



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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Committee against Torture

**Fifth periodic report submitted by Cyprus under
article 19 of the Convention pursuant to the
optional reporting procedure, due in 2018* ** *****

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* The fourth periodic report of Cyprus (CAT/C/CYP/4) was considered by the Committee at its 1226th and 1229th meetings, held on 8 and 9 May 2014 (see CAT/C/SR.1226 and 1229). Having considered the report, the Committee adopted concluding observations (CAT/C/CYP/CO/4).

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

*** The annexes to the present report are on file with the Secretariat and are available for consultation. They may also be accessed from the web page of the Committee against Torture.

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Contents

	<i>Page</i>
List of Abbreviations.....	3
I. Introduction.....	5
II. Progress on the Implementation of the Convention	6
Article 2.....	6
Article 3.....	18
Articles 5–9.....	23
Article 10.....	23
Article 11.....	24
Articles 12–13.....	30
Article 14.....	34
Article 16.....	37
III. General Information on other measures and developments relating to the implementation of the Convention in the State party	38

List of Abbreviations

ACPCDV	Advisory Committee for the Prevention and Combating of Domestic Violence
APHVF	Association for the Prevention and Handling Violence in the Family
AGR	Attorney-General of the Republic
AS	Asylum Service
CAT	Committee against Torture
CAHR	Commissioner for Administration and Human Rights
CMP	Committee on Missing Persons in Cyprus
CPCR	Commissioner for the Protection of Children's Rights
CPA	Cyprus Police Academy
CPT	Committee for the Prevention of Torture of the Council of Europe
EASO	Professional Organisation, under the financing of European Asylum Support Office
ECJ	European Court of Justice
EMPACT	European Multidisciplinary Platform against Criminal Threats
CGE	Commissioner for Gender Equality
HAS	Head of the Asylum Service
IAIACAP	Independent Authority for the Investigation of Allegations and Complaints against the Police
ILO	International Labour Organization
IRCT	International Rehabilitation Council of Torture
MHS	Mental Health Services
MCGCTHB	Multidisciplinary Coordinating Group for Combating Trafficking in Human Beings
MFA	Ministry of Foreign Affairs
MIGS	Mediterranean Institute of Gender Studies
MIP	Manual Interdepartmental Procedures
MJPO	Ministry of Justice and Public Order
MLWSI	Ministry of Labour, Welfare and Social Insurance
MOEC	Ministry of Education and Culture
MOI	Ministry of Interior
NAPATHB	National Action Plan Against Trafficking in Human Beings
NAPPCFV	National Action Plan on the Prevention and Combating of Violence in the Family
NMWR	National Machinery for Women's Rights
NRM	National Referral Mechanism
OAGR	Office of the Attorney-General of the Republic
OOD	Office of Combating Discrimination

OOCTHB	Office of Combating Trafficking in Human Beings
SWS	Social Welfare Service
THB	Trafficking in Human Beings
Present Report	The fifth periodic report of Cyprus on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
Previous Report	The fourth periodic report of Cyprus – CAT/C/CYP/4, 24 September 2013
Concluding Observations	Concluding Observations adopted by the Committee on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment – CAT/C/CYP/CO/4, 16 June 2014
Follow-up Report	Information provided by Cyprus in follow-up to the Concluding Observations – CAT/C/CYP/CO/4/Add.1

I. Introduction

1. The fifth periodic report of Cyprus on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter the “Present Report”) was prepared in accordance with the optional reporting procedure adopted by the Committee Against Torture (CAT) at its thirty-eighth session in May 2007 (A/62/44, paras. 23 and 24) and the list of issues prior to the submission of the fifth periodic report of Cyprus (hereinafter the “list of issues”), adopted by CAT at its fifty-seventh session in April–May 2016 (CAT/C/CYP/QPR/5). It addresses the list of issues providing specific information on the implementation of articles 1 to 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter the “Convention”), and the conclusions and recommendations raised in the Concluding Observations (CAT/C/CYP/CO/4) adopted by the Committee of CAT in its consideration of the fourth periodic report of Cyprus (hereinafter the “previous Report”). It also considers the comments made by the Committee of CAT to the follow-up to the Concluding Observations (hereinafter the “follow-up information”), adopted by CAT in August 2016 (CAT/C/CYP/CO/4/Add.1). The Present Report covers the developments to combat torture and other cruel, inhuman or degrading treatment or punishment during the period 2014–2018. The Present Report is accompanied by an updated core document.
2. The Present Report has been prepared by the Law Commissioner of Cyprus, who, pursuant to a Decision of the Council of Ministers, is entrusted with ensuring compliance by Cyprus with its reporting obligations under international human rights instruments. It was compiled on the basis of information and data provided by the Ministry of Justice and Public Order (MJPO), the competent authority for the purposes of the Convention, as well as the ministries and government departments having competence for the specific matters. Information was also obtained from the Office of the Attorney-General of the Republic (OAGR), Commissioner for Administration and Human Rights (CAHR) (Ombudsman), the Police and the Independent Authority for the Investigation of Allegations and Complaints against the Police (IAIACAP).
3. During the period under review, a number of initiatives, projects and measures have been taken including the National Action Plan Against Trafficking in Human Beings (NAPATHB), (2016–2018), and the National Action Plan on the Prevention and Combating of Violence in the Family (NAPPCVF) (2017–2019). Furthermore, a number of new laws have been enacted and a number of amendments have been made in relevant existing laws, in order to further comply both with the recommendations of the CAT but also with the European Law, such as: “*The Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims Law, 2014, [L.60(I)/2014]*”, “*the Establishing Minimum Standards on the Rights, Support and Protection of Victims of Crime Law, 2016, [L.51(I)/2016]*”, “*the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Ratification) Law, 2017, [L.14(III)/2017]*” and “*The Rights of Persons who are Arrested and Detained (Amendment) Law, 2017, [L.22(I)/2017]*”. In addition, amendments to the existing Prisons Law and the Prisons Regulations are laid before Parliament for enactment.
4. The Government of the Republic of Cyprus regrets that due to the continuing illegal occupation of 36.2 per cent of its territory by Turkish military forces, it is unable to ensure full realization of its anti-torture policies in the whole of its territory. In particular, it is deprived of its ability to apply anti-torture laws, policies and programs to those living in the part of the country under Turkish occupation. Due to the situation described above, no reliable information and data are available regarding the enjoyment of the relevant rights by the Cypriot population living in the occupied area. Consequently, all information and data presented in the Present Report concern the Government-controlled areas.
5. The present Report follows the structure of the list of issues addressing each article and sub article in the form these are presented in the above list.

II. Progress on the Implementation of the Convention

Article 2

Reply to the issues raised in paragraphs 1–5 of the list of issues (CAT/C/CYP/QPR/5)

Paragraph 1 (a)

6. A Bill to abolish section 30 of the *Rights of Persons who are Arrested and Detained Law, 2005, [L.163(I)/2005]* is under preparation by the MJPO and is expected to be submitted to the Parliament for enactment within 2018.

Paragraph 1 (b)

The Rights of Persons who are Arrested and Detained Law, 2005, [L.163 (I)/2005]

7. Please see answer in paragraph 19–23 of Previous Report.

Prisons

8. Please see also answer in paragraph 20–23 of Previous Report.

9. A procedure is adopted for the medical screening of an inmate upon admission to the Prison facilities within 24 hours.

10. During morning hours, medical screening can be carried out by qualified doctors on duty. Throughout the afternoon and night hours, this can be carried out by the general nursing personnel who is on duty on a 24-hour basis.

11. In the case of an incident that contained violence, the psychiatrist examines the detained person as soon as possible when there is a history of mental illness or is prone to develop behaviour disorder.

12. It is noted that a central trauma register has been introduced by healthcare professionals and a body chart for reporting traumatic injuries based on the Istanbul Protocol is already used.

13. For safeguarding the consistency of reporting, the Ministry of Health (MOH) has already proceeded with a training of healthcare personnel on the identification of torture signs (physical and psychological) and possible victims of torture with the contribution of a professional organisation, under the financing of European Asylum Support Office (EASO).

14. As regards confidentiality, the prison officers are only informed by the healthcare staff on a need-to-know basis about the state of health of an inmate. The medical reports are kept by the medical professionals in a record archive that is handled by specific prison guard officers with training for the medical center of the prisons.

15. The Prisons management, the medical staff (including doctors, nursing staff and orderlies) working in the Prisons Department, and the mental health care staff (including psychologists, psychiatrists, occupational therapists, nursing staff) have meetings every trimester and also whenever it is necessary. During these meetings it is stressed that the medical examination and recording of medical findings (i.e. injuries), especially in cases when there are allegations made by inmates following a violent incident, are very crucial. 66 prison officers (including prison officers medical orderlies) have received First Aid training in 2017. Within 2018, 230 prison officers will be receiving training in the subject.

16. Moreover, the Police has published and distributed to all Detention Centers a Personal Detainee' s File, with all documents provided by the relevant legislation and Police Standing Order, including medical records. The file has been created for the purpose of facilitating the Police members in order to establish a common practice and uniformity in the type of file used and the documents kept in this folder. The Personal Detainee's File is confidential and it is kept in a safe place at the Police Station, where only authorized persons have access. It is worth noting that the information mentioned at the recommendation is included in the file.

17. Handcuffing is regulated by Police Standing Order 5/39 entitled “Handcuffs”, according to which the purpose of using handcuffs is to prevent detainees from escaping or avoiding potential harm to themselves, to others or to property. In no other instance handcuffed is used.

Paragraph 1 (c)

18. Please see answer in paragraph 17 & 18 of Previous Report.

19. As a general rule, promptly upon arrest and without undue delay, arrested persons are entitled to contact in person with a lawyer of their choice, in private and without the presence of any other person. They are given a list of lawyers, with their contact details which is reviewed annually and is available in all police stations.

20. In particular, every detained person has access to a lawyer:

- (a) Before his/her interrogation by the Police or other competent authority;
- (b) Promptly before he/she is brought before the Court;
- (c) During an investigation or gathering of evidence by the Police or other competent authority;
- (d) Upon deprivation of his/her liberty, without undue delay.

21. Access to a lawyer includes the right to:

- (a) Have a private meeting and contact with the lawyer who is representing the detained person at any time whatsoever;
- (b) Request the presence and the participation of his/her lawyer during the interrogation, in order to provide him/her with clarifications with regard to the procedure which is being followed and to advise him/her on the procedural rights related to the interrogation;
- (c) Request the presence of his/her lawyer during the investigation or gathering of evidence in the event that, according to the legislation, the detained person is entitled to attend to the specific interrogation procedure.

22. Additional to the above. No person under the age of 18 can be asked questions/interrogated:

- (i) Without the presence of his/her lawyer; and
- (ii) Their parents or guardian, having been informed and be present if they so wish.

23. In the cases of detained persons who are under the age of eighteen, their parents or guardians are entitled to be present during the consultations with the lawyer.

24. Any person arrested may submit a written request to the Court, which shall examine whether the person is entitled to legal aid for the services of a lawyer.

25. Inmates have access to a lawyer of their choice, as from admission to Prison and they are entitled to have contact with such lawyer at any time they so wish. If they are financially unable to employ a lawyer, then they can file an application requesting legal aid from the State.

26. *“The Rights of Persons who are Arrested and Detained (Amendment) Law, 2017 [L.22 (I)/2017]”* was enacted for harmonising with Directive 2013/48/EU of the European Parliament and Council, on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and the right to have a third party informed upon his/her deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty. In this regard, a circular letter raised awareness to Police members to the provisions of the new law and instructed its full implementation, thus enhancing the right of the detainee to access a lawyer, the right of the lawyer to be present during the interview, to inform and communicate with a third person and consular authorities. The document entitled “Rights of Detained Persons”, was amended and

translated in 20 languages (Greek, English, Turkish, Arabic, Bulgarian, French Georgian, Persian, Ukrainian, Polish, Russian, Rumanian, Serbian, Spanish, Italian, Hungarian, German, Chinese, Slovenian and Slovak). The relevant Police Standing Order “Rights and Treatment of Detained Persons” was also amended in order to comply with the new law.

Paragraph 1 (d)

27. The Constitution contains strict provisions as to the duration of detention of a person. These are elaborated by the law. An arrested person can be deprived of his/her liberty or detained for a maximum period of 24 hours following the arrest, until he/she is brought before a court of law. At the end of that period, the person must either be released or be heard by a judge who will decide on the continuation of his/her detention.

