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**NATIONAL REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 15 (A)  
OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1\***

**Cyprus**

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\* The present document was not edited before being sent to the United Nations translation services.

## I. METHODOLOGY AND CONSULTATION PROCESS

1. The Report has been prepared in line with the guidance provided in the Human Rights Council Resolution 5/1 and the General Guidelines for the Preparation of Information under the Universal Periodic Review, contained in document A/HRC/6/L.24.
2. The present Report was prepared by the Law Commissioner of the Republic who, pursuant to a Decision of the Council of Ministers, is entrusted with ensuring compliance of Cyprus' reporting obligations under international human rights instruments, and the Ministry of Foreign Affairs. The information and data, on the basis of which the Report was compiled, was provided by the Ministries and Services having competence for the specific matter (i.e. the Ministry of Justice and Public Order, the Ministry of Interior, the Ministry of Education and Culture, the Ministry of Labour and Social Insurance, the Ministry of Communications and Works, the Ministry of Health, the Law Office of the Republic, the Cyprus Police).
3. Independent institutions (such as the Commissioner for the Protection of Children's Rights and the Ombudsman), non-governmental organizations and individual experts, active in the promotion of human rights, were invited to participate in the drafting of the Report in the framework of a consultative process that included various forms of interactions with the drafting team over a period of six months. Their comments and observations were duly taken into account.
4. The information provided in the Report applies to the part of the territory of the Republic of Cyprus where the Government exercises effective control.

## II. COUNTRY BACKGROUND

5. The Republic of Cyprus was established on 16 August 1960, with the coming into force of three main treaties and its Constitution, which have their origin in the Zurich Agreement of 11 February 1959 between Greece and Turkey, and the London Agreement of 19 February 1959 between Greece, Turkey and the United Kingdom. The Constitution of the Republic and the treaties provided the legal framework for the existence and functioning of the new state. The three main treaties are:

- (a) The Treaty concerning the Establishment of the Republic of Cyprus signed by Cyprus, Greece, Turkey and the United Kingdom;
- (b) The Treaty of Guarantee signed by Cyprus, the United Kingdom, Greece and Turkey;
- (c) The Treaty of Alliance signed by Cyprus, Greece and Turkey.

6. Cyprus is a practicing pluralist democracy with full respect for the rights and freedoms of the individual. It continuously strives to achieve further progress in the field of human rights by overcoming difficulties the major of which is the continued illegal foreign military occupation of more than a third of its territory. The Constitution, based on bi-communality, was "Unique in its tortuous complexity and in the multiplicity of the safeguards that it provides for the principal minority, the Constitution of Cyprus stands alone among the constitutions of the world" (S.A. de Smith, "The new commonwealth and its constitutions", London, 1964, p. 296).

7. Certain provisions of the Zurich and London Agreements, and the Constitution proved conducive to domestic conflict and foreign interference. The agreements provided for complex power sharing arrangements between the two Communities (the Greek Community of 82 per cent of the population and the Turkish Community of 18 per cent of the population) and granted extraordinary veto powers to the Turkish Community.

8. By 1963 a series of deadlocks over state budgets, taxation, municipalities and other issues led to a constitutional crisis that threatened to paralyze the operation of the government and the state. The President of the Republic proposed in November 1963 certain constitutional modifications for discussion, which were rejected by the Turkish Community. The government of Turkey, as a guarantor power, rejected the suggested constitutional amendments. The Turkish Community followed suit.

9. As a result, the Turkish Cypriots were forced by their leadership to leave their domiciles and concentrate into certain areas (enclaves). Eventually, Turkish Cypriots withdrew from all state institutions and government agencies, including from their positions in the House of Representatives and the Council of Ministers and, thus the Turkish Community ceased to participate in the functioning of the government as prescribed by the Constitution.

10. Following threats by Turkey against Cyprus, the government brought the matter to the UN Security Council, which unanimously adopted Resolution 186 of 4 March 1964 that, inter alia, reaffirmed the sovereignty of the Republic of Cyprus and legitimacy of the government.

11. Turkey invaded Cyprus on 20/07/1974 in violation of the Charter of the UN, the Treaties of Guarantee, Establishment and Alliance and principles and norms of international law. There has been a massive violation of human rights, as it was concluded by the European Court of Human Rights in its Judgment of 10 May 2001, whereby Turkey was found guilty of 14 violations of the European Convention for the Protection of Human Rights. Since 1974, approximately one-third of the territory of the Republic remains occupied by Turkish troops, 40 per cent of the Greek Cypriot population, representing 82 per cent of the population of the occupied part of Cyprus, was forcibly expelled from their homes, thousands of people, including civilians, were wounded, ill-treated or killed. The fate of hundreds of Greek Cypriot missing persons, including women and children and other civilians, many of whom were known to have been captured by the Turkish army, remains unaccounted for. Almost all the Turkish Cypriots in the southeast were forced by their leadership to move to the area occupied by Turkish troops.

12. On 1 May 2004 Cyprus became a full member of the European Union (EU). The whole of the territory of the Republic acceded to the EU, but by virtue of Protocol 10 of the Accession Treaty 2003, "The application of the *acquis* shall be suspended in those areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control." The European Court of Justice (ECJ) in its judgment in the case *Meletios Apostolides v David Charles Orams and Linda Elizabeth Orams* (28/4/2009), reaffirmed the territorial integrity of the Republic in the sense that it has recognised the jurisdiction of the Republic and its courts in the areas of the Republic not under the effective control of the Government. Greek Cypriots, who own properties in the occupied areas of the Republic, remain the legal owners of such properties, despite the illegal Turkish occupation and these owners have the possibility of resorting to justice in order to prevent any unlawful exploitation of their property.

13. Due to the refusal of one of the two Communities of Cyprus to participate, the Executive and the Legislature are in fact not bi-communal. However, when in 1985 the number of seats in the House of Representatives was increased from 50 to 80, 24 seats were allotted to Representatives to be elected by the Turkish Community under Article 62 of the Constitution and currently remain vacant. Thus, the Greek Community actually elects Representatives for only 56 of those seats.

14. A special law was enacted in 2006, “The Exercise of the Right to Vote and be Elected by Members of the Turkish Community with Ordinary Residence in the Free Areas of the Republic (Temporary Provisions)” Law, [L. 2(I)/2006] by virtue of which Turkish Cypriots residing in the government controlled area are given the right to vote and stand for election for all national elections (municipal, parliamentary and presidential). As regards parliamentary elections, this relates to the filling of the 56 seats allotted to the Greek Community. By virtue of the Election of Member of the European Parliament Law, 2004 [L. 10(I)/2004, as amended] Turkish Cypriots have the right to vote and stand for election in the elections for the members of the European Parliament, irrespective of their place of residence in Cyprus.

