



International Convention on the Elimination of All Forms of Racial Discrimination

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Summary record of the 2533rd meeting

Held at the Palais Wilson, Geneva, on Thursday, 4 May 2017, at 10 a.m.

Chair: Ms. Crickley

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The meeting was called to order at 10.10 a.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention *(continued)*

Combined twenty-third and twenty-fourth periodic reports of Cyprus (continued)
(CERD/C/CYP/23-24; CERD/C/CYP/Q/23-24)

1. *At the invitation of the Chairperson, the delegation of Cyprus took places at the Committee table.*

2. **Ms. Koursoumba** (Cyprus) said that the Government recognized the need to change prevailing ideas about violence, discrimination and human rights in general. It had accordingly emphasized training in schools and for certain professions, including social welfare officers, lawyers, judges, medical practitioners and, in particular, the police force. Publicity campaigns featuring well-known personalities had been launched in an effort to promote a zero-tolerance approach to violence.

3. An administrative court had been established and had begun operations in January 2016. Young lawyers had been recruited and trained for the new functions of the court, which included examining the substance of cases, modifying and amending administrative decisions, and providing advice to administrative authorities. According to the court registrar, 43 applications for asylum had been filed in 2016, with another 50 applications in the first four months of 2017.

4. The Commissioner for Administration, or Ombudsman, had carried out independent work in many areas since the establishment of the office in the 1990s. Following the accession of Cyprus to the European Union (EU), it had been necessary to introduce rules on equality and discrimination in the Cypriot legal system. Although individual laws had been enacted, responsibility for those areas had been given to the Commissioner for Administration owing to limited human and financial resources. Similarly, competences required by international instruments on torture and persons with disabilities had also been included in the mandate of the Commissioner for Administration.

5. A national human rights institution had existed in Cyprus since 1997 when, following consultations, the Government had decided to amend existing legislation to entrust the functions of such an institution to the Commissioner for Administration, with the new title of Commissioner for Administration and Human Rights. In that capacity, the Commissioner had applied for accreditation as a national human rights institution, although the Global Alliance of National Human Rights Institutions had given it B status only owing to, inter alia, a shortage of staff. Following the financial crisis, the majority of public services in Cyprus, including Government departments, the judiciary, parliament and independent institutions, had suffered from such a shortage that the number of posts in the public sector had been frozen, with exceptions for selected positions in hospitals, schools and courts.

6. **Mr. Tsiakkios** (Cyprus), referring to the linguistic rights of national minorities and religious groups, said that students belonging to national minorities, including Turkish Cypriots, could attend public or private schools of their choice, and tuition fees and other expenses were fully subsidized by the Government if they opted to attend their national schools or other private schools in the Government-controlled areas. Any individual or body could establish a private school, subject to approval from the Ministry of Education and Culture. Private schools operated under the relevant law on private education and its amendment; they were supervised and inspected by Ministry officials. Public schools were free, and schooling was compulsory for a period of 10 years. National minority groups were also able to enjoy their cultural rights under the formal education system.

7. With regard to racism in schools, for the 2015/16 and 2016/17 school years the Ministry had set a goal to raise awareness of racism and intolerance, and promote equality and respect, under the Council of Europe campaign to counter hate speech. Educational establishments at all levels had been encouraged to implement the Ministry's anti-racism code of conduct more broadly to increase reporting of racism, and manage and record racist incidents. As a result, schools had developed and implemented various activities with the

cooperation of students, parents and teachers. The code of conduct had been implemented by at least 73 schools during the 2015/16 school year, with the number expected to increase. Due to personal data protection, the Ministry did not receive information on all incidents, but it received a summary from all schools on the total number of incidents reported by the end of each school year.

8. All policies relating to school governance, management, discipline procedures and inclusion policies promoted a human rights-based approach, allowing students and teachers to be at the centre of policy design and implementation. In addition to specific action plans and activities, the human rights-based approach to education emphasized topics related to peace, citizenship and sustainable development.