28. The judge before whom the person arrested is brought shall promptly proceed to inquire into the grounds of the arrest and as soon as possible and in any event not later than 3 days from such appearance, either release the person arrested on such terms as he/she may deem fit, or where the investigation into the commission of the offence for which he/she has been arrested has not been completed, remand him/her in custody and may remand him/her in custody from time to time for a period not exceeding 8 days at any one time. Provided that the total period of such remand in custody shall not exceed 3 months from the date of the arrest. On the expiration of this period every person or authority having the custody of the person arrested shall forthwith set him/her free. Any decision of the judge under this paragraph shall be subject to appeal.

29. Additionally, it should be noted that efforts are made in order to hold persons that are detained for more than 24 hours in detention facilities that fall under the category of facilities used for the detention of persons for periods exceeding 24 hours. These efforts are made so that all detainees held longer than 24 hours have access to outdoor exercise for at least one hour per day. For this purpose, written orders dated 16/07/2013 was given by the Chief of Police to the effect that only certain detention centers namely Limassol, Paphos Central Detention Centers, Pera Chorio Nisou, Lakatamia, Aradippou, Ayia Napa and Polis Chrysochous Detention Centers can be used for periods longer than 24 hours, as they comply with the above. The remaining detention facilities can only be used for periods up to 24 hours.

30. Furthermore, the Chief of Police issued instructions to the effect that all immigrant detainees be transferred to the Menoyia Detention Center, unless they are to be deported, within a period of 48 hours. The detention of irregular migrants in police detention centers for more than 48 hours is only permitted in exceptional cases and only with the permission of the Assistant Chief of Police.

31. The Human Rights Office of the Police, through circulars, continually reminds Police members, of their obligations adhere strictly to the above.

Paragraph 1 (e)

32. Compliance with the laws and regulations relating to the respect of human rights of citizens is part of the duties and responsibilities of all civil servants and any violation of those rights is a disciplinary offense.

Paragraph 2 (a)

33. The Office of Combating Discrimination (OCD) of the Police is responsible for the implementation of preventive initiatives as well as for monitoring intervention tactics to combat racism, discrimination and xenophobia within Police procedures.

34. The OCD also collects and registers data on offences and incidents, of a racist nature or a racist motive/element. The recording of such offences is also provided for in the Crime Report System, which is highly structured to define and register all racially motivated cases/incidents based on the sub-categorization of the type of motive.

35. Additionally, data include number of cases investigated and/or prosecuted, and Court outcomes/decisions. The recorded data normally account for the following information per case/incident:

- (i) Victim/complainant and offender/accused (name, age, nationality);
- (ii) Brief (telegraphic) description of the incident/offence which allows for their classification;
- (iii) Whether it was officially recorded as a criminal offence or as a reported incident, and the reference details in each case;
- (iv) Charges raised and whether specific racial charges were investigated;
- (v) Court verdict/outcome/result.

36. Data recording and analysis is based on the incident/offence/case approach. Therefore, multiple charges and/or offenders and/or victims shall be counted as a single incident. Statistics on the matter are being made available upon request by researchers or national or international bodies, and in any case they are readily available on the Cyprus Police website in English and Greek under the Section “Statistical Data, Serious Offences, Racial Incidents”.

37. Available at: <http://www.police.gov.cy/police/police.nsf/All/80769CD31D2837B6C22581010023454E?OpenDocument> – Please see Annex I, Table 1.

38. Data on domestic violence is collected by the Domestic Violence & Child Abuse Office and includes the following information:

- (i) Reported Incidents of Domestic Violence by Type;
- (ii) Reported incidents of Domestic Violence by Year;
- (iii) Accused for Domestic Violence by Sex/Age;
- (iv) Complainants for Domestic Violence by Sex/Age;
- (v) Progression and outcome of domestic violence incidents and cases;
- (vi) Progression and Outcome of Child Abuse Cases.

39. Available at: <http://www.police.gov.cy/police/police.nsf/All/B3E4070641EE3F3DC22581770031BE57?OpenDocument> – Please see Annex I, Table 2.

Paragraph 2 (b)

40. The Social Welfare Services (SWS) provide social support to the victims of domestic violence irrespective of their residence permit.

41. Government agencies involved in redress provided to victims of domestic violence, 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, setting out procedures for reporting violence and for better coordination between the departments, for the provision of a holistic support to the victims. In the process of revising the manual, the Advisory Committee for the Prevention and Combating of Domestic Violence (ACPCDV) established in 1996, in cooperation with all the relevant stakeholders, has prepared a separate Manual of Interdepartmental Procedures for the Management of Incidents of Domestic Violence Involving Children, approved by the Council of Ministers on the 8th of November, 2017. A revised manual for adults is also being prepared.

42. The ACPCDV aims to create a data bank on family violence. The Committee has prepared a National Action Plan on the Prevention and Combating of Violence in the Family (NAPPCVF) for the period 2017–2019, which includes actions such as awareness raising campaigns and training of professionals.

43. The Association for the Prevention and Handling Violence in the Family (APHVF) operates two shelters which provide a safe environment for all women who have experienced violence and who are at immediate physical and psychological risk by their family. Women can temporarily stay in the shelter with their children. The shelter offers programs with an aim to empower women, so that they can freely determine their own needs and make relevant decisions.

44. The Ministry of Labour, Welfare and Social Insurance (MLWSI) invests in the mobilization of NGOs concerning the prevention and handling of violence in the family. In 2016 a total amount of €178,000 and in 2017 a total amount of €137,000, were granted to the APHVF, through the Grants-in-Aid Scheme, for the support of the Shelter, the Crisis Center and other programs.

45. Social Welfare Officers have opportunities for on-going training on issues of violence in the family. There is ongoing effort to encourage adult victims to report domestic violence cases to the law enforcement agencies.

46. The SWS offer support and inform the victims of domestic violence of their rights, while facilitating connection with relevant services.

47. Respectively, the MOH provide the required healthcare services on a free-of-charge base, including psychological assistance, to identified victims of domestic violence and victims of trafficking, and prioritizing accessibility to diagnostic or therapeutic services.

Paragraph 2 (c)

48. Preventing and combating violence of any form and particularly violence against women is of high priority of the Government. In this regard, important developments have been implemented during the period under review.

49. The enactment of “the Council of Europe Convention on the Prevention and Combating of Violence Against Women and Domestic Violence (Ratification) Law, 2017, [L.14(III)/2017]”, which paved the way for the ratification of the Istanbul Convention (10 November 2017).

50. A bill, criminalizing harassment and stalking, which is now before Parliament, is also a milestone.

51. Furthermore, a bill to criminalize violence against women, aiming at fully integrating the provisions of the Istanbul Convention into national law has been prepared and is due for wide public consultation with all relevant stakeholders.

52. Policy changes have been implemented to reflect the NAP for the Prevention and Combating of Domestic Violence (2017–2019), approved by the Council of Ministers on 25/5/2017. The new NAP focuses on the following objectives:

- Revision/Updating of the Manual of Interdepartmental Procedures prepared by the ACPCVF and approved by the Council of Ministers in 2002;
- Promotion of systematic specialized and also interdepartmental training for front-line professionals, dealing with incidents/cases of domestic violence;
- Reinstatement of the specialization of Family Counsellors within the Social Welfare Services(SWS);
- Development and adoption of a multi-agency Risk Assessment Mechanism for more effective management of incidents/cases of domestic violence;
- Promotion of the ratification of the Istanbul Convention by the Cyprus Parliament with national legislation; (already ratified);
- Promotion of the effective implementation of the new national legislation on “*the Establishment of Minimum Standards on the Rights, Support and Protection of Victims of Crime Law, 2016, [L.51(I)/2016]*”.

Paragraph 2 (d)

53. Training of professionals is of utmost importance in the fight against domestic and gender-base violence and on creating the appropriate conditions for victims to report these cases. The Cyprus Police Academy (CPA) provides education on such subjects at all levels of police training, for law enforcement personnel. Lectures are offered at the basic training programme and at specialized courses, which focus primarily on addressing specific needs such as: Domestic Violence issues; Handling Child/Juvenile Victims; Interviewing vulnerable/child victims/witnesses and; Investigating sexual abuse crimes.

54. Specifically, lectures on Domestic Violence are offered at the Basic Training Program for Recruit Police Officers and at advanced courses.

55. Further, specialized programs are periodically organized at the CPA, in collaboration with the Domestic Violence and Child Abuse Combating Office, focusing on addressing specific needs. Such programs are:

- Specialized Programs on Domestic Violence Issues;
- Seminar on Handling Juvenile Victims of Domestic Violence;
- Seminar on Handling Juvenile offenders involved in Criminal Cases;
- Non-suggestive Interviewing Techniques for Child Victims of Sexual Violence.

56. With the enactment of the “Establishing Minimum Standards on the Rights, Support and Protection of Victims of Crime Law, 2016 [51(I)/2016]” harmonizing with EU Directive 2012/29:

(a) Relevant lectures are offered at the basic training programme for Recruit Police Officers;

(b) Introduction by the Police of the “Protocol on Risk Assessment of Violence in Intimate Partners” in January 2018 and specialized training programmes are being designed and organized. The Protocol applies on spouses, co-habiting couples and partners.

57. Furthermore, the issue of violence against women is the subject of a specific project (CIRCLE OF CHANGE, “Preventing and Combating violence against women and girls through gender equality awareness” JUST/2016/RGEN/AG/VAWA/9945), that is currently being implemented by a partnership of NGOs and the Police. The project aims to contribute to influencing and/or changing the existing gender-based violence and negative stereotypes around women and girls. Thus, a training curriculum is now being composed on combating violence issues, to target 200 professionals (Police and others) through 4 training sessions, which will be organized within the year 2018. In addition, the training material will be used to educate Police officers at the CPA, in the long-run. Various related actions are planned, including trainings for professionals. Funds of the project have been used for drafting a police training manual on violence against women, with an emphasis on domestic violence, which will be issued in 2018, among others to be used in Police trainings foreseen by the same project.

58. Moreover a judicial training school has been set up in the Supreme Court. The curriculum for the training of the judges is still under deliberation; however it will include human rights training, and under this umbrella training on any form of violence and degrading treatment will be included. Nevertheless, judges regularly attend seminars on human rights abroad. Also administrative court judges attend seminars organized by European judicial training institutions on issues concerning asylum.

59. Regarding the training of Health professionals on the identification of incidents of violence, the MOH has developed a training programme of continuous education which addresses specific types of violence including, gender and domestic violence. In 2017, primary care physicians, nurses, health visitors and Mental Health Professionals attended a two days’ workshop on sexual violence against children. In the framework of this workshop a professor and his team presented respective case studies and emphasized the importance of comprehensive violence prevention programming. In addition, this workshop included sessions on ways to identify violence victims or/and potential victims and referral pathways to integrated services.

60. Concerning the fight of gender stereotypes, the National Machinery for Women’s Rights (NMWR) contributes substantially to reforming social attitudes and eliminating gender stereotypes, which are identified as the major obstacles to the advancement of women. This has been also one of the 6 priority areas of the Strategic Action Plan for Gender Equality (SAPGE) 2014–2017, which placed particular emphasis on education and the elimination of gender stereotypes through activities under the Chapter on “Elimination of Social Stereotypes and Prejudices”, such as the adoption of a Code of Ethics in the

Media, research on gender equality issues and the sensitization and training of teachers, parents and students, as well as journalists and policy-makers in the mass media.

61. Educational campaigns directed at both men and women, in collaboration with civil society and the media, are promoted by the Committee on the Elimination of Gender Stereotypes of the NMWR and the Ministry of Education and Culture (MOEC), which implements the Action Plan for Equality between Women and Men in Education, including measures to overcome traditional roles and gender stereotypes in the family and society.

62. In addition, the MJPO, the NMWR, the Commissioner for Gender Equality (CGE), the MOEC, the Mediterranean Institute of Gender Studies (MIGS) and the IMH Business implemented the European programme entitled: “Breaking the Mould: Promoting Gender Equality in Cyprus”, which was a programme of a two-year duration (2016–2018), funded by the European Commission. Its objectives included the promotion of flexible working arrangements for men in Cyprus, and encouraging companies and particularly small and medium-sized enterprises to implement simple, family-friendly measures. Moreover, the project aimed at changing the stereotype that domestic work is not a masculine role.

63. Moreover, in the framework of the implementation of the SAPGE 2014–2017, the Office of the CGE and the NMWR organised 5 2-day seminars on the Elimination of Linguistic Sexism in the documents of public service.

64. In April 2016, the MJPO organised a seminar on Violence Against Women, which was addressed to professionals of all relevant ministries/agencies involved in handling domestic violence cases. The trainers of the seminar were experts on domestic and sexual violence issues.