15. In purporting to safeguard the rights of certain groups of people who were otherwise entitled to be citizens of the state, but could not fall into the constitutional definition of either of the two Communities (Greek/Turkish) of Cyprus (vis Art. 2), the Constitution defined them as religious groups, that is, “a group of persons ordinarily resident in Cyprus professing the same religion and either belonging to the same rite or being subject to the same jurisdiction thereof the number of whom, on the date of the coming into operation of the Constitution, exceeds one thousand out of which at least five hundred become on such date citizens of the Republic”. In 1960 the Cypriot Maronites, Armenians and Latins fell within the definition of religious groups and were recognised as citizens of the state.

16. The said groups were then given the option to belong to one of the two Communities so that they could enjoy the political rights within the concept of the power sharing arrangement between the two Communities (see para. 7). All opted to belong to the Greek Community.

17. Each religious group has the additional right to elect one representative to represent it in the House of Representatives, exercising advisory functions in relation to legislation concerning the respective group.

### **III. NORMATIVE AND INSTITUTIONAL FRAMEWORK FOR THE PROTECTION AND PROMOTION OF HUMAN RIGHTS**

#### **A. Constitution and Laws**

18. The 1960 Constitution, the supreme law of the Republic, is the main instrument that recognises and protects human rights. Part II of the Constitution entitled “Fundamental Rights and Liberties” incorporates and expands upon the Universal Declaration of Human Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

## **B. Human Rights institutional framework**

### **1. Legal Framework for the promotion and protection of Human Rights**

19. The basis of the legal system of Cyprus is the common law and the principles of equity applicable at the time of independence of the Republic as amended or supplemented thereafter by new statutes and case-law. Independence brought about the introduction and development of the continental administrative and constitutional law. The constitutional structure embodies all norms necessary for the promotion and protection of human rights and secures the separation of powers and the independence of the judiciary.

20. The provisions of principal human rights instruments are addressed in the Constitution, Part II of which sets out and guarantees fundamental rights and freedoms. These are afforded to every person and are expressed in almost identical terms as the rights found in the European Convention for the Protection of Human Rights and Fundamental Freedoms and other principal human rights instruments.

21. The Constitution recognises the predominance of international law. It mandates that international instruments and international human rights law are of superior force. By virtue of Article 169 of the Constitution, all human rights instruments are as from the date of their publication in the Official Gazette of the Republic incorporated into the Republic's municipal law and have superior force to any municipal law. Such human rights instruments are directly applicable in the Republic and can be invoked and directly enforced by the Courts and administrative authorities. In case of conflict between domestic legislation and their provisions the latter supersede the former and must be applied. When an international treaty contains non-self-executing provisions, the legislature has a legal obligation to enact appropriate legislation in order to harmonise municipal law with the treaty so as to render the latter fully enforceable.

22. Case-law (by the Supreme Court) has established that violation of fundamental rights and liberties, whether by the state or private individuals, gives rise directly to a right to institute civil proceedings and obtain civil law remedies for the violation.

23. In the context of the Supreme Court's constitutional jurisdiction to adjudicate on recourses (Art. 146), decisions or omissions of the administration and generally of public bodies/corporations which are contrary to human rights instruments ratified by Cyprus or constitutional rights and liberties in a recourse made to the Court by a person adversely and directly affected by the decision/omission, will result in Supreme Court pronouncement of their nullity, or in an order for performance of that which has been omitted. Any person aggrieved by any such decision or order of the Court has a right to an award of just and equitable damages to be assessed by a Court. All courts, organs and authorities are bound by such judgments.

### **2. Independent Officers of the Republic of Cyprus**

24. Attorney-General is an independent officer of the state, established by the Constitution which sets out his functions and powers rendering him completely independent of the Executive and the Legislature. He is not a member of the government, and serves until retirement under the same terms as Supreme Court Judges. The Constitution and subsequent legislation invest him

with extensive functions and powers concerning a wide ambit of law covering criminal, public, civil, international, and human rights law.

25. The Attorney-General as legal adviser of the Republic, the Council of Ministers, and the Ministers, institutes, at his discretion and in the public interest, criminal proceedings and orders the criminal prosecution of any person in the Republic for any criminal offence.

26. The Attorney-General advises the government on the need to introduce human rights legislation and/or set up new institutions in the light of international human rights jurisprudence, as well as measures to be taken to comply with judgments of international courts and case law of treaty bodies.

27. Auditor-General is a Constitutional independent officer responsible for the audit of central government, public organisations, local authorities and other public bodies and funds. The Annual Report of the Auditor-General is submitted to the President of the Republic, who causes it to be laid before Parliament.

28. Law Commissioner is an independent officer, appointed by, and directly accountable to, the President of the Republic. The institution was established in 1971 on the basis of the English Law Commission.

29. Her competences include:

- Reviewing the law and making recommendations to the government and the House of Representatives for reform and modernization;
- Preparing and presenting the Country Reports required under international and European human rights instruments;
- Keeping records of all international instruments binding upon the Republic and the status thereof;
- Identifying any obligations of the Council of Ministers, Ministers, independent state officers, Services, Departments, etc, imposed by new legislation.

### **3. Monitoring Bodies, Institutions/National Agencies with related competence**

30. Ombudsman or Commissioner for Administration was established by law in 1991 [L.3/1991, as amended]. The Ombudsman has the overall responsibility to protect citizens' rights when these are affected by actions or decisions of administrative institutions which are contrary to the law, violate human rights or do not correspond to correct/appropriate administrative conduct.

31. Since May 2004, the Office of the Ombudsman functions also as the Cyprus Anti-Discrimination Body and the Equality Authority in employment occupation, according to the legislation enacted on the basis of the two relevant Community Directives (2000/78/EC and 2000/43/EC, see paras. 45-46). The Ombudsman informs citizens about their rights and for the capability to participate in the formation of state policy and to influence the correct exercise of the state power. In 2009 the Ombudsman was appointed as the National Body for Inspection

and Monitoring of Correctional Facilities for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, pursuant to the relevant UN Convention.

32. Commissioner for the Protection of Children's Rights was established by law in 2007 [L.74(I)/2007] in compliance with the Concluding Observations of the Committee on the Rights of the Child concerning the second Periodic Report submitted by Cyprus in 2003 and in compliance with the Convention on the Rights of the Child. The institution is in full compliance with the "Paris Principles" and with General Comment No. 2 of the Committee on the Rights of the Child regarding "The role of independent human rights institutions". The mission of the Commissioner is to protect and promote children's rights. Her extensive competences, set out by law, include, inter alia, representing children and their interests at all levels, promoting public awareness and sensitivity, identifying and promoting the views of the children where they cannot be represented, as well as supervising and monitoring the implementation of the provisions of the United Nations Convention and the European Convention.

