forces of the Republic, namely the Army and the Security Forces, the implementation of all necessary measures for the defence of the Republic and, additionally, due to the Turkish invasion of 1974 and the occupation of a part (37%) of the territory of the Republic by the Turkish army (taking place since then), the national Guard was created.

111. According to the Law (Article 19), the obligation of military service in the National Guard is divided into compulsory service, reserve service duty and additional duty:

- (i) Service is divided into military service, special military service and alternative military service. Specifically:
  - Conscripts are liable for compulsory military service until the completion of the 45th year of age. The section above is relevant to the length of the service.

- Special military service is fulfilled by those who are judged by a competent medical committee as able to fulfill such a service, based on a Chart that includes diseases, disorders and health injuries/conditions. Section ....???... above is relevant.
- Those who, because of religious or ideological beliefs, refuse to fulfil their military obligation and are recognised as conscientious objectors are obliged to fulfill an alternative military service or an alternative civilian service, accordingly.

It is noted that the alternative military service and the alternative civilian service are fulfilled in place of the military service in the National Guard. Specifically:

- The alternative military service is fulfilled exclusively in the units and services of the National Guard, by assigning to the conscientious objector tasks and administration disciplines not involving the use or training in the use of weapons.
- The alternative civilian service is fulfilled in the public sector by performing tasks serving the public and, in priority, concerning social and environmental protection.

(ii) The reserve service is fulfilled by those who belong to the reserve as provided by the Law (Article 43) . Specifically, the reserve are those who:

- Have fulfilled their military service obligation
- Have fulfilled their obligation alternative military service or alternative civilian service
- Have fulfilled special military service
- Were dismissed, by the decision of the Minister, due to specific family or financial reasons
- Were exempted of the obligation to fulfill the service because:
  - They were permanent residents abroad and fulfilled, without redemption, a military service of at least six (6) months in the armed forces of a foreign country, of which they also held the citizenship
  - They have Cypriot and Greek citizenship and lived with their family permanently in Greece for a continuous period of at least six (6) years, and during their stay they have fulfilled, without redemption, their compulsory military service in the Armed Forces of Greece
  - They are not persons of Cypriot origin and have fulfilled, without redemption, military service in their country of origin, before acquiring Cypriot citizenship
- Have served as members of the Army and no longer belong to it, other than those fired or had their services terminated due to a criminal or disciplinary offense
- Are included in the reserve, due to the amendment of the Law that provides the extension of the reserve service
- Are included in the reserve of men above the age of 45, and is composed of units that are dedicated to the local and regional defence of the Republic

(iii) An additional two (2) month service is imposed to those entitled to reduced military service, according to the Law (Article 21), in the following cases:

- If those who acquire Cypriot citizenship before reaching the eighteenth (18th) year of age, whose parents are not persons of Cypriot origin, do not join the National Guard immediately after their graduation from secondary school or within one (1) year from the date of acquisition of Cypriot citizenship.
- If permanent residents abroad, who on the date of arrival in the Republic for permanent residence are between eighteen (18) to twenty-six (26) years old, do not join the National Guard immediately after their graduation from secondary school, or within two (2) years from the date of their arrival in the Republic.
- If those who acquire Cypriot citizenship after submitting a relevant application, whose parents are persons of Cypriot origin and are between eighteen (18) to twenty-six (26) years old, do not join the National Guard within two (2) years after being registered as Cypriot Citizens.
- If Cypriot citizens, who were permanent residents abroad, arrive in the Republic for permanent residence, and on the date of arrival they are more than twenty-six (26) years old, do not join the National Guard within two (2) years from the date of their arrival in the Republic.
- If those who acquire Cypriot citizenship, after submitting a relevant application, whose parents are persons of Cypriot origin, after completing the twenty-sixth (26th) year of age, do not join the National Guard within two (2) years after being registered as Cypriot Citizens.

112. The Law (A.3) does not include any interpretation of the term “direct participation in armed conflict”. It is noted, however, that the contents of the Declaration made by the Republic of Cyprus in the signing and ratification of the Protocol, regarding the issue of an armed faction, are relevant.

**19 & 20 Information on all criminal legislation in force, including details of the exact provisions and Relevant Laws, decrees, military codes, manuals or regulations adopted in order to give effect to the Optional Protocol**

113. As stated in paragraphs 14 to 15 above, in government-controlled areas there are no armed groups operating independently of the armed forces of the Republic.

114. Pursuant to the relevant legislations concerning the Army of the Republic/National Guard as well as the military justice no such provisions are included criminalising the recruitment of children.