9. There was a structured approach to the protection and promotion of the Armenian and Cypriot Maronite Arabic (CMA) languages through ongoing efforts to modernize, restructure and upgrade curricula throughout the education system. Since January 2015, the Ministry had allocated specific budgetary resources to cover the needs of national minorities, including speakers of Armenian and CMA, as detailed in paragraph 124 of the periodic report (CERD/C/CYP/23-24).

10. The Armenian language was promoted and protected through Armenian schools fully subsidized by the Ministry, and complemented by measures developed in close cooperation with the Armenian community. There were Russian-language schools in Limassol, and a Russian church had recently been inaugurated by the President of the Republic. Turkish Cypriot students were able to receive education in Turkish in school hours in their final years of secondary schooling or through adult education centres and State institutes of further education, which offered free Turkish language courses for adults and children.

11. The Ministry was promoting a number of programmes to cater to the needs of Roma students in two schools in Limassol. Recent developments had included the implementation of social inclusion programmes that provided, inter alia, extra support to students in languages and mathematics, teacher assistance in all classes and additional extracurricular activities such as sport and dance. Since January 2016, one of the schools had participated in an EU-funded programme to provide learning opportunities for students and teachers, and, since 2013, adult education centres had offered a free course to teach Roma children about their cultural heritage and history. The Cyprus Roma Association had been established with the participation of the head teacher of the school, bilingual teachers, staff members, parents and friends of the Roma community, and was expected to yield multiple benefits. The school cooperated with the “Hope for Children” United Nations Convention on the Rights of the Child (UNCRC) Policy Centre, and had implemented an EU-funded peer participation programme to empower Roma youth. The school had also organized projects to promote respect for diversity; activities had included presentation of a video recording of poems and songs, and organizing food festivals representing different countries.

12. International Roma Day was celebrated annually on 8 April with presentations, dances, and songs to highlight Roma culture. The Ministry provided for weekly visits from a school psychologist, and Ministry representatives had participated in a newly established national platform for Roma, which was coordinated by the social welfare services of the Ministry of Labour, Welfare and Social Insurance.

13. **Ms. Artemiou** (Cyprus) said that activities were provided for asylum seekers residing at the Reception and Accommodation Centre for Applicants for International Protection in Kofinou, including Greek and English language lessons provided by the Ministry of Education and Culture, and sporting activities organized by volunteers or through programmes receiving European funding. The Cyprus Red Cross also conducted activities for adults and children residing at the centre. Residents were given monthly bus tickets for the local district, and could be provided with transportation to other districts if required, inter alia, to visit the national asylum service or access medical services. Restrictions on movement did not apply to beneficiaries of international protection, although respect for their rights could not be guaranteed owing to security concerns. Health care was provided free of charge to all asylum seekers, irrespective of whether they resided

at the centre. Problems could arise for persons who chose not to reside at the centre despite being offered accommodation there. Asylum seekers who applied for international protection were allowed access to the labour market after a period of time. During that period the State provided for their needs either through accommodation at the centre or assistance in the form of material aid, including monthly rental payments, and the reimbursement of electricity and water bills.

14. With regard to violence against women at the centre, two incidents had occurred in which women had reported that they had been assaulted. In both cases the alleged perpetrators had been removed from the centre immediately and banned from re-entering. In one of the cases an official report had been filed with the police, and the Social Welfare Service had been notified as the incident had involved a minor. In October 2016, social workers at the centre had received training on how to reduce conflicts between residents. In addition, experts had begun work at the centre in April 2017, primarily to identify vulnerable people, and would continue until January 2018. The local police station would send officers to the centre if required to protect residents and staff, for example in cases of conflict or threatening behaviour.

15. Detention orders relating to an individual's legal entry or stay in Cyprus could be issued by the Ministry of Interior or the Director of the Migration Department. The maximum 18-month detention period was rarely applied and could be challenged by the Administrative Court. Asylum seekers awaiting deportation could be held for up to 30 days while their application was examined. If the examination was not concluded by then, they were released. If they filed an appeal with the Refugee Reviewing Authority they could be held for up to 15 days while their appeal was examined and were released if the examination was not concluded within that period. In the event that an appeal was filed with the Administrative Court, the individual would be released immediately.