33. Commissioner for Personal Data Protection was established by law in 2001 [L.138(I)/2001]. The Commissioner is an independent Officer and has the power to exercise supervision on the processing of personal data carried out both in the public and the private sectors.

34. National Institution for the Protection of Human Rights (NIPHR) was established by a Decision of the Council of Ministers in 1998 and is an independent body. Its composition and competences are regulated by its Memorandum of Establishment. The basic function of the Institution is the promotion and protection of human rights by, inter alia, monitoring respect of human rights and promoting public awareness, advising the government on human rights issues, and examining alleged violations of human rights. The government is currently in the process of restructuring the NIPHR to make it fully compatible with the "Paris Principles".

35. The Cyprus National Bioethics Committee (CNBC) was established by law in 2001 [L.150(I)/2001] and is an independent body. The Committee monitors, surveys, analyses, and evaluates the issues and problems relating to the scientific research, progress and implementation of the sciences of biotechnology, biology, medicine, genetics and pharmaceuticals, as well as to the human intervention on the biological procedure and the human genotype and the investigation of their moral, deontological, social, humanistic and legal parameters.

36. The CNBC adopted the "Operational Guidelines for Ethics Committees that Review Biomedical Research" of the World Health Organisation. Special attention is given to the procedures obtaining informed consent from research participants especially from those unable to consent.

#### **4. Courts**

37. The Constitution provided for a Supreme Constitutional Court composed of a "neutral" (non Cypriot national) President, a Greek Cypriot and a Turkish Cypriot judge appointed by the President and the Vice-President of the Republic, and a High Court composed of a "neutral" President, two Greek Cypriot judges, and one Turkish Cypriot judge, all similarly appointed.

38. The Supreme Constitutional Court was vested with jurisdiction in all constitutional and administrative law matters. The High Court is the highest appellate court. It has revisional jurisdiction and the power to issue orders in the nature of habeas corpus and other prerogative writs.

39. The non Cypriot Presidents of the Supreme Constitutional and High Courts resigned in 1963 and 1964 respectively and, therefore, neither Court could function. The Turkish Cypriot judges in both the superior and district courts remained in their posts until 1966. A new Administration of Justice (Miscellaneous Provisions) Law of 1964 was enacted, based on the doctrine of necessity, creating a new Supreme Court, which took over the jurisdiction of both the Supreme Constitutional Court and the High Court.

40. The right of access to court is guaranteed by the Constitution as one of the fundamental rights and liberties. Victims of violation of any fundamental rights and liberties safeguarded by the Constitution can challenge to the Supreme Court decisions or omissions of the authorities as being contrary to the constitutional provisions guaranteeing the rights, or as being based on laws which are contrary to the constitutional provisions or on laws contrary to instruments ratified by Cyprus (Art. 146). Remedies for such violation are also expressly provided in various laws specifically relating to fundamental rights.

### **C. International commitments**

41. Cyprus is a state party to the core international human right instruments and submits its reports on their implementation to the monitoring bodies established by those instruments. Cyprus is a party to over 140 instruments of universal and regional character. It has been a party to Protocol 11 to the European Convention for the Protection of Human Rights restructuring the control machinery established thereby for enforcement of rights and liberties, since its entry into force in 1998.

42. Cyprus recognises and enforces the rights and principles enshrined in the Charter of Fundamental Rights of the European Union, adopted by the Union Institutions in 2000.

## **IV. PROTECTION AND PROMOTION OF HUMAN RIGHTS**

### **A. Equality and protection against any form of discrimination**

43. Article 28 of the Constitution safeguards the principle of equality. All persons are equal before the law, the administration and justice, and are entitled to equal protection and treatment.

44. Cyprus has ratified all basic United Nations and European anti-discrimination human rights instruments. These include the International Convention on the Elimination of All Forms of Racial Discrimination, Protocol 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms, the Convention on Cybercrime and its Additional Protocol concerning the Criminalization of Acts of a Racist and Xenophobic Nature committed through Computer Systems.

45. The Equal Treatment (Racial or Ethnic Origin) Law, 2004 [L.59(I)/2004] prohibits discrimination on any of the above grounds in the public and private sector, concerning social protection, health treatment, social services, training, and access to goods and services.



46. The Combating of Racism and Other Discrimination (Ombudsman) Law, 2004 [L.42(I)/2004] provides for protection from discrimination on the grounds of racial or ethnic origin, national origin, disability, age, religious or other beliefs, sexual orientation, age or gender. The Law includes the ground of “national origin” in the Ombudsman’s mandate.

47. The Criminal Code (Amendment) Law [L.145(I)/2002] abolished all discriminatory provisions relating to homosexual acts, as it did in relation to offences against morality.

#### **B. Right to life. Prohibition of torture or cruel, inhuman or degrading treatment**

48. Article 7 of the Constitution safeguards the right to life and corporal integrity. Cyprus has ratified (19/1/2000) Protocol 6 to the European Convention for the Protection of Human Rights and Fundamental Freedoms. Death penalty has been abolished in all cases. The Constitution contains absolute prohibition of torture or inhuman or degrading punishment or treatment (Art. 8).

49. The Law for Combating Trafficking and Exploitation of Human Beings and for the Protection of Victims [L.87(I)/2007], came into force on 13/07/2007 replacing the Combating of Trafficking in Human Beings and Sexual Exploitation of Children Law of 2000 [L. 3(I)/2000]. Its scope is to fully harmonise the national legislation with the European acquis, as well as to better implement the UN and Council of Europe relevant Conventions and Protocols, particularly the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime. The Law covers all aspects of trafficking such as exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery and the removal of organs. The Law has special provisions for children, including unaccompanied minors and child pornography; it further provides for a national coordinator and for the establishment of multidisciplinary group with the task to take all the necessary measures for combating trafficking and exploitation of human beings and to protect the victims.

50. In 2004 an Office of Combating Human Trafficking was established within the Cyprus Police.

51. In supporting victims of sexual exploitation, since November 2007 sheltering is available providing safe accommodation, psychological support and counselling with an individualized treatment plan and legal advice to victims of sexual trafficking.

52. Cyprus Police provides a leaflet containing information on the rights of persons in custody. The leaflet is printed in Arabic, Bulgarian, Chinese, English, Farsi, French, Greek, Romanian, Russian and Turkish. It is given to persons placed under detention and provides information to detainees concerning their rights.

