



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

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Committee against Torture

**Sixth periodic report submitted by Cyprus under
article 19 of the Convention pursuant to the
simplified reporting procedure, due in 2023* ****

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* The present document is being issued without formal editing.

** The annexes to the present report may be accessed from the web page of the Committee.



List of Abbreviations and references

AC	Administrative Court
AIS	Aliens and Immigration Service
APHVF	Association for the Prevention and Handling Violence in the Family
ATU	Anti-Trafficking Unit
AS	Asylum Service
CAPHR	Commissioner for Administration and Protection of Human Rights
CAT	Committee against Torture
CPT	Committee for the Prevention of Torture
DMSW	Deputy Ministry of Social Welfare
CID	Criminal Investigation Office
COP	Chief of Police
CoE	Council of Europe
CP	Cyprus Police
CPA	Cyprus Police Academy
CPL	Criminal Procedure Law
CPT	Committee for the Prevention of Torture
CRMD	Civil Registry and Migration Department
GC	Greek Cypriots
HAS	Head of Asylum Service
HRCDO	Human Rights and Combating Discrimination Office
IAIACAP	Independent Authority for the Investigation of Allegations and Complaints against the Police
IPAC	International Protection Administrative Court
MCG	Multidisciplinary Coordinating Group
MPC	Missing Persons Committee
MDC	Menoyia Detention Centre
MPHS	Medical, Public, Health Services
MHS	Mental Health Services
MJPO	Ministry of Justice and Public Order
MLSI	Ministry of Labour and Social Insurance
MOH	Ministry of Health
MOI	Ministry of Interior
NAP	National Action Plan
NCBVW	National Coordinating Body Prevent Combat Violence against Women
NCP	Nicosia Central Prisons
NGO	Non-Governmental Organization
NRM	National Referral Mechanism
OAGR	Office of the Attorney General of the Republic

PA	Prisons Academy
PRC	Pournara Reception Centre
PSO	Police Standing Order
SHSO	State Health Services Organisation
SOP	Standard Operating Procedure
SWS	Social Welfare Services
TC	Turkish Cypriots
THB	Trafficking in Human Beings
WH	Woman's House

Present Report: The sixth periodic report of Cyprus on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Previous Report: The fifth periodic report of Cyprus - CAT /C/CYP/5, 23 May 2018

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/5, 23 December 2019

Follow-up Report: Information provided by Cyprus in follow-up to the Concluding Observations CAT/C/CYP/FCO/5 - 4 December 2020

I. Introduction

1. The sixth 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 sixth periodic report of Cyprus (hereinafter the “list of issues”), adopted by CAT at its seventy-fifth session (31 October–25 November 2022) (CAT/C/CYP/QPR/6). 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/5) adopted by the Committee of CAT in its consideration of the fifth 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 December 2020 (CAT/C/CYP/FCO/5). The Present Report covers the developments to combat torture and other cruel, inhuman or degrading treatment or punishment during the period June 2018 to November 2023.

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 (CAPHR) (Ombudsman), the Police (CP) and the Independent Authority of Allegations and Complaints against the Police (IAIACAP). 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 (2023-2026), and the National Action Plan on the Prevention and Combating of Violence in the Family (2023-2028). 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 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Optional Protocol) (Ratification) Law, 2021*”, [L.3(III)/2021]”, “*The Rights of Persons who are Arrested and Detained (Amendment) Law, 2019*”, [L.71(I)/2019]” and “*The Prevention and Combating of Violence against Women and Domestic Violence and Related Issues Law, 2021*” [(L.115(I)/2021)].

3. 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 programmes 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.

4. The present Report follows the structure of the list of issues addressing each article in the form these are presented in the above list.

II. Progress on the Implementation of the Convention

Issues identified for follow-up in the concluding observations on the fifth periodic report of the State party

Reply to paragraph 1 of the list of issues prior to reporting (CAT/C/CYP/QPR/6)

5. CP has undertaken serious efforts to combat ill-treatment and use of force by CP officers. Towards this, the following administrative and preventive measures have been adopted:

6. In order to further upgrade the training and education of CP officers and develop a culture in line with the respect of human rights, a large number of programmes offered at the Cyprus Police Academy (CPA) cover thematic on Human Rights such as discrimination / racism, detainees' and suspects' rights and prohibition of torture. During the review period, approximately 50 training programmes were completed, attended by 1500 CP officers.