16. Consultations on the ratification of conventions on statelessness were ongoing, although a bill had been submitted to parliament for approval. The rights of stateless persons were protected by national legislation, including the refugee law which implemented the Convention relating to the Status of Refugees. Cypriot citizenship could be acquired by nationals of non-EU countries following five years of residence in the cases of refugees, and the spouses or family members of Cypriot nationals. All other cases required seven years of residence.

17. Housing could be provided to Turkish-Cypriots under the same conditions as to Greek-Cypriot refugees under the provisions of Turkish Cypriot property laws and regulations. However, the Department of Turkish Cypriot Properties Management of the Ministry of Interior required beneficiaries to be internally displaced persons.

18. **Ms. Andreou** (Cyprus) said that the employment of migrants in domestic work was based on the real needs of the labour market and economy. Contracts were established for a fixed term and contained information relating to, inter alia, hours of work, salary and annual leave. Domestic workers were allowed to change employer three times in a six-year period, after which a two-year extension could be granted in which they could not change employer. Although previously only blind or wheelchair-bound people had been able to hire male domestic workers, those restrictions had been lifted in April 2015.

19. Contracts were drawn up in cooperation with the Ministry of Labour as the demand for domestic work was closely tied to national migration policy and the monitoring of migration flows. The Ministry was always consulted when changes were made to contracts. Moreover, the Ministry had established a specific mechanism to examine complaints from domestic and agricultural workers, who were typically not EU nationals, within three weeks. In the event of a violation of workers' rights, remedies were imposed through internal mechanisms or legal procedures. If the case officer identified issues relating to trafficking or sexual exploitation during the examination, all competent authorities were mobilized and action was immediately taken. Workers also had recourse to the Labour Court if desired.

20. The International Labour Organization (ILO) Domestic Workers Convention, 2011 (No.189) had been examined, although many of the areas it addressed, such as employment and gender equality, were already subject to an advanced level of regulation. However, a tripartite commission, composed of representatives of government departments, and

workers' and employers' organizations, had examined ILO Convention No. 189 to identify areas where it differed from government policy. While the Convention could not yet be ratified for financial reasons, suggestions had been made on bridging legislative gaps.

21. Asylum seekers were provided with emergency aid, irrespective of their places of residence. Moreover, a provision in the guaranteed minimum income law stipulated that emergency aid could be given for any purpose if required, in the event that other mechanisms were not operational.

22. Regarding labour inspections, the Government had established an inspectorate addressing health and safety issues in respect of domestic households, as well as joint inspection units investigating issues such as illegal and undeclared work, and the enforcement of equality laws. Inspectors ensured that the terms and conditions of contracts were upheld, and that appropriate measures were taken in the event of violations. The contracts of employment of non-EU migrants guaranteed equal treatment with EU nationals working in the same sectors. Contracts always complied with the terms of relevant collective agreements, and in cases where no agreements existed, as with domestic workers, the employee's specific contract contained all relevant conditions. In addition, leaflets were available in 14 languages on, inter alia, the basic provisions of labour legislation, and contracts for non-EU workers were translated into their most commonly spoken languages. With regard to the employment of people of African descent, it should be noted that free access to the labour market was dependent on citizenship, irrespective of ethnic origin.

23. Public employment services offered vocational guidance to all Turkish Cypriots with Cypriot identity cards, regardless of their place of residence on the island. They were offered support in finding an appropriate job and were given information on subsidized employment programmes run by the Ministry of Labour, as well as training programmes. Dedicated Turkish-speaking employment councillors were available, in addition to a Turkish-language telephone service providing employment-related information.

24. With regard to the employment of Roma, the Government had also been invited to present a strategy as part of the EU Framework for National Roma Integration Strategies up to 2020. Although the Roma population was very small, several targeted policy measures had been adopted, as well as an overall approach to promoting integration through horizontal measures targeting vulnerable groups under broader existing social policies and structures. Targets included increasing employment and reducing poverty and inequality. Roma could also benefit from inclusion measures for vulnerable groups, non-discrimination actions co-financed by the European Social Fund and urban development actions co-financed by the European Regional Development Fund. Furthermore, the Government had established a national Roma platform to create a framework for the discussion of Roma issues by all relevant stakeholders. For the first time, Roma had been included in some meetings and their input had been highly useful. During those meetings, Roma representatives had been informed of, inter alia, existing legal instruments and policy measures for the social inclusion of Roma.