53. Domestic violence was criminalized in 1994 by law [L.47(I)/1994] and later replaced by the Violence in the Family (Prevention and Protection of Victims) Law [L.119(I)/2000, as amended]. Sheltering women victims of domestic violence and their minor dependants in specific premises is undertaken by the Association for the Prevention and Handling of Family Violence (NGO) with the support of the state.

54. The domestic violence government agencies, as well as NGOs, cooperate on the basis of the Manual of Interdepartmental Cooperation on Domestic Violence, approved by the Council of Ministers in 2002. Through the Grants-in-Aid Scheme, the Social Welfare Services provide grants for the operation of a Shelter for women and children (see para. 53).

55. Since 2002 the Domestic Violence and Child Abuse Office operates within the Cyprus Police. The office undertakes and supervises both preventive and combative measures.

56. The Advisory Committee for the Prevention and Combating of Violence in the Family was established in 1996. The Committee aims to create a data bank on family violence. The Committee has prepared a National Action Plan for the Prevention and Combating of Violence in the Family for the period 2008-2013, including the promotion of a Code of Ethics concerning children victims of family violence.

57. The Unit for the Rehabilitation of Victims of Torture (URVT) was established in 2006 and it is funded by the European Refugee Fund (ERF) and the Republic. For 2009 URVT is supported by funds from the United Nations Voluntary Fund for Victims of Torture. Since its establishment, the Unit has cooperated closely with various governmental services, especially with the Asylum Service (Ministry of Interior).

### **C. Administration of justice and rule of law**

58. The Judiciary is totally independent as safeguarded by Part IX of the Constitution (Arts. 133-151) and Part X (Arts. 152-164).

59. Article 28 of the Constitution safeguards equality before the law, the administration and justice, as well as equal protection and treatment. Article 30 clearly safeguards that no person shall be denied access to the court, every person is entitled to a fair and public hearing within a reasonable time by an independent, impartial and competent court established by law, and that judgment shall be reasoned and pronounced in public session.

### **D. Freedom of speech and expression**

60. Article 19 of the Constitution safeguards freedom of speech and expression, in any form. This encompasses freedom of the press as well. Seizure of newspapers or other printed matter is not allowed without the written permission of the Attorney-General of the Republic, which must be confirmed by the decision of a competent court within a period not exceeding 72 hours, otherwise, the seizure shall be lifted.

### **E. Freedom of thought, conscience and religion**

61. According to Article 18 of the Constitution all religions are equal before the law. No legislative, executive or administrative act of the Republic shall discriminate against any religious institution or religion. Every person is free and has the right to profess her faith and to manifest her religion or belief, in worship, teaching, practice or observance, either individually or collectively, in private or in public, and to change her religion or belief.

62. Places of worship are fully respected by the government. Muslim religious monuments in the government controlled area are being restored, maintained, and regularly monitored. A ten

year strategic plan concerning the restoration and conservation of Muslim religious monuments was launched in 2000 in collaboration with the Service for the management and protection of Turkish Cypriot Properties of the Ministry of Interior.

63. Prisoners have the right to satisfy their religious, spiritual and moral needs. Religious instruction is voluntary and includes the right of prisoners to exercise their religious duties, to follow mass or other religious gatherings, to communicate with a recognised representative of their religion, or religious dogma, and to have in their possession religious books or papers.

#### **F. Freedom of association and peaceful assembly**

64. Every person has the right to freely associate with others, including the right to form and to join trade unions for the protection of her interests. No person shall be compelled to join any association or to continue to be a member thereof (Art. 21 of the Constitution).

65. The Trade Union system has been established and safeguarded by law since 1949. After Cyprus' independence, the Trade Union movement became more organised and grew in numbers. Approximately 75 per cent of the actual workforce belongs to Trade Unions.

66. Labour rights are protected by the Industrial Relations Code. The Code is a procedural agreement which lays down the rules to be followed when labour disputes arise. The signatory parties (the tripartite of State, Employers Organisations and Trade Unions) freely decided to voluntarily regulate industrial relations as the main method to promote the use of collective agreements.

#### **G. Rights of the Child**

67. Cyprus has adopted and consistently pursued a policy of active promotion and protection of the rights of the child. Cyprus has ratified all basic international instruments for the protection and development of children, including the Convention on the Rights of the Child (in 1991) and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (in 2006) and has signed the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (in 2008), the ratification of which is in process.

68. The combined third and fourth Periodic Report on the implementation of the CRC has been submitted. The major development in the area was the establishment of the Commissioner for the Protection of Children's Rights (see para. 32). Cyprus is promoting the operation of the European single six-digit telephone helpline (116XYZ) for children.

69. The Cyprus Police have published electronically the Citizen's Charter for Children/Youngsters, which has been prepared in the context of Article 13 of the CRC, ensuring children's access to information.

70. The Social Welfare Services provide child protection services to children who are deprived of their family support. Every effort is made to ensure that removal of children from their family environment is only effected in the best interest of the child. The Director of Social Welfare Services is empowered by law to take children who are in need of care and protection into his/her care and, where necessary, assume parental responsibility. In relation to adoption,

the Social Welfare Services are obliged by law to safeguard the best interests and rights of adopted children.

71. Specially trained Family Counsellors have a wide range of responsibilities, including receiving complaints relating to the possible use of violence, carrying out necessary investigations, advising, counselling and mediating for the relief of problems in the family that are likely to have led or to lead to the use of violence.

72. Moreover, an active Educational Psychology Services Department functions within the Ministry of Education and Culture.

73. Prisoners under the age of 21, stay, if the building arrangements or the existing facilities so permit, separately from the other prisoners. A number of young prisoners work in the same work places with the other prisoners upon approval by the Director of the prison.

#### **H. Rights of the persons with disabilities**

74. In March 2007, Cyprus was among the first countries to sign the Convention on the Rights of Persons with Disabilities, as well as the Optional Protocol to the Convention. Their ratification is in process.

75. The Persons with Disabilities Law [L.127(I)/2000, as amended], sets out a general framework for the protection and promotion of the rights of persons with disabilities in all aspects of their lives. It prohibits any kind of discrimination, direct or indirect, against persons with disabilities regarding the terms of access to employment and all levels of vocational guidance, vocational training and professional practical professional experience.

76. As of 1 January 2009, the Department for Social Inclusion of Persons with Disabilities (DSID) has been established. The main measures and actions undertaken, planned and promoted by the DSID are:

- Establishment of a reliable and credible database and system for the assessment of disability and functionality;
- Re-organisation of the vocational training and rehabilitation sector for persons with disabilities;
- Modernisation and more effective implementation of social benefits schemes aiming at an increased social protection level.

77. In July 2009 a bill was laid before the House of Representatives for the introduction of a quota system in recruiting persons with disabilities in the wider public sector. The level of the quota proposed (10 per cent on the number of recruitments in the public service, educational service, semi-government organisations and local authorities) is among the highest in the EU.