65. The Cyprus Academy of Public Administration, the MJPO/Equality Unit, the Office of the CGE, the Office of the CAHR and the Gender Equality Committee in Employment and Vocational Training have established a Steering Group for the preparation of a Handbook for the integration of gender mainstreaming in public policies and an Action Plan for the training/education of civil officers responsible for the preparation and implementation of the budget and the strategic development plans and of Equality officers. It will be distributed and used as a tool for awareness/training of public officers.

Paragraph 3 (a)

66. Please see Annex I, Table 3.

Paragraph 3 (b)

67. “The Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims Law, 2014, [L.60(I)/2014]”, (hereinafter also referred to as “the anti-trafficking law”), harmonizing Directive 2004/81/EC and Directive 2011/36/EU came into force on 5 April 2014. It provides for higher sentences for Trafficking of Human Beings (THB) offences and includes provisions on the establishment of the mechanism of an external evaluator.

68. As provided by the law, a National Referral Mechanism (NRM) for the referral, identification and support of the victims has been established and a respective manual has been published and circulated to all parties, governmental and non-governmental. (*Please see more details in paragraph 89 of the Present Report*).

69. Sections 44 and 45 of *Law 60(I)/2014* set out the referral and identification procedure for victims of THB. According to the NRM, any governmental department, service or NGO who come across (presumed) victims of THB refer them to the SWS whose responsibility it is to provide victims with information on their rights.

70. If any authority or officer has any information that a person may be a victim of trafficking, then this person is protected from deportation, until the completion of the identification process, or the expiration of the reflection period, or for as long their residence permit is in force.

71. The SWS refer the (presumed) victim to the police for the initiation of the identification procedure.

72. Upon implementation of the *Law 60(I)/2014*, the Office of Combating Trafficking in Human Beings (OOCTHB) of the Police has established a risk assessment procedure. This procedure is conducted throughout several stages upon coming in contact with the (presumed) victim and until the repatriation of the victim. The risk assessments aim to identify any possible vulnerabilities and needs of the victims, while also ensure their safety.

73. In cases where, the OOCTHB does not identify a person as a victim of human trafficking, the person has the right to appeal before the Supreme Court or the CAHR.

74. As soon as a person is recognized as victim of THB, the SWS are notified in order to appoint a social worker to follow the case, ensure assistance for the victim and secure accommodation. The SWS are obliged to co-ordinate the necessary actions for medical, psychological, financial and other support to victims. SWS perform an evaluation assessment to identify the needs of victims, in order to refer them to the appropriate Departments/Services and/or NGOs for further assistance. The procedure is the same for all victims of THB, but the accommodation provided may differ depending on the victim's needs.

75. NGOs in collaboration with the State perform multiple tasks in relation to the victims; including medical examinations, permit issuance etc. In addition, NGOs take care of victims' accommodation, their empowerment and their social support. Besides the assistance of victims, NGOs refer (presumed) victims to the competent authority for further handling and possible identification.

76. Identified trafficking victims are issued a residence permit free of charge. They have the right to apply for financial support from the Guaranteed Minimum Income service, including rent allowance and in cases of delayed distribution of monthly allowances, SWS provide emergency financial assistance. Also, there are supplementary allowances/services as follows: rent allowance and house loan interest allowance (mutually exclusive), subsidies for municipality and other levies (no specified amount), extraordinary needs, care and assistance needs.

77. All victims of trafficking and/or sexual exploitation, irrespective of whether they are EU citizens or not, both women and men, have full access to employment during the period of the judicial examination of their case. Victims who wish to work can visit the Public Employment Services where they are provided with support in finding employment by a trained Employment Counselor, through a personalised approach. Employment Counselors responsible for providing support to victims make every possible effort to place them in a safe employment position. Victims also have access to vocational training.

78. In 2015, 46 victims were informed of their rights (23 men and 23 women). In 2016, 44 victims were informed of their rights (4 men and 40 women). All of them were referred the MOH for appropriate health care and treatment, to the Labor Office for seeking employment opportunities and to NGOs for housing and other support services.

79. There is one State shelter for victims of trafficking in Nicosia, operating since 2007, with a capacity of 15 places. The shelter is one of the options available to accommodate only women victims of sexual exploitation. In case a victim does not wish to stay in the shelter, financial and other support (housing provided by NGOs) are provided for as long as required.

80. Upon admission, the Social Welfare Officer informs the victim about the shelter regulations, their rights and obligations. The victim may remain in the shelter for a period not exceeding 4 weeks. However, under certain circumstances, accommodation can be extended. Information is provided concerning all the services available to support the victim.

81. In 2015, 20 victims were accommodated in the shelter, in 2016, 53 victims and in 2017, 33 victims.

82. Regardless to whether they wish to collaborate with the law enforcing authorities or not, victims have a right to immediate access to legal advice. Also, free legal aid is given to victims where they do not have the means to secure legal support. Cyprus compensates

victims who collaborate with the law enforcement authorities as witnesses, for any costs that occur due to their participation to the legal process.

83. In regards to repatriation, after the completion of the criminal proceedings, a risk assessment is performed for each victim individually, both by law enforcement and the medical and/or mental health services. If the victim wishes to remain in the Republic or if there are any physical or psychological threats for the victim to return to the country of origin, the Minister of Interior may grant a temporary residence and employment permit on humanitarian grounds, which can be renewed subsequently. Employment is allowed to any employer chosen by the victim.

84. According to section 35 of the *Law 60(I)/2014*, irrespective of and without prejudice to any other legal means or remedy established under any other law or regulation, a recognized victim of trafficking as defined in the above mentioned legislation has a legal right to file for compensation against all persons responsible for committing the criminal offences under this law and for the violation of his/her human rights.

85. Judicial review against any administrative decision is safeguarded by article 146 of the Constitution of the Republic of Cyprus. Until today, no person that was not identified as a victim of trafficking has proceeded with submitting such a query or any other complaint/objection against the decision for non-identification.

Paragraph 3 (c)

86. Although no official assessment or research for anti-trafficking action has taken place and given that measuring the actual results and impact of actions on the crime of THB it-self is a challenge, it is safe to say that the efforts came to tangible results in regards to the approach towards the issue. During the reporting period important developments took place, which indicate that fighting THB has become a permanent issue on the agenda of every government and of every public officer.

87. Through the legal and administrative tools developed during the reporting period – such as the transposition of Directive 2011/36/EU to national law, the completion of the NRM and the preparation and implementation of the National Action Plans (2013–2015, 2016–2018) – the institutionalised continuance of efforts has been established. It is expected that this will have major long and short-term results, as solid grounds for the future have been established and the tools have been made available which paved a roadmap for each involved authority, including governmental and non-governmental organisations allowing for a structured and targeted response, better cooperation, accumulation and sharing of experience and knowledge. Furthermore, during the reporting period the crime of THB has gained increased visibility, on all levels: social, administrative and operational. In combined efforts of governmental and non-governmental sectors, it has been brought further into the social sphere, including schools, universities and army camps. It has also gained more publicity through press conferences and daily news reporting, training programs and seminars. On an administrative level, it has grown into an ongoing consideration in relevant and policy development.

Measures taken to strengthen the prevention and investigation of trafficking and the punishment of offenders

88. The MLWSI strives to protect the rights of all workers employed in Cyprus, Cypriots, EU nationals or non-EU national migrant workers. Specifically for migrant workers, the following initiatives are ongoing, so as to ensure that front-line professionals, law-enforcement personnel and labour relations inspectors are kept up-to-date with regards to identifying victims of trafficking:

- Strengthening the mediation process carried out by the Department of Labour Relations for resolving complaints, specifically designed to address the labour related needs of migrant workers;
- Conducting seminars for Labour Relations Inspectors on learning to recognise cases of labour exploitation, regarding terms of employment;

- Continuous operation of the joint inspections units of the MLWSI in the construction industry, hotel/accommodation industry, food and beverage service activities as well as in various kinds of business entities, regarding undeclared and illegal work for nationals from third countries;
- Constantly striving to safeguard equal treatment between all workers in Cyprus, hence providing that the terms of employment of foreign workers in the areas of farming, agriculture, industry and commerce are those provided for in collective agreements;
- Continuously improving the quantitative and qualitative output of the inspectorate mechanism, through the increase of the number of inspectors, training and preparation of manuals that are used.

89. A National Referral Mechanism (NRM) has been established in compliance with the *Law 60(I)/2014* and a respective manual has been published and circulated to all parties, governmental and non-governmental in 2016. It includes the responsibilities of each party in regards to the safety, protection, and access of victims and potential victims to their rights. Also it provides appropriate guidance and standard operating procedures for handling victims and potential victims of human trafficking (including identifying and referring victims to services). All cases of (presumed) victims activate and follow the procedures and guidelines of the NRM. The cooperation of all competent authorities ensures the access to their rights, the protection of victims and to be granted the necessary assistance and protection up to the stage of filing of compensation.

90. Moreover, the role and competences of the OOCTHB have been expanded since March 2015. Specialized investigators joined existent staff, with which undertake tasks within an upgraded framework. Among the new tasks of the OOCTHB, is the investigation of THB cases. The empowerment of the OOCTHB aims at the qualitative, proper and in-depth investigation of trafficking cases by the Police, as well as the improvement of the operational aspect of the police actions. Since the expansion of the OOCTHB, the number of convictions has increased. In 2016, 6 persons were convicted under the provisions of the Anti-Trafficking Law, whereas in 2017 the convicted persons were 16.

91. The Police participate in the European Multidisciplinary Platform against Criminal Threats (EMPACT) Operational Action Plan for THB, which is under the umbrella of Standing Committee on Internal Security (COSI) and coordinated by Europol. This is an ongoing action and concerns the EU priorities to combat human trafficking focusing on organized crime groups that act in Southeast and Southwest Europe:

- Members of the OOCTHB in cooperation with other Police's departments participated in three Joint Action Days organized by Europol, in the framework of EMPACT, of EU Policy Cycle against organized crime);
- Under the EMPACT Operational Action Plan, the OOCTHB participates as a partner in the project "Chinese THB". The program was suggested by the Netherlands and was developed under EMPACT. The objectives of the program are: to improve the knowledge and intelligence gathering; to enhance the identification of the related organized crime groups, and run joint operational investigations between the participating European Member States; and to dismantle criminal networks dealing with THB from China. Under this framework, the OOCTHB conducted a research on Chinese citizens that reside in Cyprus. Specifically, the research focused on Chinese students and employees that had submitted complaints against their employers to the Labor Office, Chinese asylum seekers and Chinese citizens married in Cyprus. The objective of this research was the identification of patterns; map the modus operandi of organized crime groups, as well as location and identification of potential victims of THB;
- An additional measure that has been taken by the Police in order to facilitate front line officers and all Police officers in general, regarding victim identifications and handling, is the adoption of the "Identification Process Manual". The manual is based on the International Labor Organization Indicators (ILO) for identifying victims of trafficking, the World Health Organization & ICMPDS research and on

the provisions of the anti-trafficking law. The manual intends to assist police officers when dealing with trafficking cases and potential victims. In addition, the Police issued a pocket size operational guide on THB and victim identification. Both the identification manual and operational guide are given to Police officers attending either entry level training on trafficking as well as specialized training on THB. The identification manual is available on the Police intra-website;

- The Police has collaboration with the authorities of foreign countries through the channels of Europol and Interpol, as well as Mutual Legal Assistance Requests and through Liaison Officers of other Member States serving in Cyprus. Based on the Mutual Legal Assistance Law, the Police come into contact with other countries through the mutual legal assistance requests in order to ask assistance and support for the investigation of any case;
- The exchange of information is framed by International Conventions, Bilateral and Multilateral agreements and the European acquis. Another important channel of communication is the liaison officers. Exchange of information in the Police is carried out through the European Union & International Police Cooperation Directorate, where the National Units of Interpol and Europol belong. Also exchange of information is carried out on a constant basis, mostly through the channels of Interpol and Europol. Moreover, the Police participates in several projects such as EMPACT, which enables the Police to build on existing networks of cooperation. As a European Member State, Cyprus also uses the channel of Eurojust.

Paragraph 3 (d)

92. According to the migration legislation in place, which is in line with the EU Directives on migration, a suitable accommodation for the domestic workers must be available for the issuance of a residence and employment permit. The domestic worker may reside in such a suitable accommodation provided within the household of the employer or reside in a different place.