25. **Mr. Veis** (Cyprus) said that up-to-date police statistics on hate crime and race-related incidents were published annually on a website publicly available in Greek and English. From 2005 to the end of 2016, 14 per cent of all such cases filed in criminal courts had remained under adjudication, 18 per cent of prosecutions had been suspended or interrupted, 6 per cent had resulted in acquittal, and 62 per cent had resulted in convictions. Where justified by evidence, criminal prosecutions included charges on the basis of anti-discrimination legislation, including the International Convention on the Elimination of All Forms of Racial Discrimination. In addition, convictions could refer to Convention articles where appropriate, and cases had been filed with the Supreme Court that referred to the provisions of the Convention or to recommendations made by the Committee on the Elimination of Racial Discrimination.

26. Although police data on hate crimes included data on nationality and ethnicity, there was no specific information on whether a person involved was of African descent. The Government would conduct further reviews of the system, with a view to implementing the Committee's general recommendation No. 34 on racial discrimination against people of African descent, and would hold discussions with the subgroup on methodologies for

recording and collecting data on hate crime of the European Union Agency for Fundamental Rights.

27. The reversal of the burden of proof applied in cases of racial discrimination in the field of employment, as well as in all civil cases of racial discrimination. Cases could be brought under the provisions of three laws relating, respectively, to equal treatment on the basis of racial and/or ethnic descent, equal treatment at work, and the equal treatment of men and women. In court, the existence of discrimination would be presumed, and the respondent must prove that there had been no breach of the provisions of the aforementioned laws.

28. During the period under review, there had been incidents of hate speech by the media and sanctions had been imposed. There had been no instances of hate speech or racist discourse by politicians, including those of all parties represented in parliament.

29. With regard to trafficking in persons, it should be noted that the officer in charge of the anti-trafficking unit of the Cyprus Police was among nine individuals around the world to have been awarded the title of Trafficking in Persons Report Hero in 2016 by the United States Secretary of State. The Government would seek to further improve efforts to combat trafficking. One such recent effort had been to abolish special visas for artists, which, until 2008, had been primarily issued to women to work as dancers in cabarets. Artist visas had been replaced by performing arts visas, and the relevant authority for issuing permits had been transferred from the Ministry of Interior to the Ministry of Employment. The stringent criteria for permitting performing artists to work in cabarets had led to a significant reduction in the number of third-country nationals allowed in to work in that profession, and most cabarets had been forced to close as a result. Cabaret establishments were no longer relevant to combating trafficking in persons.

30. The police force and Ministry of Justice were working to change the attitudes of police officers through structured training and formal procedures. Police conduct was being closely monitored, and police training to combat discrimination aimed to allow officers to acquire new skills and introduce attitudes that supported and facilitated the relevant agenda. There were indications of better identification, recording, and processing of racist or discriminatory elements in police investigations. It was anticipated that, in the future, more cases resulting in convictions would involve racism or bias as aggravating factors.

31. Complaints of ill-treatment against police officers were no longer investigated by the Professional Standards, Audit and Inspection Directorate of the Cyprus Police, but by an independent authority. The police were only able to support or facilitate the efforts of independent investigators in such cases, for example, by taking photographs or fingerprints, or carrying out forensic analysis in police laboratories when invited or directed to do so.

32. The capacity of the Menoyia Detention Centre for persons awaiting deportation had been reduced to 128, although in April 2017 the population of the Centre had been 294. Citizens of Bangladesh, India, the Philippines and Viet Nam constituted 43 per cent of residents, with the remaining 57 per cent representing 34 other nationalities. The library at the Centre had received additional books, and 16 computers were being installed to provide residents with Internet access. Additional sports equipment had been purchased and would soon be made available for residents to use at their own discretion or under the supervision of a qualified trainer providing classes in cooperation with the Ministry of Education. A public procurement procedure for purchasing equipment to be installed in outdoor areas of the Centre was expected to be completed by the end of 2017. Arts and crafts equipment would soon be received and made available to residents taking classes offered by the Ministry of Education. The subjects of adult education programmes were determined by the interests of residents of the Centre.