115. It is noted that the amendment of the ratification of the Convention on the Rights of the Child Law, which ratified the Optional Protocol (A.9(II)/2010), does not include any provisions for data collection in related offenses. Therefore, the Ministry of Defence, as the competent authority examining the issue, will consider taking similar action for the elimination of legislative gaps.

**21. Provisions of legislation currently in force that the State party considers an obstacle to the implementation of the Optional Protocol**

116. Paragraphs 5, 10, and 11 above are relevant.

**22. Indicate whether state parties have considered becoming parties to other treaties**

(a) **The Additional Protocols I and II to the 1949 Geneva Conventions, (1977);**

- (b) **The Rome Statute of the International Criminal Court (1998);**
- (c) **The International Labour Organization Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst of Child Labour (1999).**

117. Cyprus is already a state party to the Rome Statute of the International Criminal Court, which was ratified by Rat.Law 8(III)/2002, containing also implementing provisions for the purpose of fulfilling the obligations thereunder. Further supplementary provisions were enacted by Law 23(III)/2006. Finally by Law 13(III)/2013 Cyprus ratified and thus incorporated into domestic law the amendments to the Statute decided at the Review Conference of States Parties held at Kampala in 2010.

**23 & 24 Reports should contain a description of any law concerning the criminal liability of legal persons, such as private military and security companies (PMCs and PSCs). Indicating the legal provisions that establish jurisdiction over such acts and offences**

118. Paragraphs 19 & 20 above are relevant.

**25. Indicate what national legal provisions provide for the establishment of extraterritorial jurisdiction over serious violations of international humanitarian law and whether to date the State party has exercised its jurisdiction over child recruitment as a war crime**

119. The Refugee Law does not include any provisions for the establishment of extraterritorial jurisdiction.

120. Please note that, Asylum Service considers child recruitment as a war crime according to the Rome Statute of the International Criminal Court (article 8 (2)(b)(xxvi) war crime of using, conscripting or enlisting children under the age of 15 years into armed forces or groups or using them to participate actively in hostilities.). Therefore, in such cases an international protection is granted.

**26. Law, policy and practice concerning the extradition of persons accused of having committed offences referred to in the Optional Protocol. In particular, reports should describe the legal basis, including international agreements, for cooperation with other States parties with regard to investigations etc.**

121. The domestic legal frame for extradition in Cyprus is the Extradition of Fugitive Offenders Law No 97/1970, as amended. Requests to and from other countries are proceeded with on the legal basis provided by the European Convention on Extradition of 1957 which Cyprus ratified by Rat.Law no 95/1970, and its 3 Additional Protocols, to which the Republic is also a member state (Rat.Laws 23/1979, 17/1984 and 28(III)/2012). Extradition may also be effected under the provisions of relevant bilateral Agreements with USA, Egypt, Libya, Belarus and Georgia. Finally, extradition and surrender of fugitives within the European Union is effected in the context of the EU Council Framework Decision 2002/584/JHA on the european arrest warrant and the surrender procedures between Member States, which Cyprus transposed into domestic law by Law no 133(I)/2004.

#### **IV. Protection, recovery and reintegration (art. 6, para. 3)**

- 27. Measures adopted to ensuring that the rights and best interests of children who have been the victims of the practices prohibited under the Optional Protocol are fully recognized, respected and protected at all stages of demobilization processes as well as in criminal investigations and proceedings where they are victims or witnesses**

122. To date there has been no need to adopt such measures, because no other persons are recruited or used in hostilities, within the jurisdiction of the Republic of Cyprus, other than conscripts who have the obligation for military service or who are voluntarily enlisted in the National Guard.

- 28 & 29 Indicate what measures are taken to ensure legal, psychological or other training for those who work with victims of the offences prohibited in this Protocol; Public and private demobilization programmes that provide child victims of recruitment with assistance in social reintegration**

123. The dimension of the rights of the child has been placed among all legislations, procedures and programs of the Social Welfare Services that are competent for the protection and welfare of children.

124. The Ministry of Defence cooperates with the Social Welfare Services in the frame of its responsibilities, for issues concerning the rights and the protection of the child.

125. There was no need to allocate special financial resources, up to today, in order to support children victims of armed conflicts.

- 30. Measures to ensure that the child's identity is protected, in order to maintain confidentiality and prevent media exposure and stigmatization of victims**

126. Independently of the fact that no minors have been mobilised or/and used in armed conflicts, either in or out of the jurisdiction of the Republic of Cyprus, the measures adopted to ensure confidentiality and protection of children from mass media are the same with those applicable, respectively, in other cases involving the protection of minors.