Paragraph 3 (e)

93. Trainings are considered a major tool towards ensuring the identification, assistance, support and protection of victims. During the reporting period, several training programs took place that covered a broad spectrum of the crime of THB. Most significant were the following:

- **General training:** In 2014, 2015, 2016 and 2017 several training programmes took place that covered the main provisions of the legislation, the indicators for detection of victims, victim support and relevant administrative procedures. The trainings were provided by government experts and the participants included front-line and other involved officers/representatives of the Ministry of Interior (MOI), the Civil Registry and Migration Department, the Labour Department, the SWS, the Labour Inspection Department, the Police and a significant number of Municipalities, through the cooperation of the MOI with the Union of Cyprus Municipalities. Medical and paramedical personnel also participated. Furthermore, starting in 2015, these specific issues have been included in the annual mandatory training session provided to Private Employment Agencies. These trainings are provided by government experts;
- **Police training:** All the members of the OOCTHB, which is by law the competent authority for victim identification, are systematically participating at training on issues relating to handling vulnerable victims and victims of trafficking, including recognizing the presence of trauma and traumatic experiences. Furthermore, during the reporting period, human trafficking continued to be incorporated in all recruitment and sergeant courses, as well as in the Crime Investigation Department's courses and in specialized trainings offered to members of the Immigration Department of the Police and of the members of Community Policing. Additionally,

a seminar was organised in 2014 by the International Police Association which was co-funded by the MOI.

94. Further, after the identification of specific training needs, CPA in collaboration with the OOCTHB, offer specialized courses to meet those needs. Specialized programs include subjects such as law and relevant legislation, investigation techniques, handling of victims, connection with other crimes, etc.

95. The Police is participating in a number of projects that are related to THB, with a view to broaden the knowledge of its members, to improve the incumbent practices, and to enhance cooperation with European and non-EU country governmental and non-governmental bodies, related to THB.

96. Apart from the legal framework, the Government takes practical and action oriented measures. The Police officers and front line officers from different governmental departments received specialized training, which includes an overall awareness on trafficking issues, evolving trends, dealing with potential victims, indicators of victimization, and handling of victims.

97. Training of professionals is a very important issue in the fight against THB. The need for training professionals in the area of action against THB is identified by the OOCTHB. In order to identify the needs for training, by the end of each year, an assessment on court decisions is carried out taking into consideration the Serious and Organised Crime Threat Assessment (SOCTA) and the Organised Crime Threat Assessment (OCTA) in connection with the situation in Cyprus and the legal framework. All training programs are carried out in combination with European Police College's (CEOL's) common curriculum. Courses are divided according to the needs of the target groups, which are members of the Immigration Department, Community Policing, Criminal Investigation Departments and other Police members who are entitled to carry out operations.

98. After the identification of training needs, the OOCTHB prepares specialized courses to meet those needs. Generally, THB specialized training programs include subjects such as law, victims' identification, EU strategies, investigation techniques, trends, connection with other crimes, etc.

99. Much specialized and systematic training takes place in order to educate police officers, especially the front line responders such as Immigration Officers, members of the Community Policing and Criminal Investigation Department's Officers. These training programmes include an overall awareness of the front line officers on trafficking issues, the evolving trends, how to deal with potential victims and persons found during Police operations, identification techniques, handling of victims, etc.

100. During 2016 and 2017 Social Welfare Officers attended various courses and seminars on labour exploitation, on the operation and regulations of the shelter for victims of trafficking, on the implementation of Directive 2011/36/EE on Prevention and Combating of Trafficking and Exploitation of Human Beings and Protection of Victims, on detection and referral of trafficked victims to work and on the issue of combating Human Trafficking along Migration.

Paragraph 4

101. Within the annual budgetary process, the Ministry of Finance meets all the financial and technical needs of the Office of the CAHR.

102. Enhancing the capacity of the Office of the Ombudsman has been one of the priorities of the Authorities, who have sought external expertise on how best to proceed.

103. In this regard, a reorganization study was carried out by the Office of the Finnish Ombudsman which suggested that the Office be strengthened with one additional post.

104. Hence, the Public Administration and Personnel Department (PAPD) in cooperation with the Office is examining ways to meet the permanent needs on human resources of the Office, in the context of existing legislative framework. For the imminent needs of NPM

Function, PAPD suggested the reallocation of the existing staff of the Office and the exploitation of the tool of secondment of staff from other public services.

105. No action has been taken so far in order to amend the provisions of section 5 of the Optional Protocol of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Law, 2009, [L.2(III)/2009], in order to fully comply with the Optional Protocol of the Convention.

Paragraph 5

106. Turkey's military invasion in 1974 and the continuing military occupation of 36.2% of the territory of the Republic of Cyprus, has resulted in the violation of the human rights of thousands of people, both Greek and Turkish Cypriot. As a result of the continuing occupation, the Government of the Republic of Cyprus is not in a position to apply and consequently ensure the implementation of human rights in the whole of its territory. It is well known that occupied territories are subject to specific rules of international law which are set out in the Hague Regulations and in the Geneva Conventions of 1949 as supplemented by the Additional Protocols 1 and 2 of 1977.

107. The European Court of Human Rights (ECHR) in numerous decisions, including the Judgment on the 4th Interstate Application of Cyprus v. Turkey (May 10th, 2001), underlined that Turkey has "effective overall control over northern Cyprus". The Judgment also provided that violations of human rights by Turkey's soldiers, or officials, or by the subordinate local administration are imputable to Turkey.

108. The Government of the Republic of Cyprus trusts that the Committee will issue a specific question/query/recommendation to Turkey, during Turkey's evaluation under CAT, about Turkey's efforts and specific actions to stop the human rights violation in Cyprus, resulted from the Turkish military invasion in Cyprus in 1974.

Article 3

Reply to the issues raised in paragraphs 6–11 of the list of issues (CAT/C/CYP/QPR/5)

Paragraph 6

109. According to section 19 (3) (a) of the *Refugee Laws 2000, [6(I)/2000] as amended*, (*hereinafter "the Refugees Laws"*) the Head of the Asylum Service (HAS) may decide to cease a subsidiary protection status, when the circumstances which led to the granting of that status ceased to exist or changed to such an extent that the protection is no longer required. In making this decision, the HAS shall examine whether the change of circumstances is both significant and of non-temporary nature, so that the subsidiary protection status holder no longer faces a real risk of serious damage. This paragraph does not apply to a subsidiary status holder who satisfies the HAS that because of his/her previous serious harm, there are compelling reasons for refusing to avail himself of the protection of his/her country of nationality or, in the case of a stateless person, the country of his/her former habitual residence.

110. Prior to a decision for cessation, an interview takes place with the person concerned and the relevant Country of Origin Information is taken into consideration. The cessation decision is subject to an appeal before the second instance examining Body.

111. According to section 29 (4) & (5) of the *Refugees Laws*, it is prohibited to issue a deportation order against a refugee or person with subsidiary protection status to a country in which his life or freedom would be at risk or he would be in danger of being subjected to torture or inhuman or degrading treatment or punishment or persecution for reasons of sex, race, religion, nationality, membership to a particular social group or political opinion or because of armed conflict or environmental destruction. It is prohibited to issue a deportation order against any person to a country where he would run the risk of being subjected to torture, inhuman or degrading treatment or punishment.

Paragraph 7 (a)

112. During the asylum interview, applicants are provided with sufficient time (as long as they need) in order to indicate the reasons for their application and substantiate their claims. With the completion of the interview, the applicant has the right to go through his/her interview, with the assistance of an interpreter, and make changes if deemed necessary. Furthermore, the applicant or his/her legal advisor has the right to access the applicant's file before an appeal is submitted before the Refugee Reviewing Authority.

Paragraph 7 (b)

113. Section 16 (d) of *the Refugees Laws* allows a complete review of prior asylum decisions (at first and/or second instance levels) in case new evidence is provided.

Paragraph 7 (c)

114. According to the law and relevant practice applied, this is taken into consideration during the examination of an asylum claim.

Paragraph 8 (a) & (b)

115. Please see Annex I, Table 4.

Paragraph 8 (c) & (d)

116. Please see Annex I, Table 5.

117. Between May 2014 and February 2018, 5171 persons were returned. The returns concerned third country nationals of African or Asian origin such as Egypt, Vietnam, India, Bangladesh, Iran, Georgia, Philippines, Pakistan, Nepal, Sri-Lanka, Nigeria.

Paragraph 9

118. *The Legal Aid (Amendment) Law, 2015, [L.20(I)/2015]*, provides for legal aid in the procedure before the Court when the applicant (migrant detainee/applicant for international protection) who is in custody/detention applies for a judicial review (i) against the administrative act which has as a legal effect his detention, (ii) concerning the lawfulness of the duration of his detention.

119. *The Legal Aid Law* provides that in these cases the applicant can appear before the competent Court for the purposes of exercising his/her right for the provision of free legal aid, accompanied by the police. The legal aid includes the preparation of the required procedural documents and participation in the hearing before the Court on behalf of the applicant. According to the law, one of the criteria for granting free legal assistance is the likelihood of success of the first instance application.

120. The European Court of Justice (ECJ) in its judgment in Case C-279/09 examined, among other things, whether the conditions under which a Member State submits the right to legal aid are compatible with the fundamental human right of unrestricted access to justice. The ECJ ruled that the submission of legal aid on conditions related to the financial situation of the party, or the likelihood of success of the appeal is compatible with the aforementioned human right granted by Article 47 of the Charter of Fundamental Rights of the European Union. The ECJ stated that this view also agrees the European Court of Human Rights, in respect of Article 6 of the European Convention of Human Rights, which it is noted that corresponds to Article 30 of the Constitution of the Republic of Cyprus.

121. Additionally, according to the existing national procedures for legal aid regarding applicants of international protection, the applicant of legal aid does not need to prove likelihood of a successful outcome of the application. The fulfillment of this requirement has been interpreted by case-law, so that the court should be satisfied through the administrative files of the court that this possibility exists, without requiring the applicant of legal aid to prove anything before submitting the application.

122. Furthermore, the granting of free legal assistance and/or representation to asylum seekers and refugees has been included in the system, as concern the process, in exactly the

same way as for all applicants in all other cases in which free legal assistance and/or representation may be granted and there is no issue of unequal or other treatment for applicants of international protection.

123. Article 30 of the Constitution, provides both for free legal assistance and assistance of an interpreter.

124. The rights of foreign migrants (documented or undocumented), are safeguarded by relevant legislation. These include migrants held at Menogia Detention Center. Among others rights, a detainee is provided with the necessary and reasonable facilitations as regards to communication with the lawyer, as well as personal contact with relatives and friends. The exercise of the right of communication with a lawyer is not delayed or suspended and it is done with confidentiality. *(Please also see answer in paragraph 1(c) of the Present Report).*

125. Detainees are allowed access to procedures for requests/claims and can send or receive letters by fax. In line with the Constitution and the law, undocumented foreign detainees have the right to access legal aid in order to challenge, in the case of allegation, the lawfulness and the duration of the detention and deportation orders. An application form is completed by the applicant or his/her lawyer, and is submitted to the Court, which will decide based on certain criteria set whether legal aid will be granted. In case the Court approves the request, the foreign national makes an appeal before the Court against the detention and deportation orders. Thus, the legal costs will be covered by the State.

Paragraph 10

126. With the enactment of “*The Establishment and Operation of an Administrative Court Law, 2015, [L.131(I)/2015]*”, an Administrative Court operates since January 2016. The Administrative Court has taken on board all first instance administrative recourses, thus discharging the Supreme Court of this task and enabling it to carry out more expeditiously its second instance jurisdiction (appeals).

127. In cases of recourses concerning tax matters or international protection, the Administrative Court examines not only the legality, but also the substance of the case and may modify the administrative decision. Any judgment of the Administrative Court is subject to appeal on any ground of law only.

128. The number of the judges of the Administrative Court has increased from 5 to 7, since September 2017.

129. The Cyprus Constitution safeguards the independence of the Judiciary from the Executive.

Paragraph 11 (a)

130. There are no statistics available concerning number of torture victims identified among asylum seekers.

131. Concerning victims of trafficking granted international protection, the following data are provided:

<i>Year</i>	<i>Victims of Trafficking granted International Protection</i>
2015	2
2016	2
2017	2

132. The competent authorities will take into account the specific situation of vulnerable persons such as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation.

133. Therefore, it is necessary to carry out an individual assessment to determine whether the person concerned is an applicant with special reception needs and, if he/she is, to specify such special reception needs. Such an assessment, it is also necessary to perform a parallel individual assessment to find out whether the person concerned needs special procedural guarantees and, if he/she does, to specify his/her procedural needs and to provide that person with the necessary support and special procedural guarantees. Such individual assessments will be carried out within a reasonable period of time, at the initial application stages.