78. For the purpose of designing measures for persons with disabilities a Unit in the relevant Ministry was set up in 2002 aiming for the implementation of a Pilot Programme for accessibility of impaired persons to public buildings and areas. Transport companies are hence

obliged by a law, enacted on 9 July 2009, to make reasonable adjustments to eliminate accessibility problems.

79. Regarding children with special educational needs, the government has adopted the principles of the 1994 Salamanca Statement and Framework for Action, embodied in the Education and Training of Children with Special Needs Law [L.113(I)/1999].

### **I. Rights of the persons belonging to national minorities**

80. Cyprus is a state party to the 1995 Framework Convention for the Protection of National Minorities, since its entry into force in 1998, as well as to the 1992 European Charter for Regional and Minority Languages which it ratified in 2002. Cyprus submits Reports to their respective monitoring bodies. The Third Periodic Report under the framework Convention was submitted in April 2009 and the Second Periodic Report under the European Charter in January 2008.

81. As the Framework Convention does not define the term national minority, Cyprus considers the term, as understood, to designate only those minority groups that had a traditional presence on the island at the time of the establishment of the Republic in 1960 and have Cypriot citizenship. In this context, Cyprus treats as national minorities and reports on those in its country reports (see paras. 16-17).

82. The Cyprus Roma minority group, which is more closely related to the Roma/Gypsies of Europe, particularly those of Turkey, is treated in a similar manner. The group population is estimated today to be over 1,000. Since 1974, the Cyprus Roma moved with the Turkish Community to the area which is not under the effective control of the government. In the last fifteen years, a large number of Cyprus Roma have relocated to the government controlled area of the Republic. The authorities provide them with housing, healthcare, welfare subsidy, schooling, and employment. Being citizens of the Republic, they have the right to vote and/or be elected in national and European Parliament elections.

83. The Government has created two housing projects consisting of 40 prefabricated housing units for the Cyprus Roma.

84. In order to preserve the identity, culture and history of the national minorities of Cyprus, the University of Cyprus offers grants to students interested in the study and research of the culture of a specific religious group at PhD level.

### **J. Right to own property**

85. Article 23 of the Constitution safeguards the right to property. It provides, inter alia, for the payment of just compensation in case of any restriction or limitation to the enjoyment of such rights, which can only be made in strict compliance with the terms of the Constitution. The Constitution also safeguards the right of an individual to have recourse to the Court.

86. Special laws regulate, within the parameters of the Constitution, compulsory acquisition [L.15/1962, as amended], and compulsory requisition of property [L.21/1962, as amended].

87. The Turkish Cypriot properties which have been abandoned as a result of the Turkish invasion in 1974, came under the management and custody of the Minister of Interior, pursuant to the provisions of the Turkish Cypriot Properties (Administration and Other Matters) (Temporary Provisions) Law, 1991 [L.139/1991, as amended].

88. Turkish Cypriots who return from the occupied areas or abroad and live permanently in the government controlled areas are entitled, with the consent of the Custodian, to use their properties. There are several cases where Turkish Cypriot houses and agricultural lands were returned to the legal owners. In cases where Greek Cypriot displaced persons have been temporarily using those properties, measures are taken by the government to provide all necessary help under alternative provisions.

89. Compulsory acquisition or requisition of Turkish Cypriot properties, as it is for all properties, is only allowed within the parameters of the Constitution and the law, if the public interest is served. A just and equitable compensation, as provided by the Constitution and the law, is deposited in the special fund of the Custodian. In cases where Turkish Cypriot owners have settled permanently abroad before 1974 or are residing in the government controlled areas, are immediately eligible to payments (if the affected person lives in the occupied areas, is eligible to compensation after a solution to the Cyprus question is reached).

#### **K. Right to education**

90. Article 20 of the Constitution safeguards the right to education. Free and accessible education is offered to all students without prejudice based on gender, abilities, language, colour, religion, political beliefs or ethnic background. The competent Ministry is responsible for the administration of public schools and other educational institutions, and the supervision of private institutions.

91. Asylum seekers have the right of access to public education under the same conditions applying for Cypriot citizens.

92. Pre-primary education, Primary and Lower Secondary Education are mandatory and offered free of charge in the public sector. They cover all students aged between 4 years and 8 months to 15 years. All such children must be enrolled in a public or a private educational institution. Failure to do so will result in prosecution of their legal guardian. Upper Secondary Education including Technical and Vocational Education and Training is available and accessible to all 15-18 year olds. It is offered free of charge in the public sector and covers 85.8 per cent of the pupils. Though education is not compulsory for children over 15, the rate of enrolment of children between 15 and 18 is about 95 per cent.

93. Students who have dropped out of school may complete their schooling and obtain a high school certificate by attending an evening secondary general or technical school.

94. 82 per cent of the students completing their Upper Secondary Education seek placement at institutions of higher education. The government covers the cost of tuition for undergraduate Cypriot students studying at Public Institutions of Higher Education in Cyprus, at both university and non-university level.

95. Turkish Cypriots who hold a six-year high school diploma are eligible for admission at Public Institutions of Higher Education in the government controlled areas of Cyprus. Moreover, 10 per cent of the places are granted to special categories of people such as the disabled due to the acts of war, children of missing persons, persons living in the occupied area of the state. 6 per cent of the positions are granted to handicapped individuals and people with special needs. Students with financial needs may be subsidized by the Student Welfare Fund of the University, which is supported financially by private initiatives.

96. In the case of the specific groups of students belonging to religious or ethnic groups of Cyprus, students are offered a subsidization amount so that they can attend schools of their choice. The costs for the education of Turkish Cypriot students, who reside permanently in the government controlled area, in private schools of their choice in Cyprus, from pre-primary to higher education, are covered by the Government.

97. The Ministry of Education and Culture in its effort to promote tolerance and dialogue and in order to eliminate stereotypes through education has set in place the programme for Zones of Educational Priority (ZEP). The Policy for the ZEP is derived from the strategy of positive discrimination (UNESCO) and is based on the unequal treatment of inequalities and the equality of opportunity in education.

98. The ongoing Educational Reform is an effort for a comprehensive introduction of changes and innovations at all levels and all aspects of the educational system. Its main objective is to create a democratic and student-focused educational system that includes all students irrespective of social, racial or ethnic background, gender, or physical or mental ability and offers high quality education to each student.