127. Section 9 above is related to the issue, and concerns the Commissioner for Children's Rights.

- 31. If unaccompanied foreign children who have been involved in armed conflict are in the jurisdiction of the State party, indicate measures taken to ensure that they are treated in accordance with paragraphs 54 to 60 of the Committee's general comment No.6 (2005) on the treatment of unaccompanied and separated children outside their country of origin**

128. All the competent authorities of the Republic consider unaccompanied children as vulnerable persons and therefore special reception conditions (health care, psychological support, rehabilitation services) and special procedural guarantees are provided during the asylum procedure. Unaccompanied minors seeking international protection are hosted in special shelters for minors under the supervision of the Social Welfare Services.

129. According to the Refugee Law, the Director of the Social Welfare Services is the representative of unaccompanied minors. The representative is present during the interview and shall have the necessary expertise. Organisations or individuals whose interests conflict or could potentially conflict with those of the unaccompanied minor are not eligible to become representatives.



130. If the applicant for international protection (including minor) credibly establishes fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it, (s)he is granted refugee status according to the Refugee Law and the Geneva Convention. Compulsory recruitment or participation in hostilities of a child is considered as a persecution and international protection is granted in such cases.

131. Furthermore, according to the Refugee Laws, an applicant for international protection or a beneficiary of international protection (including minor) is to be neither deported nor sent to a country where his life or freedom will be put at risk or where he will be subjected to torture or inhumane or degrading treatment or persecution for reasons of sex, race, religion, nationality, membership to a particular social group or political opinion. The Cyprus Authorities reassure that they fully respect both the principle of non-refoulement as well as the right to access to the asylum procedures in the Republic of Cyprus.

132. Finally, it is important to be mentioned that, the best interests of a child are the primary concern when implementing the provisions relating to international protection.

**32. Information on existing remedies and reparations that may be sought by child victims of recruitment and the role of the State in enforcing such measures**

133. Nothing to note.

## **V. International assistance and cooperation (art. 7, para. 1)**

**33. International cooperation regarding the implementation of the Optional Protocol**

134. For the time being, the Republic of Cyprus, due to the financial crisis, is not in a position to assist financially other Member States, but signifies its will to cooperate with them, as well as with the competent international organisations, for the implementation of the provisions of the Optional protocol and the exchange of information concerning practices (ways/means of prevention and confrontation).

**34. Indicate whether its national legislation prohibits the trade and export of small and lights arms as well as military assistance to countries where children are involved in armed conflict**

135. Cyprus, as a member of the European Union implements the EU legislation concerning the control of exports of arms, technology and military equipment and more specifically Common Position 2008/944/CFSP.

136. The Common Position sets eight criteria to be applied, during the examination of applications for exports of the above goods.

137. Among these criteria, the respect for human rights in the country of final destination, as well as the respect by that country of international humanitarian law are taken into consideration.

138. Based on this criterion and having assessed the recipient country's attitude towards relevant principles established by international human rights instruments:

(a) Member States shall deny an export licence if there is a clear risk that the arms, military technology or equipment to be exported might be used for internal repression;

(b) Exercise special caution and vigilance in issuing licences, on a case-by-case basis and taking account of the nature of the arms, military technology or equipment, to countries where serious violations of human rights, including children's, have been established by the competent bodies of the United Nations, by the European Union or by the Council of Europe;

(c) Deny an export licence if there is a clear risk that the arms, military technology or equipment to be exported might be used in the commission of serious violations of international humanitarian law.

**35 & 36 Information on whether the State party has cooperated with the Office of the Special Representative of the Secretary-General for Children in Armed Conflict and whether the situation in the State party has been identified in reports of the Secretary-General**

139. Nothing to note.

**VI. Other legal provisions (art. 5)**

**37. Describe any provisions of domestic legislation in force that in considers more conducive to the realization of the rights of the child than the provisions of the Optional Protocol**

140. Nothing to note.

## **Annex**

### **Appendices**

#### **Appendix I**

- (a) Specimen of Data of Personal Declaration (DPD);
- (b) Specimen Receipt of Declaration of Personal Data.

#### **Appendix II**

Specimen of Declaration for Voluntary Enlistment

#### **Appendix III**

- (a) Informative Leaflet for Conscripts;
- (b) Authorization for the way to pay Conscripts allowance;
- (c) Family Status Certificate.