134. The following actions will be taken to identify vulnerable persons:

- The competent officer at the facility where applications are submitted, will fill out a dedicated form, in such format as determined by the HAS, which will indicate any special reception and/or procedural needs of the applicant, as well as the nature of such needs, if possible;
- As part of the initial medical examinations to which the applicant is subjected, the examining physician, psychologist or other expert will prepare a report on whether there are any special reception and/or procedural needs of the applicant, as well as the nature of such needs;
- If the applicant is hosted in an accommodation centre, the social workers and psychologists working there will find out, after personal interviews are conducted and within a reasonable period of time after the applicant's arrival at the accommodation centre, whether those living there have any special reception and/or procedural needs and will prepare a relevant report in which they will indicate the nature of such needs;
- Where possible, the officers of SWS will, if an applicant appears before them, identify any special reception and/or procedural needs of the applicant and notify any such needs, along with their nature, to the Asylum Service (AS), in writing;
- If any competent authority of the Republic finds out, in performing its duties under *the Refugees Laws*, that the applicant has any special reception and/or procedural needs, it must notify the AS immediately;
- The forms and reports referred to above will be notified to the AS immediately, by sealed envelope.

135. The AS:

- Will, within a reasonable period of time, decide on whether it is necessary to cover any special reception and/or procedural needs, indicating the nature of any such needs in the decision concerned, after taking into account the information and data included in the forms and reports referred to above; and
- Will refer the applicant with special reception and/or procedural needs to the competent authorities, to ensure that the required support is provided.

136. The AS will, at discretion, interview the applicant personally with regard to his/her special reception and/or procedural needs and/or will consult with experts on special matters.

137. The above procedure will also apply if the special reception and/or procedural needs come up at a later stage of the international protection procedure. If a competent authority of the Republic finds out at a later stage of the international protection procedure, in performing its duties under the *Refugees Laws*, that the applicant has any special reception and/or procedural needs, it must notify the AS immediately, and the latter will decide on the need to cover such special reception and/or procedural needs.

138. An applicant identified as an applicant with special reception and/or procedural needs will be provided by the competent authorities with support, taking into account the applicant's special reception and/or procedural needs throughout the international protection procedure, and will also see to it that his/her situation is properly monitored.

139. If the AS is informed that an applicant needs special procedural guarantees, sufficient support will be provided, including ample time to allow him/her to enjoy his/her rights and perform his/her obligations under the *Refugees Laws* throughout the asylum procedure.

140. Where appropriate support cannot be provided under the accelerated procedure, in particular, where, following an individual assessment, it is established that the applicant concerned is an applicant who needs special procedural guarantees due to torture, rape or other forms of psychological, physical or sexual violence, the HAS will not use the accelerated procedure in examining his/her application. The effort to identify applicants that need special procedural guarantees must be made before the HAS decides on the application.

141. Concerning unaccompanied minors, as soon as an unaccompanied minor is identified, the Director of SWS immediately acts as his/her guardian and representative. The Director ensures that the unaccompanied minor has access to all his/her rights (e.g. accommodation, health services, education, recreational activities) and all the procedures for the asylum application are in line with the best interest of the child. The unaccompanied minor's views, as well as relevant stakeholders (e.g. school, health professionals) are taken into account in determining the best interest of the child.

142. The NRM is addressed to all governmental departments and services including the AS. The Officers of the AS receive training on THB and victimization indicators and upon coming across a presumed victim of trafficking the referral is made to the SWS and specified in NRM. In the period under review the OOUTH had recognized as 6 victims of trafficking for 2016 and 4 asylum seekers for 2017.

Paragraph 11 (b)

143. According to section 15 of the *Refugees Laws*, an applicant who claims, at the time of application for international protection or in the event that the responsible officer to whom an application for international protection is submitted, suspects that the applicant has been subjected to torture in his/her country of nationality, he/she is referred to a doctor for a medical examination.

144. In case there are indications of severe torture, the officer conducts the interview in coordination and collaboration with a doctor.

145. The AS staff received, in 2017, training on torture victims in the asylum procedure by the International Rehabilitation Council of Torture (IRCT), in the framework of the EASO Special Support Plan to Cyprus.

146. In the framework of the same Support Plan, interpreters working with the AS received relevant training by EASO experts. When requested, health professionals proceed with medical and psychological or psychiatric examination of potential torture victims. The MOH has introduced an internal procedure for the purpose aiming at safeguarding of the completion of the required examination. Health professionals included in this procedure have undergone respective training on Istanbul Protocol on examination and medico-legal documentation of torture for detainees under asylum procedure. When required, professional, trained interpreters working with the AS, are providing services during the medical examination procedure.

Paragraph 11 (c)

147. As a matter of policy, applications submitted by victims of torture are given priority. Rehabilitation process commences at the point of identification that the person is a victim of torture and not after a relevant decision on the asylum claim is reached.

148. Asylum seekers to be transferred to another European Union Member State under the Dublin System may challenge their detention or the decision to be transferred before the Administrative Court pursuant to article 146 of the Constitution, within 75 days from becoming aware of the decision or detention. Before the transfer to a Member State in its asylum and reception system, sufficient guarantees are requested and country of

information research is undertaken for the destination country in order to proceed with a decision or not for the transfer.

Articles 5–9

Reply to the issues raised in paragraph 12 of the list of issues (CAT/C/CYP/QPR/5)

Paragraph 12

149. N/A.

Article 10

Reply to the issues raised in paragraph 13 and 14 of the list of issues (CAT/C/CYP/QPR/5)

150. Many positive changes have taken place in the past 3 years due to the initiatives of the new management of the Prisons to make reforms which have had an impact on individual and also on a collective level, regarding both prisoners and staff.

151. In respect of pertinent training of the staff, in December 2017 the Prison Academy was inaugurated and 34 recruits received a twelve-week training (introductory and in-service training) including seminars and lectures that promote a culture for combating ill treatment and discrimination, and promote respect for diversity. In 2018, the Prisons Academy is organising training for the middle managers for improving their communication interpersonal skills to exercise adequate oversight. Moreover, with the establishment of Prisons Academy, prison officers are receiving introductory and in-service training that will improve their professionalism. In 2017, 246 prison officers, have received training and participated in seminars, workshops and conferences in Cyprus and abroad. Moreover, the courses that promote staff awareness have been increased. Also the senior management has regular meetings and daily contact with the middle level management, stressing the responsibility for oversight.

Paragraph 13 (a)

152. This is covered by the information provided herein below.

Paragraph 13 (b)

153. Health Professionals involved in the process of the examination of possible victims of torture within the asylum procedure, have participated in respective training based on Istanbul Protocol.

154. There is also a permanent communication between the medical professionals for the exchange of expertise. In case of difficulties or when clarification is needed, professors abroad with great experience in matters of torture trials are available for addressing any questions.

Paragraph 13 (c)

155. Non-coercive investigatory training is provided to all police officers, at the CPA, in the following programmes:

- Basic Training Program for Recruit police officers;
- Chief Inspector Course;
- Inspector Course;
- Sergeant Course;
- Basic and Advanced Criminal Investigation Department Courses.

156. The principle of the use of force as a last resort, is taught to during their Basic Training Programme at the CPA. Police officers are constantly retrained on the topics mentioned above.

157. Restraining techniques training, is also taught to all new police recruits at the CPA. This is subsequently taught more intensive at the Emergency Response Unit.

158. In particular, according to the Lesson 19, taught at the CPA, the use of force should always be considered as an exception to the rule. In case it is decided to resort to violence, a mere purpose is not enough. The violence should be necessary, proportionate, appropriate and adequate to achieve the desired objective. This has to be assessed in each case on its own circumstances, but based on objective criteria and not on the subjective perception or temperament of a person. If one of these conditions is not met, violence is considered as disproportionate and therefore unlawful.

159. According to section 6 of the Police Code of Ethics, members of the Police use violence when it is strictly necessary and only to the extent necessary to fulfill a legitimate objective under the current legislation. The Police Code of Ethics is available at the Police webpage at <http://www.police.gov.cy>. Police Standing Order 1/73 is also issued on the subject.

Paragraph 13 (d)

160. CPA provides education on combating torture and ill treatment by police members and on human rights issues, at all levels of Police training. Specifically, such lectures aiming to educate Police constables of all ranks are offered at the basic Training Program for Recruit Police Officers, and at specialized courses such as the Sergeant Course, the Basic and Advanced Criminal Investigation Department Courses.

161. In 2012, a 13 weeks training program was designed and offered to police officers appointed to work at Menoyia Detention Center. Ever since officers that work at Menoyia Detention Center, every 6 months, receive revisional programs, focusing on subjects such as human rights, racism, xenophobia, the rights of detainees etc.

162. As regards the identification of victims of THB *please see paragraph 3(c) & (e)*.

Paragraph 14

163. There is no specific methodology to evaluate the effectiveness and impact of such training on the prevention and absolute prohibition of torture.

Article 11

Reply to the issues raised in paragraph 15–23 of the list of issues (CAT/C/CYP/QPR/5)

Paragraph 15 (a)

164. See Annex I, Table 6.

Paragraph 15 (b)

165. Regarding the measures taken to enhance the use of non-custodial measures, specifically parole, the Parole Board from 2015 until today, has released a total number of 53 prisoners.

166. Pursuant to an arrangement between the Prisons Department and the MJPO with the OAG late in 2014, pardon is granted on the Independence Day (1st October), 15th of August, on Christmas, Easter and on election of new President of the Republic and suspension of sentence is granted to foreign nationals that have been convicted for illegal entrance and stay, as well as for other pertinent offences.

167. On the 2018 Presidential elections pardon was granted to all inmates. As a result, 70 inmates were released immediately and the rest had a considerable reduction in their sentence.

Paragraph 15 (c)

168. Cell searches are randomly conducted by trained members of staff in order to discover any forbidden items or substances that the inmates hide in their cells and are also conducted following a report. The staff members always wear their individual prison staff numbers, as a part of their uniform and thus are very easily identifiable.

Paragraph 16

Prisons

169. As from 2016, 5 prisoners passed away, due to natural causes. Regarding violence between staff and inmates, between 2015–2017, 6 complaints were made and all were duly investigated both internally by the Prisons as well as by the Police. Specifically, regarding the criminal investigations, in 2 of the cases the allegations proved to be false, 2 are still under investigation whereas the other 2 complaints were withdrawn and unsubstantiated. As regards inter-prisoner violence (inmate Vs inmate), between the years 2015–2017, there were 8 quarrels and 7 assaults. All 15 cases, they were duly investigated by the Prisons Department and by the Police.

170. Prison management demonstrates zero tolerance with regard to any abuse and/or reprisals by the staff. To this end, the Director reiterates at regular intervals (during meetings with the staff and via prison orders) that all forms of ill treatment are unacceptable as they do not reflect the culture promoted by the management. Policies and procedures have been established, to prevent inter-prisoner violence and bullying, and regular risk assessments are conducted by the MHS and trained staff regarding allocation and placement of inmates. Further, during 2016–2017, 78 prison officers received training for identifying vulnerable inmates and any risks of inter-prisoner violence/suicidal behaviours etc. Indicatively, the previous years there were 2–3 incidents of inter-prisoner violence daily whilst in the past three years (2015–2017) 15 incidents of inter-prisoner violence, were registered and investigated.

Detention centers

171. Please see Annex II, Table 7.

Paragraph 17

Prisons

172. The new Prisons Regulations and the amendment to the Prisons Law, laid before Parliament and expected to be enacted very soon, provide safeguards in order to avoid any risk of arbitrariness resulting from a decision to place a prisoner in solitary confinement, either as a formal disciplinary measure or as another measure. The decision is accompanied by procedural safeguards guaranteeing the prisoner's welfare and the proportionality of the measure. Total prohibition on contact with the outside world is not imposed as prisoners in solitary confinement retain the right to send and receive letters in the same manner as all prisoners and have by law minimum visitation and telephone communication rights. Prisoners in solitary confinement, as all prisoners, can correspond with certain national and international bodies and officials without restriction or monitoring. They can also write to national human rights institutions such as Ombudsman and Nation Prevention Mechanism (NPM). Moreover, the new composition of the Prisons Board renders the Board an effective remedy for prisoners who wish to lodge an appeal to an outside authority when solitary confinement is ordered and for prisoners who wish to lodge a complaint on the conditions of detention in solitary confinement.

173. Information on the main provisions of the new Prisons Law and Prisons Regulations are summarized in the Action Plan of the Republic of Cyprus, dated 12/1/18 in the case of

Onoufriou v Cyprus. The Action Plan was submitted to the Department for the Execution of Judgments of the European Court of Human Rights and can be found at the following link: <https://www.coe.int/en/web/execution/submissions-cyprus>.

174. For statistical data for investigative lock-ups and disciplinary sanctions for 2016–2017 at Prisons, *please see Annex II*.

Immigration Detention Center

175. Menoyia Detention Center does not have an isolation room. Sometimes detainees are separated for a limited time in an effort to resolve a problem that may arise during the detention (e.g. if the persons is identified with suicidal tendencies is separated until he/she is transferred to the hospital).