The meeting was suspended at 11 a.m. and resumed at 11.25 a.m.

33. **Mr. Avtonomov** (Country Rapporteur) said that, while the Convention was considered part of domestic law in Cyprus, there did not seem to be any references to the Convention in legislation or court decisions. Although Cypriot law was based on common law traditions, it was unclear whether the Convention had been transposed by parliament into domestic law in its entirety, as had occurred in other countries with common law

systems, or whether international treaties were considered to be statutes, which could make them subject to other, potentially contradictory, laws at a later stage. It would be useful to know how international instruments were applied in Cyprus, in addition to whether they could be invoked in legal proceedings.

34. Although Roma moved about frequently, there had been allegations from an NGO that a group of Roma had been considered regular inhabitants by the Government and subsequently forced to relocate to northern Cyprus. Was there any truth to those allegations? In addition, Roma education could be improved. Although education was provided in Greek, Turkish was semantically closer to the Roma language spoken in Cyprus and could be used. As the University of Nicosia had a strong reputation for philology, it could carry out research into Roma languages when sufficient financial resources were available. The Government should ensure that European Union practices were followed in relation to the situation of Roma in Cyprus.

35. Regarding data on the number of race-related incidents and crimes, he noted that, although in 2009 there had been only 9 such incidents, the number had risen to 58 in 2010 before dropping again. It would be useful to understand the reason for that anomalous increase, which could be explained in the country's next universal periodic review.

36. **The Chair** said that, given that European Union member States had a duty to combat discrimination, she would appreciate further information on the Government's Roma strategy for the period 2016-2020, as well as on the results of the 2011-2015 strategy. What measures were in place to ensure Roma participation in decision-making, as required under the EU Framework for National Roma Integration Strategies? Moreover, as the majority of Roma considered their mobility to be related to economic necessity, she asked whether moving between the different jurisdictions on the island could reinforce the discrimination faced by Roma groups.

37. **Mr. Khalaf** said that, in view of the fact that Cypriot legislation did not include a definition of racial discrimination, he would welcome information on the number of legal rulings in which reference had been made to the Convention. It was important to know whether the Convention could be used to compensate for shortcomings in domestic legislation.

38. Regarding the establishment of a national human rights institution, it would be in the interests of Cyprus to set up such a body, particularly in view of the Paris Principles. While the Commissioner for Administration doubtless performed his duties efficiently, such institutions had proved highly useful in other countries.

39. He regretted that his question on asylum seekers from Iraq and the Syrian Arab Republic had not been answered, and wished to know why those persons seemed to be employed disproportionately in fishing and agriculture when many had educational or professional qualifications that would enable them to work in other sectors. Furthermore, he would welcome an explanation as to why individual asylum seekers appeared to receive financial assistance at a higher rate than four-person families. The disparity in the amounts received appeared to be discriminatory.

40. Lastly, he asked whether Turkish Cypriots received vocational training and assistance in seeking employment irrespective of their place of residence. The statement on that issue had not indicated clearly whether place of residence referred to areas under Government control only, or all parts of the island. Similarly, regarding the use of United Nations resources for Turkish Cypriots, he did not understand why such resources were required as it should be the responsibility of the Government to take care of all of its citizens. Further information on the issue would be appreciated.

41. **Ms. Koursoumba** (Cyprus) said that, under the Treaty concerning the Establishment of the Republic of Cyprus, the territory of the Republic of Cyprus comprised the entire Island of Cyprus together with the islands lying off its coast, with the exception of the areas that remained under the sovereignty of the United Kingdom. However, since the foreign invasion of Cyprus in 1974, the Government had not exercised effective control in the part of the country commonly referred to as the north. Under Protocol No. 10 of the Treaty of Accession to the European Union of 2003, the Government had been exempted

from the obligation to ensure the application of European law in the north. The Government could not provide assistance or protection to that area. Nevertheless, Greek and Turkish Cypriots had the same rights under the Constitution. Any Cypriot had the opportunity to become a citizen of the European Union if he or she possessed an identity card or a passport of Cyprus. In fact, many Turkish Cypriots travelled to the south of the country for work and enjoyed the same benefits as other Cypriots.