## Appendix I

Appendix "A"

To the Ministerial Decision no 15

### DECLARATION OF PERSONAL DATA (DPD)

(SPECIMEN)

MILITARY NUMBER..... (filled in by the RS)  
ID NUMBER OR PASSPORT NUMBER .....  
FULL NAME.....  
DATE OF BIRTH.....  
PLACE OF BIRTH.....  
NATIONALITY.....  
  
FATHER'S NAME.....  
NATIONALITY/COUNTRY OF ORIGIN.....  
MOTHER'S NAME.....  
NATIONALITY/COUNTRY OF ORIGIN.....  
  
RESIDENCE ADDRESS.....  
POST CODE.....  
TELEPHONE.....  
RELIGION.....  
I STUDY IN ..... CLASS OF HIGH/TECHNICAL SCHOOL  
..... (Name of the school)  
DATE OF ARRIVAL FOR RESIDENCE IN CYPRUS (in case of birth abroad).....  
ORPHAN: YES/NO  
MEMBER OF A FAMILY WITH MORE THAN 3 CHILDREN: YES/NO.....  
NUMBER OF CHILDREN IN FAMILY: .....

I declare that the above data is correct.

Date .....

THE  
UNDERSIGNED

Appendix "B"

To the Ministerial Decision no 15

RECRUITING STATION.....

Telephone No: .....

RECEIPT OF  
DECLARATION OF PERSONAL DATA

....., born at .....the year ..... ASN: ..... /.....,  
ID/Passport Number: ..... has submitted the Declaration of Personal Data  
foreseen by Article 27 of the Law for the National Guard.

....., .....

The Director

NOTE

You have the obligation, in case of any change of residence address or change of your recruitment and register data, to submit, within a month, a relevant declaration to the Recruiting Station of your residence district.

## Appendix II

Appendix "C"

To the Ministerial Decision no 2

DECLARATION  
FOR  
VOLUNTARY ENLISTMENT

The undersigned ..... of father ..... and mother  
..... ASN ....., ID number .....  
residence address .....

I DECLARE THAT

I wish to voluntarily enlist in the National Guard with the ..... RTC.

THE  
UNDERSIGNED

.....

Consent of the father/mother/tutor (ID number .....) )

I give my consent in order for ..... to be voluntarily  
enlisted in the National Guard with the ..... RTC.

Tutor's signature

Certified signatures

The  
Recruiting Station

## Appendix III

### INFORMATIVE LEAFLET FOR CONSCRIPTS

- (1) **If you wish to be selected as a Rank Holder (Reserve Officer Candidate, Sergeant, Corporal) you should:**
- a. Have graduated from a recognized higher secondary school (present a certified copy of your school leaving certificate).
  - b. Be classified as 1st Category of Physical Ability and be taller than 160 cm and your weight must not be more or less than the 25% of the normal (Normal weight: height in cm minus 100 cm).
  - c. Have the obligation of full service. If you have reasons to serve diminished service and you wish to be selected as RHC, in case of selection you don't have the right of a diminished service.
  - d. Not have a tattoo in places of your body not covered by the summer uniform.
  - e. Not have problems in speech articulation.
- (2) **If you wish to be selected as a candidate for the Special Forces (Com, UDT, MP) you should:**
- a. Be classified as 1st category of Physical Ability. Not suffer from a refractive error in vision (ocular ability 10/10) without correction or color blindness discovered by the Pseudochromatic Tables ISHTHARA.
  - b. Have the obligation of full service. If you have reasons to serve a diminished service and you wish to be selected in the SF, in case of selection, you don't have the right of diminished service.
  - c. **Also to be selected in the SF Com, you should:**
    - (1) Be taller than 165 cm and your weight not be more or less than 20% of the normal (Normal weight: height in cm minus 100 cm).
    - (2) Have graduated from at least a lower secondary high school (present a certified copy of your school leaving certificate).
    - (3) Not have a tattoo in places of your body not covered by the summer uniform.
  - d. **If you wish to be selected in the Underwater Demolition Team (UDT) you should:**
    - (1) Have graduated from at least a lower secondary high school (present a certified copy of your school leaving certificate).
    - (2) There are no restrictions concerning height, weight and the presence of a tattoo.
  - e. **If you wish to be selected in the Military Police (MP) you should:**
    - (1) Be taller than 175 cm and and your weight not be more or less than 20% of the normal (Normal weight: height in cm minus 100 cm).
    - (2) Have graduated from at least a lower secondary high school (present a certified copy of your school leaving certificate).
    - (3) If you wish to be selected as a Rank Holder or in the Special Forces (Com, UDT, MP), you have to sign a declaration, in which you state that you are not a user

of addictive substances, are not and were never involved in growing, possessing or distributing such substances, and that you accept to undergo periodic test of genetic material that determine whether such substances are not present in your body.