176. In case of a decision for separation is taken by the responsible Authority, the MOH, in the framework of its responsibilities, will assure that the person is examined by a health professional to assess the need for medical assistance.

177. Every detainee is informed of his/her rights, as soon as he/or she enters the center including the right to submit a complaint. The new House Rules were adopted and translated in 18 languages (Greek, English, Turkish, Polish, Hindi, Vietnamese, Bulgarian, Arabic, French, Georgian, Chinese, Urdu, Persian, Serbian, Romanian, Filipino, Sri-Lankan and Russian). In this document information is included regarding the limitation and deprivation of rights and the complaints procedure.

178. Disciplinary measures taken against the detainees, the use of force and the submission of complaints, are registered by the officer in charge, who keeps separate records on issues relating to the above.

Paragraph 18

179. By a recent decision of the MOI asylum seekers are no longer detained under *the Aliens and Immigration Law*, but under *the Refugees Laws*.

180. Regarding detention of asylum seekers in general, a policy is applied since 2014, according to which, if a third country national submits an application for international protection while being detained, the deportation order is suspended, in respect to the principle of non-refoulement pursuant to Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and Article 18 of the Charter of Fundamental Rights of the European Union. At the same time, the AS is immediately informed, in order to issue a decision, under accelerated procedure (the HAS must take a decision within 30 days from the submission of the application), whether the application is based on reasonable grounds. The person remains in detention until a final decision is reached, according to *the Refugees Laws*. If the AS decides that there are reasonable grounds for the application, and then the person is released, otherwise the applicant remains in custody. If no decision is taken by the HAS within 30 days from the submission of the application, the applicant is released. Similarly, in case an appeal is submitted before the Refugee Reviewing Authority and no decision is taken within 15 days from the submission of the appeal, the person is released.

Paragraph 19

181. According to the law, forced return and consequently detention is used only as a measure of last resort, since absolute priority is given to voluntary return of all detected illegally residing migrants. Irregular entry and stay has been decriminalized since the enactment of “*The Common Standards and Procedures in Illegally Staying Third-Country Nationals Law, 2012, [L.117(I)/2012]*”, transposing Directive 115/2008/EU into national law.

182. At first, all irregular migrants are requested to depart voluntarily within a certain period of time that corresponds to their personal circumstances, e.g. if they have children in school etc. If they do not comply with this request and do not supply sufficient explanations, then they are subjected to forced return and therefore detention.

183. However, since 2013 Cyprus does not issue forced return decisions for single parents and Syrian nationals are not detained under any circumstances since 2014.

184. Regarding alternatives to detention, some measures are implemented, particularly in cases of persons who do not have serious prospects of return, such as persons without travel documents and who originate from countries without a consular presence in Cyprus. For these persons it is typically requested that they declare an address and present themselves to their nearest police station at frequent intervals.

185. The average duration of cases in administrative detention of undocumented migrants is 42 days.

186. Based on the records kept, the duration of detention of undocumented immigrants may last between 6 to 18 months even though the aim of the AS is to repatriate them as soon as possible. Usually, certain obstacles are faced in the process of their return such as:

(i) The issuance of travel documents from the Diplomatic Missions requires the submission of necessary documents proving the identification of the person. Hence, their lack delays the process or makes it difficult to proceed;

(ii) The deportees who are not willing to cooperate with the Police and other competent authorities for their repatriation refuse to present any documents proving their nationality. This is because they believe that their attempt to put obstacles in the return decision, may result to their release by the relevant Ministry, after the elapse of the 18 months maximum period of detention;

(iii) A number of non-EU Countries do not have Diplomatic Missions in Cyprus and therefore the Police have to addresses in Diplomatic Missions in other countries who may issue their travel documents and some of these people do not co-operate for the issue of such documents. This procedure is time consuming and reflects to the immediate repatriation of such citizens;

(iv) It should be also taken into consideration that certain countries issue travel documents only after the consent of their citizens;

(v) The administrative return decision may be postponed due to legal or various factual reasons including the delay of the issuance of travel documents.

187. If a person has been arrested in violation of *the Aliens & Immigration Law*, Detention and Deportation Orders are issued by the Migration Department of the MOI.

188. Furthermore, it should be mentioned that on 7 June 2017 the Committee of Ministers in its 1288th meeting, adopted a decision in the *M.A. Group v Cyprus* (no. 41872/10) whereby, inter alia “noted with satisfaction that a Bill introducing a remedy with automatic suspensive effect when an individual alleges that his or her expulsion would violate Articles 2 and/or 3 of the Convention has been tabled before Parliament for adoption and strongly encouraged the authorities to take all necessary measures to ensure that the proposed legislative amendments are adopted and come into force without further delay.”

Paragraph 20

189. According to section 7 (4) (c) of the *Refugees Laws*, the detention of a minor who has applied for asylum is prohibited. Unaccompanied minors are taken into the care of the Director of SWS, who acts as a guardian for the minor, safeguarding access to his/her rights (i.e. safe accommodation, health services, education, care, etc.). based on the best interest of the child. Unaccompanied minors are placed in safe accommodation, such as foster care or residential care. Any person that enters the Republic and states that she/he is a minor, is considered to be a minor until proven otherwise.

190. In cases of unaccompanied minors, the SWS cooperate with the AS, within the framework of the Dublin Regulation, for the purpose of family reunification with family members of the minor within the European Union. In some cases, where necessary, the SWS cooperate with the International Organisation for Migration or the International Social Services in order to locate the family of the minor and reunite them with their family, as long as it is for the best interest of the minor.

191. In Menoyia Detention Center no unaccompanied children or families with children are detained. In cases where a parent is detained in the center and the child/children is under the care of the Director of SWS, the parent will have the right to be visited by the child.

192. In May 2014 A Ministerial Committee examined issues relating to cases of unaccompanied minors with small children on the basis of recommendations made to that effect of CPRC. It decided that, in cases of parents of minors, who both are detected to reside illegally in Cyprus, the parent is not put in detention, but is given a letter by the authorities setting a date of voluntary departure. Until that date, the parent is allowed to reside with his/her child, subject to certain terms, such as reporting regularly to a Police station, submitting his/her travel documents and/or a financial guarantee. Specifically, the following instructions were given:

(i) In case of an arrest and detention of an alien father for unlawful entry/stay, the wife-mother who has a minor 8, is not arrested and SWS are notified, together with the Aliens & Immigration Service (AIS). Then, the AIS forwards a report to the Director of the Civil Registry & Migration Department(CRMD), to issue Detention and Deportation Orders, which are directly suspended by the Director of the CRMD, who is responsible to determine conditions regarding their travel documents and the time that they must appear at the District Branches of the AIS;

(ii) In the case of a single mother, who falls under the category of prohibited migrant, with a child, the above procedure is applied too;

(iii) In cases of a planned adult arrest, with children the SWS must be informed timely and in advance in order to attend, cooperate with the Police and handle the issues that may arise:

(iv) In cases where conditions are set by the CRMD, which are not satisfactory or the mother violates the conditions or refuses to cooperate, the Director of the CRMD, is informed, who will convene within 24 hours, a special Multidisciplinary Committee composed of representatives of the SWS, the MOH, the Ombudsman, the Commissioner for the Protection of Children's Rights (CPRC) and the Office of the Attorney-General to give an opinion on the best interest of the child in case of separation from the mother, due to her arrest. When the child is over the age of 8 and the Commission agrees with the detention of the parent, the temporary child care, is undertaken by the SWS. The above procedure is being applied to cases where the father is the only guardian or responsible for the minor;

(v) In case child remains without parental care for any reason, the SWS are informed for undertaking the care of the child. Under no circumstances, Police members take decisions regarding a child's care or accept or approve such decisions (e.g. accommodation of children with relatives or friends).

193. Please also see answer in paragraph 26–30 of the Follow-Up Report.

Paragraph 21

194. Please see Annex I, Table 8.

195. All allegations of torture or ill-treatment filed before the IAIACAP are thoroughly investigated and the complainant is always informed of the outcome of the investigation, including if he or she has been released from a detention facility.

196. Concerning the occupancy of Menoyia Detection Center, the Police following the recommendation of the Committee for the Prevention of Torture of the Council of Europe (CPT) (2013) in cooperation with the responsible departments, has reduced the capacity in the multi-occupancy cells to 4 persons instead of 8. The current capacity of Menoyia Detention Centre is 128 persons in contrast with 256 that were in 2013.

197. From 2013 to 2018, 3838 aliens have been detained. More specifically in:

<i>Year</i>	<i>Number of detainees</i>
2013	891
2014	759
2015	731
2016	585
2017	677
2018	195

Paragraph 22

198. The MJPO in co-operation with the CPRC, is promoting a Bill for the introducing of a criminal justice system specially designed for the needs of children in conflict with the law and the regulation of matters relating to the prevention and treatment of delinquency of children within the framework of the criminal justice system, in accordance with internationally legally binding instruments and guidelines.¹ The bill establishes structures and diversion procedures. The interest of the child is the primary consideration in any decision which directly or indirectly affects the child and the child participates in the taking of any decisions affecting him/her. The criminal proceedings and detention of a child is a last resort measure and can be implemented only if any other measures have been tried and failed, whereas imprisonment is totally prohibited. In cases of criminal proceedings instituted against a child, the case will be tried by a special juvenile court, on the basis of the principle that detention of a child is last resort measure and alternative punishments or measures should be implemented.

199. The bill has been put to public consultation and is at the stage of finalization.

200. Moreover, a “Manual on the treatment on juvenile offenders and victims” was prepared and distributed to all relevant departments of the Police. The Manual aims to raise the awareness of police officers on handling juvenile offenders and victims, and to promote and protect the rights of these persons. The Manual was also uploaded on the portal of the Police.

Paragraph 23 (a)

201. According to section 10 (1) (g) of *the Psychiatric Care Law, 1997 [L.77(I)/1997] as amended*, before the issue of any Court Order for involuntary psychiatric placement, the Court shall hear the patient, unless it is ascertained from the testimony that the patient is unable to testify. In such a case, the Court hears the views of the patient’s personal representative and when the representative cannot be detected, the Court hears the views of the social services officer, who may be accompanied by a lawyer and a psychiatrist of his/her choice. This is a practice, followed accordingly.

¹ • Convention on the Rights of the Child, General Comment No, 10 (2007), Children’s Rights in Juvenile Justice CRC/C/GC/10, 25 April 2007.
 • United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”), General Assembly resolution 40/33 of 29 November 1985.
 • United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), General Assembly resolution 45/112 of 14 December 1990.
 • United Nations Rules for the Protection of Juveniles Deprived of their Liberty (The Havana Guidelines), General Assembly resolution 45/113 of 14 December 1990.
 • Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime adopted by Economic and Social Council resolution 2005/20 of 22 July 2005.
 • Guidelines of the Committee of Ministers of the Council of Europe on Child-friendly Justice and their explanatory memorandum- Adopted by the Committee of Ministers on 17 November 2010 at the 1098th meeting of the Ministers’ Deputies – Guidelines and Explanatory memorandum.
 • DIRECTIVE (EU) 2016/800 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 May 2016, on procedural safeguards for children who are suspects or accused persons in criminal proceedings.

Paragraph 23 (b)

202. The right of patient to obtain legal assistant is provided by *the Psychiatric Care Law*. In practice, the patient is informed on his/her right to obtain legal assistance by the Psychiatrist or the nursing staff during the examination and admission to Athalassa Psychiatric Hospital.

Paragraph 23 (c)

203. There was one complaint challenging the legality of the detention during that period, which ended up to the cancellation of the court order. The number of involuntary cases for 2013 was 38, for 2014 was 506, for 2015 was 622 and for 2016 was 609.

Paragraph 23 (d)

204. MHS implement progressively the decentralization and the upgrading of the services and programs offered within the community, through the development of Mental Health Community Services at all districts and through Units of Psychosocial Rehabilitation.

Paragraph 23 (e)

205. In order to enhance legal capacity and support decision making of persons with disabilities, including persons with psychosocial disabilities, the MLWSI, through the Department for Social Inclusion of Persons with Disabilities is in the process of preparing a new draft law. The new law for supported decision making of persons with disabilities is being drafted in consultation with the organisations of persons with disabilities and when the first draft is completed, the consultation will further involve all relevant ministries and public services (MJPO, MOH, MHS). The new law aims to regulate the types of support a person may need in order to take decisions, and represent his/her legal rights in all aspects of life, and provide for the mechanisms to be put in place for the provision of the support.

Articles 12–13**Reply to the issues raised in paragraph 24–26 of the list of issues
(CAT/C/CYP/QPR/5)****Paragraph 24**

206. Please see Annex I, Table 9.

Paragraph 25 (a)

207. The complaints are investigated either by members of the IAIACAP or by investigators appointed by the IAIACAP. These investigators are selected from a list provided by the OAGR.

