



# Economic and Social Council

Distr.: General  
12 April 2016

Original: English  
English, French and Spanish only

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## Committee on Economic, Social and Cultural Rights

### List of issues in relation to the sixth periodic report of Cyprus\*

#### I. General information

1. Please provide information on the efforts made to mitigate the adverse impact of the division of the country on the enjoyment of economic, social and cultural rights by all individuals, particularly those workers commuting from the northern part to the southern part of the country and internally displaced persons.
2. Please provide information on the measures taken to ensure the direct application of the Covenant provisions in the domestic legal order. Please also provide examples of cases in which the Covenant rights have been invoked before or applied by domestic courts and the number of such cases over the past five years.
3. Please indicate whether the State party is considering signing and ratifying, or acceding to the Optional Protocol to the Covenant.
4. Please provide information on the steps taken or envisaged to ensure that the Office of the Commissioner for Administration and Human Rights (the Ombudsman) carries out its mandate independently and effectively in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Please indicate whether the Office has a mandate to deal with economic, social and cultural rights. Please also include information, by year, on the budget and the number of staff members of the Office from 2009 to 2015.
5. Please clarify whether legal aid, provided under the Legal Aid Law, is applicable to cases relating to economic, social and cultural rights and, if so, provide information on such cases, including relevant statistical data. Please also provide information on the measures taken or envisaged to expand the legal aid scheme for asylum seekers and undocumented migrants so that they obtain legal aid at the early stage of administrative and judicial proceedings.
6. Please provide information on the consultation process with civil society in the preparation of the report to the Committee.

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\* Adopted by the pre-sessional working group at its fifty-seventh session (7-11 March 2016).



## **II. Issues relating to general provisions of the Covenant (arts. 1-5)**

### **Article 2 (1) — Maximum available resources**

7. Please indicate whether the Covenant rights were taken into account when the State party negotiated the macroeconomic adjustment programme with its creditors. Please provide information on the measures taken to ensure that the programme, especially the fiscal consolidation strategy, does not disproportionately affect the enjoyment of economic, social and cultural rights of disadvantaged and marginalized individuals and groups. Please also provide information on the measures taken or envisaged to secure an adequate level of funding to progressively realize economic, social and cultural rights, particularly in the areas of social security, housing, health and education. Please include updated information on the national budget allocation in these areas for 2013-2016.

### **Article 2 (2) — Non-discrimination**

8. Please provide information on the steps taken to review legislation to remove provisions that may have a discriminatory effect on the enjoyment of economic, social and cultural rights of certain individuals and groups, and to adopt a comprehensive anti-discrimination law, taking into account article 2 (2) of the Covenant and the Committee's general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

9. Please provide information on the legislative and policy measures taken to combat de jure and de facto discrimination faced by non-European Union nationals and members of ethnic and national minorities in attaining Cypriot citizenship and gaining access to employment, social security, health services and education.

10. Please provide information on the steps taken to grant similar rights and entitlements to both refugees and beneficiaries of subsidiary protection, including family reunification and access to employment, social assistance programmes and health services. Please also provide information on the steps taken to ensure that asylum seekers who have a judicial recourse pending at the Supreme Court are not subject to detention for deportation purposes. Please further indicate any measures taken to facilitate the integration of persons with refugee status into the society.

### **Article 3 — Equal rights of men and women**

11. Please provide information on the measures taken to address the large gender disparities in income and participation in the labour market. Please also provide information on the steps taken to increase the number of women at decision-making levels in both the public and private sectors, including in Parliament.

## **III. Issues relating to the specific provisions of the Covenant (arts. 6-15)**

### **Article 6 — Right to work**

12. Please provide information on the effectiveness of the measures taken to tackle the high level of youth unemployment, as indicated in the report of the State party (E/C.12/CYP/6). Please also provide information on the measures taken to reduce the number of long-term unemployed as well as of workers in precarious employment.

**Article 7 — Right to just and favourable conditions of work**

13. Please provide information on the measures taken to expand coverage of the minimum wage and to ensure full compliance with the minimum wage by employers. Please also provide information on the steps taken to ensure that the minimum wage, which has remained unchanged since 2013, provides a decent living to workers and their families.

14. In the light of the large number of workers who are not protected through collective bargaining agreements, please provide information on the legislative or policy measures taken to protect the right of those workers to just and favourable conditions of work, particularly in terms of fair remuneration, safe and healthy working conditions, equal opportunities in employment, rest and leisure and working hours, taking into account the Committee's general comment No. 23 (2016) on the right to just and favourable conditions of work.