42. Article 169 of the Constitution, the supreme law of the land, provided that any treaty ratified by Cyprus became part of national law and had superior force. Ratification of treaties required the approval of parliament. Upon approval, the text of the treaty was translated into Greek. If there was a discrepancy between the translation and the original text, the original prevailed.

43. The Office of the Commissioner for Administration (Ombudsman) and Human Rights had been recognized as the country's national human rights institution by the Global Alliance of National Human Rights Institutions, which had recommended that it should be accredited with B status. Nevertheless, there was a great desire to bring the institution into line with the Paris Principles.

44. **The Chair** said that the Committee's concern was that the State party should continue to work towards obtaining A status accreditation, that the independence of the institution was fully guaranteed and that it had sufficient resources to support the implementation of the Convention.

45. **Mr. Veis** (Cyprus), drawing attention to the table that had been distributed in the meeting room on racist incidents for the period 2005-2016, said that, in the original table, the cells at the bottom showing the number of acquittals and convictions were highlighted in yellow. There was also an explanatory note beneath the table indicating that the highlighted numbers referred to cases before the courts involving racist acts. In all those cases, the Convention had been invoked.

46. **Ms. Andreou** (Cyprus) said that, as a member of the European Union, Cyprus had a responsibility to improve the situation of all marginalized people, including from the Roma communities, in accordance with the European Union Framework for National Roma Integration Strategies for the period up to 2020. Within the Framework, all Member States were invited to provide the European Commission with their strategy for Roma inclusion or for specific policy measures for the Roma within their wider social inclusion policies. That was precisely what her Government had been doing. There had, of course, been dialogues between the Government and representatives of the Roma community. Welfare officers specializing in community development engaged in regular dialogues with local authorities and representatives of Roma groups. The allegation that benefits for Roma people had been cut was unfounded. The relevant programmes were still running and had continued to receive funding in 2016. For example, the social programme in Limassol had received €9,000 in funding and the Heracleitos programme for the social integration of Roma €12,000.

47. Asylum seekers could be employed in the fields of agriculture, animal husbandry and fisheries. They could also take up employment in the manufacturing, construction and other sectors. Opportunities for employment in those sectors were determined by labour market needs. Asylum applications were examined within a maximum period of six months. Therefore, asylum seekers did not remain unemployed in those sectors for extended periods of time. Once they were granted refugee status or subsidiary protection, they automatically gained unlimited access to the labour market.

48. **Ms. Artemiou** (Cyprus) said that the Government sought to meet the housing needs of Roma communities in the districts in which they chose to reside. It was thus aware that those communities did not identify themselves as nomadic. It had repaired and renovated 20 housing units in Limassol and 25 in Paphos, where members of the Roma community lived. When they requested to be accommodated in what were usually houses once occupied by Turkish Cypriots, the local authorities carried out an assessment of the cost of repairing or improving the house or houses, and the assessment was then submitted for approval. Furthermore, the Government had set up two housing projects, in the Limassol and Paphos districts, which consisted of prefabricated housing units equipped with all basic

amenities, such as water, electricity, solar water heaters and telephone lines. In any case, Roma people enjoyed the right of freedom of movement, regardless of whether they were in the areas under the effective control of the Government or not.

49. **Mr. Tsiakkiros** (Cyprus) said that since September 2013, the country's adult education centres had been offering a course specially designed for Roma children twice a week, lasting a total of 90 minutes, where they were taught about their history and culture and the language of the Cypriot Roma people, Kurbetcha.

50. **Mr. Murillo Martínez** said that he would be interested in hearing more about the specific outcomes of the country's various campaigns to raise awareness about racial discrimination. It would also be very useful to learn what good practices had emerged from the campaigns. The State party's report had mentioned a number of programmes that involved positive discrimination in the areas of education and health. He wished to know what specific special measures had been taken under the programmes with respect to the Convention and what groups had been targeted.