208. The independence of the investigation of complaints is guaranteed by the following procedure:

- (i) Once the investigation is concluded, the investigator submits the case file, along with his findings, to the IAIACAP;
- (ii) The investigator's findings are not binding on the IAIACAP. The IAIACAP looks into the evidence acquired by the investigator and draws its own conclusions;
- (iii) The IAIACAP's conclusions, along with the case file, are forwarded to the Attorney-General of the Republic (AGR), who has the final word for exercising or not a criminal prosecution. In the case of disciplinary offences, the case is forwarded to the Chief of Police, who is obliged to exercise disciplinary prosecution based on the evidence obtained by the IAIACAP;
- (iv) Each investigator is subject to the instructions of the IAIACAP and of the AGR and may apply directly to him for guidance;

(v) The AGR invited the President of the Cyprus Bar Association to notify its members that he intends to register members of the Cyprus Bar Association to the list of criminal investigators. Members of the list will be appointed as independent criminal investigators to investigate allegations of ill treatment by members of the police. For this reason, the AGR invited members of the Bar Association who are interested in becoming criminal investigators to submit to the OAGR their CV. This initiative is expected to enrich the list of the criminal investigators with practicing lawyers (as opposed to former police officers).

209. The AGR is always informed of the opening of investigations, according to the provisions section 9 of *Law 9(I)/2006*.

Paragraph 25 (b)

210. Professional Standards, Audit & Inspection Directorate, is not an independent disciplinary body. The Director and the members of the Directorate are operationally accountable to the Chief of Police and administratively accountable to the Assistant Chief of Police (Administration). The AGR is not informed of the opening and closing of the disciplinary investigations of the Directorate. He is only informed about serious cases, where his opinion is needed.

211. Additionally, the AGR is always informed about complaints investigated by the IAICAP as well as in cases when he approves the extension of the suspension of police members.

Paragraph 25 (c)

212. The circulars and the Police Provisions issued by the Chief of the Police are binding on all members of the Police. In case, a Police Officer does not comply this amount to disciplinary offence. These clearly include the instructions of the AGR on the procedure to be followed in investigating cases of ill-treatment or degrading treatment in case of use of unjustified or disproportionate violence. The circulars have a significant impact and aim to give guidance to all members of the police, to make them aware, to prevent violence and for ineffective and prompt investigation of any relevant cases, aware-raising and guidelines of the members, as well as the suppression of any acts of torture or ill-treatment.

Paragraph 25 (d)

213. The subject of suspension or reassignment (during the process of investigation) of Police members who are suspects of committing a criminal and disciplinary offence in cases of torture and ill treatment is regulated by the Police Disciplinary Regulations (n. 53/1989). According to the abovementioned regulations the decision whether or not to order the suspension of Police members who are suspects in cases of torture and ill treatment is made by the Police Commander, with the approval of the Chief of Police, or after an order given by the Chief of Police. Consequently, the decision whether or not to order the suspension of a member of the Police in cases mentioned above depends on the specific facts and circumstances of each case. The decision whether or not to order the reassignment (transfer) of Police members in cases mentioned above is made by the Police Commander or the Chief of Police according to the provisions of the Police Order no 1/13.

Paragraph 26 (a)

Detention Centers

214. In 2013 a three-member Complaint Committee was appointed according to section 28(1) of "*The Premises of Detention of Illegal Immigrants Regulations, 2011, [P.I. 161/011]*". The Complaints Committee is competent, either ex officio or at the request of the detainee:

(a) To review a decision made by the person responsible for the detention center, which is made under the authority received under Regulation 11 or Regulation 13; and

(b) To hear and investigate the complaints of the detainees for any matter relating to the detention or their treatment.

215. In each Wing of the Detention Center, the Complaints Committee maintains a complaint box to which every detainee has free access.

216. The person responsible for the Detention Center is obliged to immediately forward any oral complaint of a detainee against a decision of that person for his placement in isolation to the Complaints Committee, by phone or fax.

217. The right to file a complaint is also included in the Document “Rights of Detainees, Rules of the Detention Area and Obligations of Detainees”.

218. Additionally, the detainees of Menoyia Detention Center have the right to use their mobile phones, personal computers, tablets etc., throughout their detention. They also have the right to communicate with persons of their choice, either by post, mail or fax. They can also communicate with the Ombudsman’s Office, NGOs’, their lawyers, the European Court of Human Rights and other Organizations. The detainees are able to submit their complaints to any Organization of their choice or report it to the Administration of the Detention Center.

219. In this Framework, the Chief of Police has issued circulars (dated 02/07/2014, 17/09/2014 and 10/03/2015) informing all Police members that the AGR, after having examined various criminal interrogations and administrative investigations concerning allegations of abuse and/or exercise of violence by Police members, as reported by citizens, gave instructions that when such allegations are reported, he must be informed promptly (within a maximum of 24 hours), so as to enable him to exercise his powers, which includes the power to assign independent criminal investigators to examine the allegations. Furthermore, the IAIACAP which has competence to act ex-proprio motu, must also be informed, within 24 hours.

220. Moreover, the AGR gave the following instructions as far as the procedures to be followed by the Police are concerned:

- The previous practice of the Police to perform administrative or criminal investigation of such cases is terminated;
- Whenever a person files a complaint of having been abused or subjected to violence by Police members, he/she must be examined by a forensic pathologist, who submits a relevant report on the condition of the said person. This report is forwarded to the AGR;
- If such complaint is filed by a foreign national, the Head of the Aliens & Immigration Service is also informed, so that no deportation proceedings can be executed.

221. The aim of the above instructions was the independent investigation of such cases, the fast completion, which is essential for the effective investigation and the criminal investigation that could lead to the prosecution and punishment of the offenders.

222. As regards criminal detainees they are informed concerning the procedure and the ability of submitting a complaint for alleged torture or ill-treatment by state officials, directly through the officer in charge or/and through the person(s) who the detainee comes into contact.

223. Every detainee is given a document entitled “Rights of Detained Persons” which, among others, includes the right of the detainee(s) to communicate with a lawyer, persons of his/her choice, as well as representatives of his/her Embassy.

224. Additionally, every detained person is entitled to have confidential interviews with his/her lawyer for filing a complaint of alleged torture or ill-treatment by State Officials on any day and at any time, in the Detention Center where he/she is held. If the detainee is a foreigner, he/she has the opportunity if he/she wishes, to contact the Consular Authority or Embassy by phone for filing a complaint for alleged torture or ill-treatment. If there is no such Diplomatic or Consular Mission in the Republic, the contact can be made with the CAHR. Every detainee has also the right to contact with relatives, friends, employer etc., in

order to inform them for any complaint including any complaint for alleged torture or ill-treatment. According to the law, every detained person is entitled to send and receive letters to and from the European Court of Human Rights, the AGR, the Ombudsman, and any International or National Human Rights Commission, Organization or body that is authorized to investigate claims concerning violation of human rights, including torture or ill-treatment.

Prisons

225. The Prison management has imposed policies and procedures to prevent ill-treatment, abuse of power and reprisals, which reflect the Department's zero tolerance to such actions, and the attempt to diminish such incidents. Although no significant number of allegations regarding incidents of violation of human rights or inmates abuse appear, explicit orders/instructions and clear messages to the prison staff (all ranks) so as to understand the philosophy behind the reforms that promote respect to human dignity and safeguard the human rights of all inmates, encouraging reporting of every incident that comes into their attention, were given. In the framework of the implementation of the above, staff members attend pertinent courses and training in Cyprus and abroad and special orders have been issued on how to deal with such incidents. For allegations which concern ill-treatment (i.e. verbal and physical abuse), abuse of power and threats with reprisals on behalf of the staff, certain procedures have been adopted, in order to safeguard the individual's human rights, for instance the alleged ill-treated person or threatened inmate with reprisals can communicate the incident to the Department's management via the locked complaint's boxes available in each Block for the Director, without involving any member of staff in the process, if they fear that further abuse will take place following the submission of a complaint. Moreover, there are two similar boxes, that of the Ombudsman and that of the Council of Prisons, which only the officers of the Ombudsman's office and members of the Council of Prisons have access respectively. Also, the prisoners have access to phone calls from 08:00 to 18:00, and they use Skype where these are other channels to communicate any allegation. Some of the steps of this procedure for complaints concerning ill-treatment, were included in the "Combating ill treatment in Prison, A handbook for prison staff with focus on the prevention of ill-treatment in prison".²

Paragraph 26 (b)

226. The Police takes measures to guarantee the confidentiality of complaints and the protection of complainants, including reporting officers against intimidation and reprisals as a consequence of their complaints in cases of alleged torture or ill-treatment by State officials. In case of any complaint, the Police Officer in charge has to forward the complaint immediately (within 24 hours) directly to the AGR and to the IAIACAP. Furthermore, the detainee with his consent is examined by a forensic doctor and relevant photos are taken. All necessary measures are taken for confidentiality of the complaint. The procedure is described in paragraph 26 (a).

Paragraph 26 (c)

227. The IAIACAP always informs complainants in writing respecting the outcome of its investigations.

² Council of Europe (2016). *Combating ill treatment in Prison, A handbook for prison staff with focus on the prevention of ill-treatment in prison*. Directorate General Human Rights and the Rule of Law, p. 83.

Article 14

Reply to the issues raised in paragraph 27 and 28 of the list of issues (CAT/C/CYP/QPR/5)

Paragraph 27 (a)

228. Personnel has participated and trained for handling victims of torture and ill-treatment. MHS are accessible to all victims of torture and ill-treatment.

Paragraph 27 (b)

229. N/A.

Paragraph 27 (c)

230. MHS do not have specifically designed rehabilitation programs provided to victims, but they provide psychiatric and psychological treatment and care when needed, same way provided to all citizens. Also, MHS provide supervision to the shelter staff where victims are hosted.

Paragraph 27 (d)

231. N/A.

Paragraph 27 (e)

232. The *Law 9(I)/2006* does not include any provisions on the matters of reparation or compensation to victims of torture or ill-treatment.

Paragraph 28 (a) and (b)

233. For the purpose of complying with Cyprus's international obligations arising out of Articles 2 and 3 of the *European Convention on Human Rights*, as these rights have been interpreted by the European Court of Human Rights within the specific context of the Turkish Cypriot missing persons in Cyprus (see *Emin and others v Cyprus and other applications decision*, no. 59623/08, decision of 3 April 2012, paragraph 30),³ the AGR directs the Chief of Police to carry out investigations to ascertain the circumstances of death of Turkish Cypriot missing persons once their remains have been found and/or identified. These investigations are carried out by a special unit within the Police, entitled "Missing Persons Investigating Team", comprised of experienced investigators. At the investigation stage, the Police takes statements from missing persons' relatives and in the absence of any complaint from relatives, it publishes an announcement at the daily Turkish Cypriot press by which it calls the relatives of the missing person to get in touch with the Police in order to arrange for their statement to be taken.

234. Moreover, inquiries are made with a number of authorities/organizations which might possibly have any files or records in their keeping, giving leads for investigative steps, including Cyprus Central Intelligence Service (Missing Persons Department), Cyprus Red Cross, the Greek Cypriot member of the CMP, UNFICYP, the Missing Persons Service, the National Guard Authorities and the Police Operations Office. The Police also extend search to the Public Records Office. They take statements from witnesses in the villages where the bodies of the missing persons had been found, and where events were reported to have occurred. The *Police* pursue all available leads and directions for collecting further evidence in respect of each case. The investigation is supervised by the AGR, who may refer the case back to the Police with instructions to take further investigative steps. The decision as to whether prosecutions will be ordered rests with the

³ Paragraph 30 states: "[...] the Court considers that the discovery of the remains of the applicants' relatives bearing signs of violence and buried in circumstances highly suggestive of extra-judicial execution or murder triggered an obligation on the authorities to take investigative steps to identify the remains, the likely cause and circumstances of death and the identity of the perpetrators of any unlawful violence."

AGR who studies the investigation files with all evidential material collected and reaches a conclusion as to whether there is sufficient evidence to bring prosecutions before a court of law.