**L. Right to work/employment. Right to just and favourable remuneration.  
Equal pay for the work of equal value**

99. Despite the ongoing global financial crisis, during 2008 Cyprus' economy continued to perform satisfactory with a growth rate of 3.7 per cent. Labour market conditions remained close to full employment, with high participation and employment rates and low unemployment. The overall employment rate stood at 70.9 per cent, the female employment rate was 62.9 per cent and the male employment rate 79.2 per cent. The majority of employed persons (72.7 per cent) were employed in the service sector. During the first quarter of 2009 the growth rate has fallen to less than one percent and the employment rate to 69.5 per cent.

100. Articles 25, 26 and 27 of the Constitution safeguard the right of any person to practice any profession or to carry on any occupation, trade or business, to enter freely into any contract, and the right to strike.

101. An important step towards achieving equality in employment was the establishment of the Gender Equality Committee. It conducts research into matters of equality between men and women and provides advice regarding relevant national policy and legislation.

102. Further relevant legislation ensures gender and non-discrimination equality:

- The Maternity Protection Law [L.100(I)/1997, as amended] provides for the protection of pregnant workers as well as workers who have recently given birth or adopted children;
- The Equal Treatment of Men and Women in Employment and Vocational Training Law [L.205(I)/2002, as amended]: the legislation also covers the offence of sexual harassment in the workplace;
- The Equal Treatment in Employment and Occupation Law [L.58(I)/2004, as amended] provides for the elimination of discrimination on the base of racial or ethnic origin, religion or belief, age and sexual orientation;
- The Equal Treatment (Racial or Ethnic Origin) Law [L.59(I)/2004, as amended]: see paragraph 45;
- The Equal Pay between Men and Women for the Same Work or for Work of Equal Value Law [L.177(I)/2002, as amended].

103. The general policy and practice of the government regarding employment of the third country nationals (non-European Union citizens) is to provide temporary employment. In 2007 a new strategy on the employment of foreign workers was adopted by the Council of Ministers. The scope of the strategy is to establish a comprehensive framework on the policy regulating the employment of foreign workers. The strategy secures equal treatment between local and foreign workers as regards terms and conditions of employment. Such workers receive the same salaries and benefits as Cypriot employees in similar tasks, and work the same hours.

104. A Committee of Experts on Integration of the legally residing immigrants in Cyprus has been established by the Council of Ministers in 2007 and is involved in the process of designing and implementing integration policies.

105. As of 1 January 2009 the gross wages of domestic workers (third country nationals) are readjusted every January, according to the price index.

#### **M. Right to social security. Right to an adequate standard of living**

106. Every person has the right to a decent existence and to social security. The protection of workers, assistance to the poor, and the right to a system of social insurance are safeguarded (Art. 9 of the Constitution). All insured persons (Cypriots, EU citizens and third country nationals) have the same rights and obligations.

107. The Social Insurance scheme is financed by contributions from the insured persons, the employers and the state. It covers marriage grant, maternity grant, funeral grant, maternity allowance, sickness benefit, unemployment benefit, invalidity pension, old age pension, survivor's pension, employment injury benefit and missing person's allowance. An amount of minimum pension is established through the Scheme for every wage earning person provided that certain contribution conditions are satisfied. Social Pension is paid at the age of 65.



108. Turkish Cypriots who work in the government controlled area are registered under the Social Insurance scheme regardless of their place of residence.

#### **N. Right to asylum**

109. The integration of refugees is a matter which has been given priority during the last years, since it emanates from the European obligations of the Republic. During the past few years, integration programmes undertaken through the European Refugee Fund (ERF) included orientation programmes, vocational training and teaching of the Greek language and awareness-raising campaigns.

110. Due to its geographical position, Cyprus is experiencing a rising influx of illegal immigrants. They access the Republic through points of entry that are currently not under the effective control of the government (occupied area) and proceed to cross to the government controlled area and henceforth, apply for international protection. The majority of these persons are economic immigrants.

111. Specific legislation sets up the institutional framework for the examination of international protection needs by providing for an Asylum Service with competence to make first instance decisions on asylum applications, and for an independent Refugee Reviewing Authority with competence to examine appeals.

112. Asylum seekers may only be detained for illegal entry and/or residence in the Republic, as well as, in cases where they have been living in Cyprus illegally and did not apply for asylum in due time. The Asylum Service may intervene in cases where the detention of an asylum seeker is deemed to be unjustified to ensure proper application of the law. The detention of minor asylum seekers is prohibited by law.

113. Detention is allowed, by a Court Order and for a maximum of 32 days, in cases where the asylum seekers have destroyed their travel documents or have produced fake ones. If the application has been rejected by the Asylum Service and the Refugee Reviewing Authority and a deportation order has been issued, one can also be detained. According to Aliens and Immigration Law (Cap. 105, as amended) detention is also possible on the basis of deportation and detention orders. Execution of the deportation order is suspended pending the final determination of the asylum application. A deportation and detention order, being an administrative act, may be challenged before the Supreme Court by a habeas corpus application and/or recourse under Article 146 of the Constitution.

114. Asylum seekers do not have access to employment for the first six months after their application, so that there is no abuse of the system by temporary workers whose maximum stay in Cyprus has ended (EU Directive 2003/9/EC). During that time they receive financial assistance from the state. A wide range of economic sectors have been fixed for the employment of asylum seekers.

115. Possession of the confirmation letter stating the status of the applicants constitutes sufficient evidence for their right to access the Medical and Welfare Services (Refugee Regulations of 2005) and is provided upon submission of an application for asylum.

116. The Asylum Service is responsible for the operation of the Reception Centre for Asylum Seekers. The Centre is staffed by administrative social work and mental health professionals. The Asylum Service is planning to add by the end of 2009 nine additional housing units at the Reception Centre. With the cooperation of the Social Welfare Services and the social worker employed at the centre, a structured programme is designed to assist the asylum seekers to leave the centre as soon as possible (maximum period of stay at the centre is six months, however if an asylum seeker wishes to stay longer, she is allowed to). The dietary needs of asylum seekers' are met in accordance with their suggestions. Greek classes are offered.

117. Every person applying for asylum is provided with information leaflet explaining their rights and obligations in Arabic, Bangladeshi, Chinese, English, Farsi, French, Hindi, Russian, Sinhalese and Turkish.

118. Pursuant to the Refugee Law [L.6(I)/2000, as amended], an applicant has the right to have a lawyer or legal advisor during all stages of the asylum procedure. The applicant has the right to communicate with the UNHCR throughout the entire process of the examination of his asylum application (first and second instance), as well as other organisations and relevant NGOs. Asylum seekers have the right to employ a lawyer, or may be provided with free legal assistance by relevant NGOs.

119. Asylum seekers may only be arrested by the Police after examination and rejection of their application and if they remain in Cyprus illegally.

120. The decision has been taken for the construction of a Detention Centre for Illegal Immigrants Awaiting Deportation to be completed by 2012. The Centre will have a capacity of 300 persons (men, women and families with children).