51. Notwithstanding the measures taken by the State party, the detention centres for asylum seekers remained an area of concern. He was aware that the maximum period of detention in such centres was 18 months. However, he would like to know whether that time limit was ever exceeded and whether there were plans to close the centres down eventually. Lastly, he wished to know whether domestic workers were still obliged to remain with the same employer after a six-year period of time.

52. **Ms. Koursoumba** (Cyprus) said that there were special measures for pregnant women and children in the area of health, even if they were not lawfully present on the island. Years earlier, the Ministry of Health had circulated a decision to all hospitals and health-care services, which provided that all children were entitled to free medical care irrespective of their legal status. The same was true of pregnant women.

53. **Mr. Tsiakkiros** (Cyprus), with respect to the question raised about good practices, said that one such practice was the Code of Conduct against Racism and the Guide for Managing and Reporting Racist Incidents that was applied by the Ministry of Education and Culture. The experience with the application of the Code had shown that student and teachers alike were becoming more and more sensitive to the issue.

54. **Ms. Andreou** (Cyprus) said that domestic workers' contracts lasted for six years. During those years, they were entitled to change employers three times. After the six years had passed, they were allowed an extension of only two years, which was the final extension available to them. During those two final years, they were not allowed to change their employers.

55. **The Chair** said that she wished to emphasize that ILO Convention No. 189 was the standard for the protection of the rights of domestic workers, including under the Convention.

56. **Ms. Artemiou** (Cyprus) said that victims of trafficking in persons and victims of torture were entitled to receive medical treatment when necessary, and the Government covered all their needs free of charge.

57. **Mr. Veis** (Cyprus), referring to the question asked about the closure of detention centres, pointed out that there was only one such centre for persons awaiting deportation. The centre was unlike police detention centres. Under the circumstances, every effort had been made to provide decent accommodation to the persons living in the centre.

58. **Mr. Yeung Sik Yuen** said that he remained concerned that reviews of cases involving the detention of persons who were not nationals of members of the European Union were handled by the Civil Registry. In that respect, he had concerns about the independence of the judiciary. Justice must not only be done: it must also appear to be done. He wished to know whether the right to appeal decisions of the Civil Registry and Migration Department to the Administrative Court was widely exercised. He would be grateful if the delegation could provide data on the number of challenges to administrative detention decisions that were presented to the Court. He also wondered whether persons

placed in the detention centre were made aware of their rights, and whether the police detention centres that had been mentioned were monitored.

59. **Ms. Mohamed** said that she would like to know whether there were effective protections against abuse, exploitation and breaches of labour rights for domestic workers. Had a monitoring mechanism been put in place by the labour inspectorate in order to prevent violations? If so, she would be grateful for any statistics that the delegation had.

60. **Ms. Koursoumba** (Cyprus) said that she understood the concerns about the deprivation of liberty by administrative decision, notwithstanding the straightforward right to appeal to the court.

61. **Ms. Artemiou** (Cyprus) said that she would like to make clear that detention orders were issued only in cases involving persons entering or staying in the country illegally. They did not involve asylum seekers or beneficiaries of international protection. Since the maximum period of 18 months was almost never applied — detention usually lasted no longer than 3 months — no appeals had been lodged with the Administrative Court concerning the length of detention as far as she knew.

62. **Mr. Veis** (Cyprus), referring to the centre for persons awaiting deportation, said that, as with persons detained by the police, there was a formal procedure by which detainees were informed of their rights. At present, the legal documents on the rights of persons in detention existed in more than 15 languages and were made available to persons upon their detention. In addition, a recent memorandum of understanding between the police and NGOs established a procedure on the right of members of NGOs to visit police detention centres and the Menoyia Detention Centre in particular.

63. **Ms. Andreou** (Cyprus) said that regular inspections of domestic workers' workplaces were complicated by the fact that they were employed in private households. When complaints were filed, the household in question could be inspected by the labour inspectorate if it received a court order or the permission of the employer. However, the complaints mechanism in place was specifically formulated to address issues involving breaches of contracts with domestic workers. She would be glad to provide the data on the number of complaints that had been reviewed by the mechanism. There had been 470 complaints in 2016, for example, of which 316 had been resolved through the signing of a release agreement. In addition, 16 employees had decided voluntarily to resume the employment relationship with their current employer, and 10 complaints had concerned migrants choosing to return to their country of origin.