235. The European Court of Human Rights had the opportunity to review/examine four such investigations *and* reached the following conclusions:⁴

236. First, with regards to the investigation's impartiality and independence, the European Court of Human Rights noted: "There is no indication of any links existing between the Police Authorities or AGR and any political figures or organizations purportedly tainted by involvement in events in 1963–1964. The applicants' allegations largely amount to a general assertion that no Cypriot authority could claim to be independent of past events or those involved in them. The Court sees no basis on the materials or arguments before it for finding any such theoretical impossibility for the Republic of Cyprus to carry out an effective investigation."⁵

237. Second, with regards to the effectiveness of the investigation, the European Court of Human Rights noted: "[...] the police have followed numerous leads in the three cases, making enquiries with official bodies and organizations, updated statements from the relatives of the deceased, looking for witnesses in the villages where the bodies were found or where events were reported to have occurred and tracking down to the extent possible the names of potential suspects which have been mentioned by witnesses. [...] those named as being incriminated in events who have been found and questioned by the police, all have denied any knowledge of, or participation in, any unlawful acts."⁶

238. Third, with regards transparency of the investigation, and in particular paragraph 28(b) of the Committee's list of issues on the right to know the truth, the European Court of Human Rights noted: "the AGR issued reports on the investigations."⁷ The Court observed that "[these] reports were detailed, gave relevant and plausible reasons for the decision not to prosecute and made it clear that if any further evidence was uncovered during other investigations that this decision would be reviewed."⁸

239. Fourth, with regards to paragraph 28(b) of the Committee's list of issues that relatives of missing persons be able to challenge the acts and omissions of the investigating authorities in court, the European Court of Human Rights noted that "[it] does not consider that the procedural obligation in Article 2 necessarily requires that there should be judicial review of investigative decisions as such. [...] it is not for the Court to micro-manage the functioning of, and procedures applied in criminal investigative and justice systems in Contracting States which may well vary in their approach and policies. No one model can be imposed."⁹ A similar approach is followed by the EU Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime. Article 11 (4) of the Directive states that where the decision not to prosecute is taken by the highest prosecuting authority (as is the case with the AGR) against whose decision no review may be carried out under national law, the review may be carried out by the same authority.

240. The Government *submits* that all pending and/or completed investigations of this kind are investigated (or have been investigated) in the same rigor in terms of effectiveness, transparency, independence and impartiality as the above four investigations.

241. Concerning the insurance, that the perpetrators are prosecuted and punished where appropriate, it is clarified that the criminal investigations referred to above are capable of leading to prosecution and punishment, provided there is sufficient evidence, to justify bringing a case before a court of law. Prosecutions will take place only where appropriate,

⁴ Three criminal investigations had been reviewed/examined in the *Gurtekin and others v Cyprus decision*, nos. 60441/13, decision of 11 March 2014, while one criminal investigation had been reviewed/examined by the *Semra Emin Mustafa and others v Cyprus decision*, no. 1476/14, decision of 23 September 2014.

⁵ *Gurtekin and others v Cyprus*, paragraph 31.

⁶ *Ibid.*, paragraph 25.

⁷ *Ibid.*, paragraph 24.

⁸ *Ibid.*, paragraph 29.

⁹ *Ibid.*, paragraph 28.

as the Committee also recommends. In the above four investigations which have been reviewed/examined by the European Court of Human Rights in the applications of *Gurtekin and others v Cyprus* and *Semra Emin v Cyprus*, the relatives of Turkish Cypriot missing persons complained that the said investigations have ended without prosecutions. On this issue the European Court of Human Rights rightly stated, in the *Gurtekin decision* that: “a prosecution, particularly on such a serious charge as involvement in mass unlawful killings, should never be embarked upon lightly as the impact on a defendant who comes under the weight of the criminal justice system is considerable, being held up to public obloquy, with all the attendant repercussions on reputation, private, family and professional life.”¹⁰

242. Regarding the Committee on Missing Persons in Cyprus (CMP), it is reminded that it is a bi-communal body established in 1981 by the leaders of the Greek Cypriot and Turkish Cypriot Communities with the *participation* of the United Nations. Following the establishment of an agreed list of missing persons, the CMP’s objective is to recover, identify, and return to their families, the remains of 2003 persons (492 Turkish Cypriots and 1511 Greek Cypriots) who went missing during the inter-communal fighting of 1963 to 1964 and during the Turkish military invasion in Cyprus in 1974. The vast majority of those persons went missing during the *Turkish* invasion of Cyprus in 1974, in the areas that are, to this day, under Turkish military occupation and effective control. As of February 2018, according to the CMP data, 282 Turkish Cypriots and 853 Greek Cypriots are still missing. (Please also see *Annex I – Table 10*).

243. It is reminded that Turkey’s responsibility towards this humanitarian issue was reaffirmed by the European Court of Human Rights in the Fourth Interstate Application of Cyprus against Turkey (Application No. 25781/94). The Court ruled, on 10 May 2001, that Turkey’s authorities had never investigated claims by relatives that missing persons had disappeared after being detained, in circumstances where there was real cause to fear for their welfare. More than 40 years after their disappearance and almost 16 years after the Court’s Judgment in the 4th Interstate Application of Cyprus v. Turkey, the latter has failed to fully implement the Court’s decision. The said Judgment is reinforced by the Judgment of the ECHR of May 14th, 2014, where by the Court held that Turkey was to pay Cyprus €30 million in respect of the non-pecuniary damage suffered by the relatives of the missing persons, and €60million in respect of the non-pecuniary damage suffered by the enclaved Greek-Cypriots residents of the Karpas peninsula.

244. We trust that the Committee will issue a specific question/query/recommendation to Turkey, during Turkey’s evaluation under the International Covenant on Civil and Political Rights, about Turkey’s efforts and specific actions to establish the fate and conditions of disappearance of all the *Greek* Cypriot missing persons, resulted from the Turkish military invasion in Cyprus in 1974.

245. On the issue of adequate compensation, it is always open for relatives of missing persons, Greek and Turkish Cypriots alike, to pursue their complaints for human rights violations and/or tort before a court of law exercising civil jurisdiction on the basis of *Yiallourou v Nicolaou* judgment. In this regard the Government refers to the case of *Palma v AGR* (civil appeal no. 44/13) and *Pashias v AGR* (civil appeal 381/2010). In the former case the Appeal Court upheld the first instance *court’s* finding of a violation of Article 2 of the European Convention on Human Rights (right to life – procedural limb) and awarded damages to the claimants. In the latter case the Appeal Court set aside the judgment of the first instance court and found no violation of Article 2 of the European Convention on Human Rights.

246. Concerning subparagraph (a) of the Committee’s evaluation please note: The Government continues to do its utmost to facilitate the solution of the humanitarian issue of the missing persons in Cyprus. The Republic of Cyprus, being the biggest donor to the CMP since its practical establishment in 2006 (total contribution: €2,800,700), only behind the European Union’s collective contribution (where the Republic of Cyprus is also a contributor), spares no effort in supporting and assisting the CMP in its work and the

¹⁰ *Ibid.*, paragraph 27.

fulfillment of its mandate. All Cypriots and the international community, expect Turkey to do the same.

247. Please note, that the use *by* the Committee, of the non-applicable terms (“ethnicity” and “the events of July 1974”), in paragraph 28 of the List of Issues, does not correspond to the historic and constitutional reality and should be avoided.

248. Turkey’s military invasion in 1974 and the continuing military occupation of 36.2% of the territory of the Republic of Cyprus has resulted in the violation of the human rights of thousands of people, *both* Greek Cypriots (G/C) and Turkish Cypriots (T/C), and created the humanitarian issue of the missing persons in Cyprus.

Article 16

Reply to the issues raised in paragraph 29 of the list of issues (CAT/C/CYP/QPR/5)

Paragraph 29 (a)

249. Manual of Intercultural Sensitivity was issued by the Police and is available as an additional police training tool. *The* Manual offers to police officers and particularly those working either at police stations or at Criminal Investigations Departments, information on cultural/religious issues that tend to facilitate investigation, and general policing procedures.

250. Informational brochures targeting primarily third country vulnerable groups residing in Cyprus were published in four *languages* (English, Bangladesh, Vietnamese and Sri Lankan) with all the necessary information about the existing legislation and legal protection from any discriminatory treatment.

251. The CPA provides education and training related to human rights, racial and other forms of discrimination, combating xenophobia and racism at all levels of Police training. These lectures shall include in the Basic Training Programme for Recruit Police Officers (268 police officers were recruited in 2017), the advanced courses such as Sergeants’ Course, Inspectors’ Course, as well as at specialized courses.

252. Specifically, the *following* lectures/workshops are offered on Human Rights and Preventing and Combating Discrimination:

- Combating Xenophobia and Racism;
- Communication in a Multicultural Society;
- Policing in a Multicultural Society;
- Human Rights;
- Prohibition of Torture and other Forms of Inhuman or Degrading Treatment or Punishment;
- Racial Discrimination and other Forms of Discrimination;
- Human Rights and Police Ethics;
- International Conventions on Human Rights.

Paragraph 29 (b)

253. As regards the measures taken to prevent attacks and reprisals against human rights defenders please be informed that the Police signed on 09/02/2017, a Memorandum of Understanding for the Protection and Promotion of Human Rights with Non-Governmental Organizations (NGOs). The purpose of the Memorandum is to further improve and develop closer cooperation between the Contracting Parties for the protection and promotion of human rights. Among the issues addressed to, the Memorandum includes “Visits in police detention centers or at Menoyia Detention Center”, “Provision of assistance in police detention centers or at Menoyia Detention Center”, “Submission of complaints/exchange of information”, “Education”, etc.

254. Additionally, according to the Memorandum the Contracting Parties respect human rights and the principles of personal data of all involved and act demonstrating mutual respect for the purpose of effective co-operation. The Contracting Parties ensure, within the framework of their responsibilities, for the security of human rights defenders in order to exercise the right to freedom of expression, the right to peaceful assembly and the right to association.

III. General Information on other measures and developments relating to the implementation of the Convention in the State party

Reply to the issues raised in paragraph 30 of the list of issues (CAT/C/CYP/QPR/5)

255. Within the framework of implementing the Action Plan against Trafficking 2016–2018, the SWS will sign a Memorandum of understanding with NGO Cyprus Stop Trafficking. The main purpose of the Memorandum is to enhance coordination and cooperation between the SWS and the voluntary sector, in the provision of services and support victims of trafficking including their access to information, housing, employment and social integration.

256. In accordance with “The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Ratification) Law, 2017, [L.14 (III)/2017]”, the MLWSI, in the framework of the Grants-in-Aid Scheme, will call for proposals from NGOs for the development of two shelters for victims of violence and a Multidisciplinary Information and Support Services Center for Women Victims of Violence.

Other measures and developments

A. Discrimination and Domestic Violence

257. Child sexual abuse including underage girl sexual abuse, has been and will continue to be given special training emphasis by the Police, in relation to the establishment and operation since 1/1/2017 of a Central Unit at Police Headquarters that investigates all child sexual abuse allegations at a national level.

258. Courses on interviewing children/vulnerable witnesses on the basis of evidence based protocols are being offered to Police interviewers periodically and such courses have been attended by interviewers abroad, including at the National Children’s Advocacy Center (NCAC), Huntsville-Alabama, USA (21-25/08/2017).

259. In 2017, the following seminars were organized concerning child sexual abuse:

- Refresher Course on Interviewing Children and Vulnerable Witnesses;
- Trainings for all members of the Community/Neighborhood Policing on Child Sexual Abuse;
- Training Program on Investigating Cases of Sexual Abuse (including child abuse).

260. Additional training on the subject is scheduled on the Police Training Agenda for 2018. The same holds for training on (a) investigating skills (interviewing suspects, evidence gathering, etc.) on child sexual abuse cases and (b) on non-suggestive interviewing techniques for child victims of sexual violence.

Anti-Racist Police Policy

261. Regarding anti-discrimination issues, in the last 3 years the Police have been making efforts to enhance and reinforce fight and combat of all forms of discrimination, as well as to promote awareness about diversity and multiculturalism. For such purposes, training programs and seminars were developed, which include courses titled “Policy for the combating of racist violence, xenophobia and discrimination”, “Racial and other Discrimination – Legislation and Investigation”, “Multicultural awareness & Various Religions”, for Police Officers and Sergeants, particularly those working in the

investigation and similar policing procedures (such as Police Stations, Criminal Investigations Dept., etc.).

B. Prevention of torture and promotion of human rights

262. “The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ratification) (Amendment) Law, 2017 [L.12(III)/2017]” was enacted, in order to impose more severe penalties in cases of ill-treatment.

263. Revision and distribution of the Police Code of Ethics in 2017 for awareness and sensitization, strengthening good administration and transparency, promotion of human rights of citizens, strengthening public confidence in the Police and further development of professionalism in the Police.

264. Funding for Menoyia Detention Center. The Police has obtained a funding of 180,000 Euros from the Asylum, Migration & Integration Fund for the Menoyia Detention Center to be used to improve the detention conditions at Menoyia Detention Center, i.e. painting of the four wings in a friendly colour, installation of computers and exercise equipment and purchase of other means of entertainment (balls, board games, etc.).