### **O. Women's Rights**

121. The government is committed to combat gender discrimination by pursuing policies that are designed to lead to a gender-sensitive and educated society leading to the ultimate goal of full equality. Cyprus is a state party to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) since 1985 and is also a signatory to the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination Against Women (ratification is due shortly) and has ratified Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.

122. The National Machinery for Women's Rights (NMWR), within the Ministry of Justice and Public Order, established in 1994 by a decision of the Council of Ministers, plays a leading role in the elimination of sex discrimination and the promotion of women's rights and gender equality. Through its programmes and activities and in close collaboration with NGOs, the NMWR contributes in the promotion of law reform, awareness raising, balanced representation, elimination of violence against women, subsidization of women's organisations and implementation of gender mainstreaming.

123. Although considered to be relatively high compared to the EU average (15 per cent in 2007) the gender pay gap in Cyprus, has been gradually decreasing during the last years (25 per cent in 2005, 24.3 per cent in 2006 and 22.8 per cent in 2007). Wage differentials in Cyprus are

partly due to gender stereotyping, and overrepresentation of women in non-skilled occupations and low-wage sectors.

124. A National Action Plan on Gender Equality for the years 2007-2013, on the basis of the Beijing Platform for Action as well as EU policies, was approved by the Council of Ministers in 2007. The Plan aims at a comprehensive approach of gender equality issues and the implementation of gender mainstreaming in all walks of the social fabric.

125. As regards female inmates, they are kept in a specially designed wing for women where only female officers execute duty. The Director of the prison may permit an infant of a female prisoner to stay in prison with its mother under certain circumstances. The costs of feeding, care and medical treatment of an infant during its stay in prison are covered by the state. In such cases facilities are provided for the child to have all that is necessary for his age.

126. A large number of NGO's are actively involved in the promotion of women's rights. The Cyprus Gender Observatory was established in 2003 and has, since, dealt extensively with the elimination of discrimination against women, as well as with combating any form of violation of women's rights. The Observatory documented and reported to the Ombudsman and government officials a number of cases where women were deprived of their right to equal employment opportunities in the workplace. The Mediterranean Institute of Gender Studies (MIGS), established in 2004, aims at combating gender inequality through research, advocacy and lobbying, as well as trainings, conferences and other projects and activities (in the field of Media, Violence against Women, Migration, Leadership and Decision-Making, Employment and Economic life etc).

#### **P. Right to social and economic support and protection**

127. The Social Welfare Services provide a variety of programmes for families, individuals and vulnerable groups that focus on supporting and strengthening families, promoting the social integration of vulnerable groups and individuals, preventing the aggravation of conditions that might lead to family disruption, juvenile delinquency or social exclusion, safeguarding the right to a decent standard of living and maintaining human dignity.

128. The Social Welfare Services implement the Grants-in-Aid Scheme by providing technical assistance and monetary support, in the form of grants, to not-for-profit voluntary organisations for the development and operation of supportive programmes and services such as day-care centres, services for the elderly, and persons with disabilities, including home-care, day-care, residential care and group support services for vulnerable groups.

129. Public assistance legislation ensures a socially acceptable minimum standard of living for all persons legally residing in the Republic, subject to eligibility criteria. The legislation makes no discrimination on the basis of nationality, race, religion, gender, age, etc.

130. Any person whose income and other economic resources are insufficient to meet her basic and special needs, as defined in the legislation, may apply for public assistance.

131. Certain groups of persons with disabilities with very high risk of social exclusion like persons with quadriplegia, paraplegia, severe mobility disability and blind persons receive a

monthly financial allowance by the DSID irrespective of family income. In addressing the needs of children with disabilities, public assistance is provided to them regardless of family income.

132. Public assistance legislation was revised in 2006 with the addition of increased activation incentives for single parents and persons with disabilities.

133. A project was introduced in 2005 for the vocational training and integration of public assistance recipients into the labour market. A project aiming at training a wider group of vulnerable persons and promoting their integration into the labour market, e.g. recipients of public assistance, ex-prisoners, young persons (including young persons aged 16-18 who are under the care of the Director of Social Welfare Services and persons who were previously in care), families facing psycho-social difficulties, illegal substance dependent individuals, is being implemented for the period 2007-2013.

### **Q. Right to Health**

134. The right to life, bodily and psychological integrity, respect of privacy and dignified treatment in giving medical care, and the right to the protection of one's health are basic human rights, which are protected and guaranteed by the relevant law.

135. The Safeguarding and Protection of the Patients' Rights Law, 2004 [L.1(I)/2005] is an innovative law which safeguards patients' rights and establishes effective mechanisms to monitor respect of patients' rights. The Law covers both the public and private sectors and safeguards the rights of any person applying to any healthcare service provider or any medical institution. The Law establishes the patients' rights officer (one in each state hospital) to examine complaints of patients in that hospital and the Complaints Examination Committee (one per District), which examines complaints from the private and public sectors.

136. Special arrangements for mental patients and substance abusers are in place. They receive supervision and treatment from psychiatrists, psychologists, ergotherapists and trained nurses. Prisoners with such special requirements receive similar health services. The prison's administration is planning to establish a multi-purpose health centre where convicted mental patients and drug users will stay and receive the proper treatment.

137. A patient may be sent to the private sector or abroad for diagnosis or treatment (within the time limits imposed by the medical condition of the patient and the development of the patient's health), in the case that he cannot receive effective diagnosis and treatment in state hospitals, due to lack of appropriate diagnostic or therapeutic instruments, or if his condition is such that there is no sufficient experience in diagnosis and/or effective treatment from state hospitals.

138. Depending on the financial situation of the patient and her family, the patient bears part or all of the costs of the treatment and other relevant expenses, or she is fully exempted from these costs.

139. Cyprus has a high organ transplant response rate. Based on the action plan on Organ Donation and Transplantation 2009-2015, the Ministry of Health implemented measures such as the establishment of a health care team authorized to undertake procurement of human organs and appointment of Transplant Donor Coordinator in every potential transplant centre.

140. Health care services are offered to persons in prison, including specialised ones. A general pathologist is appointed to prisons and offers his services on a daily basis, while other medical specialists do so as well.

141. Concerning immigrants, a committee of the Ministry of Health examines every case on an individual basis and issues a card, which allows free access to public health care services. Asylum seekers receive public health care services free of charge. If an asylum application is rejected, the person continues to receive such services free of charge until completion of an ongoing health care treatment. If an asylum application is approved, the immigrant is treated like any Greek Cypriot citizen, i.e. health care services are provided on the basis of financial capacity.

142. Turkish Cypriot citizens, unlike other Cypriot citizens, are entitled to free health care services at all state hospitals, irrespective of their financial capacity. They are also entitled to a European Health Insurance Card.