(4) **If you have a brother who is also enlisted in the army, you are both allowed to serve in an area of your interest, in the same preference guard or unit (state your brother’s information here .....**

(5) **Conscript, make sure that during your enlistment you have with you copies of a certified school leaving certificate, driving license, municipal certificate concerning the status of the family (stating your marital status and number of children in the family) and any other documents that will award you with points (i.e. certificate of death of a parent, documents that certify that your parent is more than 60% handicap or suffers from a serious illness with permanent disability).**

(6) During your enlistment **you will have to state two Arms — Corps**, where you wish to serve, as well as the **Preference guard**, i.e. the place of your interest. You can find a list of the available Arms — Corps and the Preference guards (places of interest) that you can choose from in the following web addresses: [www.mod.gov.cy](http://www.mod.gov.cy) and [www.army.gov.cy](http://www.army.gov.cy).

(7) Please complete the following table with information regarding your blood type and vaccinations you have underwent:

1	BLOOD TYPE				
2	TETANUS VACCINE				
3	DIPHTHERIA VACCINE				
4	MENINGITIS VACCINE (A & C)				

**Conscript** (full name): ..... **Military Number:** .....

Parent’s Signature: .....

(8) For further information, please visit [www.mod.gov.cy](http://www.mod.gov.cy) and [www.army.gov.cy](http://www.army.gov.cy), where you can find the leaflet “Serving Homeland”, which may answer most of your questions. If you still have some, don’t hesitate to ask the responsible Officer, during your enlistment.





FAMILY STATUS CERTIFICATE

1. It is certified that the Conscript (1) .....  
..... ASN (2) ..... is a  
child of the family:
  - a. .... (Father's full name)
  - b. .... (Mother's full name)
2. Data of family's children
  - a. 1st child: (3) ..... born in  
..... (Year) and is (4) ..... (Married/single).
  - b. 2nd child: (3) ..... born in  
..... (Year) and is (4) ..... (Married/single).
  - c. 3rd child: (3) ..... born in  
..... (Year) and is (4) ..... (Married/single).
  - d. 4th child: (3) ..... born in  
..... (Year) and is (4) ..... (Married/single).
  - e. 5th child: (3) ..... born in  
..... (Year) and is (4) ..... (Married/single).
  - f. 6th child: (3) ..... born in  
..... (Year) and is (4) ..... (Married/single).
  - g. 7th child: (3) ..... born in  
..... (Year) and is (4) ..... (Married/single).
  - h. 8th child: (3) ..... born in  
..... (Year) and is (4) ..... (Married/single).
  - i. 9th child: (3) ..... born in  
..... (Year) and is (4) ..... (Married/single).
3. It is certified that the father/ mother (5) has contacted a second marriage and had the  
following children:
  - a. 1st child: (3) ..... born in  
..... (Year) and is (4) ..... (Married/single).
  - b. 2nd child: (3) ..... born in  
..... (Year) and is (4) ..... (Married/single).

4. It is certified that the aforementioned conscript lives with his father/ mother (6) in ..... Street, no ....., district ....., Town/ Village .....

5. The present is published after request by the above conscript in order to be used as documentation, for point purposes ONLY, for initial placement and future permutation.

(7) .....

The

President of the Community/

(8) Large Families Organization/

Fivefold Family

(9) .....

**To be filled in and given at the day of enlistment by conscripts belonging in large or fivefold families. It worth 10 points for every single child.**

**COMPLETION INSTRUCTIONS**

- (1) Write the full name of the conscript.
- (2) Write the Recruiting Register Number.
- (3) Write the full name of the Child.
- (4) Write depending on the case if he/she is married or single.
- (5) Erase, depending on the case, if one of the parents has contacted a second marriage. If both parents have contacted a second marriage, the names of the children must be given separately.
- (6) Erase, depending on the case, if the conscript lives with the father or the mother.
- (7) Write the place, day, month and year of edition.
- (8) Erase depending on the editor.
- (9) To place the stamp, full name and signature of the editor.

**ATTENTION: To be written properly by the same hand writing, without erasure or corrections.**

**Special attention must be given to the indications married or single.**

\_\_\_\_\_