15. Please provide information on the results of inspections on equal pay legislation that were carried out under the "Action for reducing the gender pay gap" project for 2010-2015.

16. Please provide information on labour inspections carried out to assess the working conditions of migrant workers, particularly those who are not nationals of the European Union, in farming and domestic settings, and indicate the main issues identified and the measures taken to address them. Please also provide information on the complaints brought by migrant workers, including the number of complaints filed and their outcome. Please further provide information on the situation of undocumented migrant workers and the measures taken to protect them from discrimination and labour exploitation, including the implementation of the Aliens and Immigration Law (L.100(I)/2012, as amended).

17. Please provide information on the steps taken to provide asylum seekers with employment opportunities that are compatible with their educational and professional qualifications, including the implementation of the Independent Equality and Anti-Discrimination Authority's decision in this regard.

18. Please provide information on the measures taken to ensure that workers in the informal economy enjoy the right to just and favourable conditions of work.

**Article 9 — Right to social security**

19. Please provide information on the Guaranteed Minimum Income introduced in 2014, including its coverage and eligibility, particularly regarding homeless persons and undocumented migrants, as well as its adequacy regarding the amount and duration of the scheme, taking into account the Committee's general comment No. 19 (2008) on the right to social security. Please share the State party's experience in implementing the Guaranteed Minimum Income, including its effect on beneficiaries, particularly those who rely primarily on social benefits, as well as the challenges in implementing the Guaranteed Minimum Income and the measures taken to address those challenges.

**Article 10 — Protection of the family, mothers and children**

20. Please provide information on the result of the implementation of the National Action Plan for the Elderly 2005-2009 as well as on the effectiveness of other policies aiming at protecting older persons.

21. Please provide information on the effectiveness of the National Action Plan against Trafficking in Human Beings 2013-2015, including the major achievements and the challenges that have to be overcome. Please also provide updated information on the number of cases of human trafficking, the number of convictions and the sanctions imposed on perpetrators in 2014 and 2015, including the cases in which public officials were

involved. Please further include information on the progress made in terms of a centralized data collection system on cases of human trafficking.

**Article 11 — Right to an adequate standard of living**

22. Please provide information on the measures taken to reduce the poverty rate, particularly in the light of the freeze on minimum wages and decreases in public spending, particularly in the social security sector over the past years. Please also provide updated information on the at-risk-of-poverty rate before and after social transfers for the past four years.

23. Please provide information on the measures taken to improve conditions of housing and to provide more social housing units for disadvantaged and marginalized individuals and groups.

24. Please provide information on the measures taken to improve living conditions in the Kofinou Reception and Accommodation Centre and the services provided to the residents such as public transportation, social and psychological counselling, health care and vocational training.

25. Please explain the increased number of evictions carried out over the past years, including the main causes of eviction as well as the individuals and groups affected. Please also provide information on the measures taken to ensure that the evictions are carried out in accordance with relevant domestic laws and international human rights standards.

**Article 12 — Right to physical and mental health**

26. Please provide information on the efforts made to strengthen public health-care services, including regarding allocation of public funding, coverage of public health insurance, the range of public health-care services and the number of medical professionals in the public sector. Please also provide information on the implementation of the new National Health Scheme in this regard. Please specify the steps taken to monitor and regulate the private sector primary health-care service providers.

27. Please provide information on the national tuberculosis elimination plan and the measures taken to address the disproportionately high cases of tuberculosis found among persons of foreign origin, particularly migrants.

28. Please provide information on the measures taken to address the high level of smoking, excessive alcohol consumption and obesity.

**Articles 13 and 14 — Right to education**

29. Please explain the decreasing enrolment rates in primary education and provide information on the measures taken to curb this trend. Please also indicate the measures taken to enhance preschool education.

30. Please explain the significant gender disparities in the enrolment rates in tertiary education and in technical and vocational training and the measures taken to address the disparities.

31. Please provide information on the efforts made to secure an adequate number of Turkish-speaking teachers or assistants for Turkish Cypriot students to be educated in their mother tongue. Please also provide information on the measures taken to eradicate segregation in education and to promote an integrated and inclusive education for all children, including children with disabilities, Roma children, Turkish Cypriot children and migrant children.

**Article 15 — Cultural rights**

32. Please provide detailed information on the online digital cultural portal, referred to in the State party's report (E/C.12/CYP/6, para. 206), and the efforts made to ensure that all persons benefit from the portal, including disadvantaged and marginalized individuals who often do not have access to the Internet.

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