143. The Cyprus Anti-Drug Council's (CAC) National Drug Strategy for 2009-2012 is based on the principle of equal access to drug treatment and social reintegration services, thus, recognizing that the right to treatment is a fundamental human right. The following services are provided through the governmental and non-governmental sector: outpatient treatment for adolescents and their families, inpatient treatment programs, detoxification and substitution treatment programs as well as counselling and drop-in centres. Social reintegration programmes are also provided and focus on relapse prevention, support in finding a job or housing, legal support, and skills enhancement.

## **V. INTERNATIONAL COOPERATION IN THE FIELD OF HUMAN RIGHTS**

144. Cyprus is deeply committed to the work of the United Nations to increase respect for human rights. In this framework, it has pledged to continue to support UN bodies, to work for progress on human rights internationally, and to uphold the highest standards of human rights domestically. Cyprus, through the years, has actively participated in various thematic Committees dealing with the protection and promotion of Human Rights. It has contributed in the work of the Committees through its national experts, thus demonstrating the importance attributed to the universal protection of human rights, as well as to the evolution of international humanitarian law.

145. Cyprus increased its voluntary contributions to the budgets of the Office of the United Nations High Commissioner for Human Rights, UNHCR, UNICEF, and of other United Nations funds and agencies involved in a variety of human rights-related activities.

## **VI. ACHIEVEMENTS, BEST PRACTICES AND CHALLENGES**

146. The establishment of the Commissioner for the Protection of Children's Rights (see paras. 32, 68) was a significant step in the promotion and protection of human rights. The institution has been very active and, in spite its monitoring role, has gained the support of the Executive (President of the Republic, Ministers) and the House of Representatives in carrying out its mission. A constructive cooperation has developed with the state (Ministry of Education/Social Welfare Services, etc), which resulted in a number of measures conducive to safeguarding children's rights.

147. The Commissioner's School Visits Programme entitled "Give voice to your views" is considered a best practice. It promotes awareness-raising among educationalists and students on the practical implementation of children's rights, particularly participation rights, through discussions and interactive workshops. The children express their views on issues of their concern and are encouraged to exercise their participation rights. The theme "Children's Rights" will be actively promoted during the 2009-2010 school year, to commemorate the 20<sup>th</sup> anniversary of the CRC.

148. The Commissioner has developed an effective complaints mechanism to evaluate not only individual violations of children's rights but also the compatibility of existing legislation, policies, administrative decisions and practices with the CRC and other international human rights instruments. Where violations are ascertained, the Commissioner proceeds with recommendations for remedy, and if deemed necessary, the Commissioner gives publicity to her recommendations.

149. Under the Legal Aid Law [L.165(I)/2002, as amended], free legal aid is afforded in civil proceedings brought against the Republic for violations of human rights safeguarded by the Constitution and international human rights instruments.

150. The Agios Antonios Primary School, situated in a deprived and underdeveloped area of Limassol, consisting of Greek Cypriot refugees, Turkish Cypriots, Roma and economic migrants with limited education exposure, considered a mosaic of social, cultural, religious and ethnic diversities, has developed a practice in the field of education aiming at promoting equal opportunities and quality education whilst respecting the ethnic and cultural backgrounds of its students.

151. The Police Human Rights Office engages in the implementation of obligations arising from decisions of international human rights institutions affecting the Police. It deals primarily with the rights of people in Police custody, including asylum seekers and foreign nationals. It monitors the living conditions and improvements in Police detention centres and makes suggestions for harmonisation with international standards. The Office cooperates with UNHCR, Council of Europe and EU agencies as well as national and international NGOs dealing with human rights issues, particularly of vulnerable groups.

152. In 2004, the Police established the Office for Combating Discrimination, which handles all issues relating to discrimination, racism, and xenophobia and is responsible for the implementation of preventive initiatives as well as for monitoring intervention tactics to combat racism, discrimination and xenophobia within Police procedures.

153. Through the electronic Crime Report Registry, criminal offences with a racist motive are being registered. The Registry is updated on a bi-annual basis.

154. In 2006 the Independent Authority for the Investigation of Complaints and Allegations concerning the Police was established by law [L.9(I)/2006, as amended] with competence to investigate complaints relating to police misconduct (including human rights violations). Cyprus is one of the very few countries in Europe maintaining such Authority.

155. Challenges lie, in particular, in the implementation of the normative framework and require mostly an adequate level of resources and a better coordination between various state authorities.

156. Within the framework of the multi-cultural society, there is a commitment to exert further efforts to prevent discrimination against foreign ethnic groups residing in Cyprus; to provide education, counselling, and related information and knowledge so that foreigners and their children can fully adapt themselves in the society. In this respect, the Ministry of Education and Culture has published a reception guide in eight languages which provide information on the whole spectrum of the education system in Cyprus. Through the reform in the education system and continuous public awareness efforts, Cypriots and foreigners can gain a deeper mutual understanding and respect.

157. The aim of the authorities is to continue to multiply and diversify training targeted at preventing ill-treatment and human trafficking. Investigations of complaints for misconduct by the law enforcement officers will continue to be carried out in a transparent and impartial manner with tangible results.

## **VII. WAY FORWARD**

158. The way forward, as envisioned, entails the reunification of the country which is divided by foreign military occupation for over 35 years, the withdrawal of foreign occupation forces from its territory and the restoration of human rights for the entire population of Cyprus with respect to the rule of law and in full accordance with the universal principles of human rights.

159. As displayed in this report, Cyprus attaches utmost importance to the evolution of the human rights protection framework and declares its full commitment to their universal application and promotion. The government shares the collective obligation of continuing to promote and protect international human rights standards, and, at the same time, of showing the necessary firmness and determination against all forms of human rights violations. The results-driven mechanism of the UPR constitutes the blueprint for our actions, reflecting on a continuous multifaceted effort on the domestic front, as provided for in the international human rights instruments.

160. Cyprus fully understands that important challenges posed by the mechanism's monitoring nature aim to render human rights as a central component of conduct. In this endeavour the government has subjected itself to honest and genuine critical self-assessment in evaluating achievements and challenges. Legal international instruments are currently under consideration for adoption at national level in the fields of enforced disappearance and persons with disabilities, as well as additional instruments in the field of protection of children. Cyprus welcomes the role of civil and non-governmental organisations at the grass roots level and recognises that, despite the substantial progress achieved so far, more effort is required to fully meet the challenges that are faced, as the field is ever expanding and diversifying.

161. The government expresses its readiness to continue displaying the political will and determination to safeguarding human rights and to remedy malpractices or legal shortcomings, while respecting the principle of accountability.

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