64. **The Chair**, drawing attention to the Committee's general recommendation No. 35 on hate speech (CERD/C/GC/35), said that she was concerned about incidents involving exclusion, hatred or notions of superiority. She drew particular attention to the report of the Special Rapporteur in the field of cultural rights (A/HRC/34/56/Add.1 and 2), which had dealt with abuse by right-wing extremists and neo-Nazi groups against foreigners, human rights defenders and Turkish Cypriots. The Committee would be interested to learn more about the steps being taken to prevent hate speech and to prevent discrimination against Turkish Cypriots in the south.

65. **Mr. Avtonomov** said that he would also like to know what plans the Government had for the International Decade for People of African Descent.

66. **Mr. Samuel** (Cyprus) said that the report of the Special Rapporteur had described a number of unfortunate incidents of violence or perceived violence against Turkish Cypriot compatriots. As regrettable as those incidents were — and they had always been condemned officially at all levels, including the President, the Minister of Justice and members of parliament — it should be understood that they were very rare and usually occurred in the context of football hooliganism.

67. He wished to draw the Committee's attention to the fact that millions of persons had been crossing through the United Nations buffer zone, known as the Green Line, every year since 2003, when the occupation regime had allowed the crossing points to be opened, and the vast majority of such crossings had passed off without incident. The Government was deeply concerned by any racially motivated incidents and made every effort to prosecute

the perpetrators. It also made clear through public statements that incidents of that kind would not be tolerated.

68. **Mr. Veis** (Cyprus) said that there had been only one such racially motivated incident against the Roma community in 2012 in Limassol, involving arson in a field near a Roma settlement. The fire had caused some minor damage to a motor vehicle. According to the police statistics, to date, 35 racially motivated incidents involving Turkish Cypriots had been registered. Out of 30 criminal investigations that had been conducted, 12 were still ongoing, 8 were being adjudicated or investigated and 1 had been suspended. Two cases under prosecution had been dropped, one had resulted in an acquittal and six in convictions. The majority of incidents against Turkish Cypriots were offences against property, mostly involving vehicles.

69. During the reporting period, whenever it had been deemed necessary, the President had issued public statements condemning racially motivated acts of violence and had instructed the competent authorities to find the culprits as soon as possible. On the day after the unfortunate events during a public address of the Turkish Cypriot leader, Mr. Mehmet Ali Talat, in Limassol, President Anastasiades had dismissed the then chief of police and appointed the current one. The political and religious Turkish Cypriot leadership had welcomed the intervention of the President.

70. **Mr. Avtonomov** said that the Committee was very pleased to have received the delegation's answers and was satisfied by the constructive atmosphere of the dialogue. The Committee had noted a number of problems that persisted, including the division of the country, which had impeded the full implementation of the Convention. However, there were also problems in the parts of the country under government control, including hate speech. The issue of domestic workers and the situation of migrants and refugees would also remain areas of concern to the Committee. He wished to thank the delegation for engaging in such an open and frank dialogue.

71. **Ms. Koursoumba** (Cyprus) said that she would like to express her deep appreciation for the very constructive dialogue with the Committee.

72. She would like to suggest that States parties should be given the opportunity and sufficient time to respond in writing to the issues of concern raised by the treaty bodies before they came before the committees. That would make it possible for delegations to consult with the relevant departments beforehand. They would thus have less information to report to the treaty bodies when they presented their periodic reports.

73. She would forward the Committee's concluding observations to the Council of Ministers, which was the highest body of the executive branch in Cyprus, with a request that they should be passed on to the competent Ministers for consideration in the process of formulating government policies and plans of action. The promotion of human rights in general and the elimination of racial discrimination in particular were top priorities for her Government, which, despite the financial challenges, was determined to continue its coordinated efforts to promote and safeguard human rights for all persons in Cyprus.

The meeting rose at 1 p.m.