7. The Human Rights Office and Combating Discrimination Office (HRCDO) was established in 2021 with the merge of the two already existing offices and falls under the jurisdiction of the European Union and International Police Cooperation Directorate. The HRCDO mainly deals with the monitoring and implementation of the obligations arising from the reports / decisions of various relevant organizations on the field of the protection of human rights such as the CAPHR, the Committee for the Prevention of Torture (CPT), etc. In this aspect emphasis is given to the detention and living conditions of detainees in CP stations and detention facilities for migrants in an irregular situation. The HRCDO also prepares and distributes relevant handbooks / brochures, and organizes seminars to raise the awareness of CP officers on the respect of human rights.

8. Circular letters circulated on a regular basis to CP officers emphasize that zero tolerance must be shown in incidents of ill-treatment, use of excessive force, torture, inhuman and degrading treatment or punishment. The use of force is strictly prohibited and violation of the aforementioned principles constitutes a criminal/disciplinary offense.

9. Instructions, were given to all CP officers about the following issues, amongst others:

- Absolute prohibition of torture, isolation and other forms of punishment and full respect of fundamental human rights of detainees;
- Implementation of the visiting schedule, according to the relevant Police Standing Orders (PSO) and placement of signs in all CP stations with the visiting hours;
- Systematic inspection of detainees' files in order to ensure the proper completion of the file;
- Safeguarding of the right of the arrested persons for contacting a person of their choice in the presence of the CP;
- Proper completion of the medical form by the doctor, after the completion of medical examinations;
- Provision of specific personal hygiene items (soap, shampoo, toilet paper, toothpaste, toothbrush and personal hygiene items for women);
- Procedure for submitting complaints by detainees (e.g. for ill-treatment).

10. CP Code of Ethics revised in 2020, was enriched with provisions concerning the behaviour of the CP officers during the performance of their duties in order to raise awareness, and strengthen public confidence towards CP.

11. The Handbook on Human Rights was published in 2023, in order to inform and sensitize CP officers on the protection of human rights. The Handbook includes issues relating to the use of force, treatment of detainees, detention conditions, and combat of discrimination. Moreover, the "Manual on the Treatment of Juvenile Victims" was prepared in 2022 in order to raise awareness among CP officers on handling juvenile victims and

promote and protect the victims' rights. The Manual distributed to the CP officers and uploaded on the CP portal, can be accessed by all officers.

12. Conferences on Human Rights - A one-day conference has been held in the years 2018, 2019 and 2022 on the occasion of the International Human Rights Day (10th of December). The aim of the conference is to raise awareness among CP officers on the respect and protection of human rights and the strengthening of human rights protection during the exercise of their duties.

13. Article 146 of the Constitution grants the right of legal recourse regarding "a decision, an act or omission of any organ, authority or person, exercising any executive or administrative authority which is contrary to any of the provisions of this Constitution or of any law or is made in excess or in abuse of powers vested in such organ or authority or person." Moreover, paragraph (2) of section 11 of the "*Establishment and Operation of the International Protection Administrative Court Law, 2018*" [L. 73(I)/2018], prescribes that the International Protection Administrative Court (IPAC) has exclusive jurisdiction to adjudicate on first instance on any recourse made to it under Article 146 of the Constitution against a decision or an act or omission relating to the provisions of the *Refugees Law*. Thus, regardless of when a person has lost the protection of the suspensive effect or not, he/she maintains the right to file a recourse against a decision, an act or omission relating to the provisions of the *Refugees Law* before the IPAC. With the lodging of the recourse, the applicant has the right to file an application for legal aid. Legal aid in such cases is granted as per *section 6B of the Legal Aid Law, 2002* [L. 165(I)/2002]. This prescribes (amongst others) that an applicant may receive legal aid only for the first-instance adjudication of the recourse provided that the Court is satisfied that there is a real chance of success of the recourse.

14. A manual on the Standard Operations Procedures (SOP) has been approved, and is now being followed on the early identification and assessment of vulnerabilities of asylum seekers. Procedures for the identification of victims of torture are included in the above SOPs and a specific procedure is followed for the referral of those persons to the competent authorities. Specifically, if signs of torture are recorded during the vulnerability assessment which takes place during the reception procedures, or during the personal interview with the applicants, the competent officers will refer these persons to the Medical and Public Health Services (MPHS). MPHS will examine whether the person is a victim of torture or ill treatment, in accordance with the Istanbul Protocol and notify Asylum Service (AS) with a final conclusive report. Where interpretation services are deemed necessary, the Medical Board Coordinator informs accordingly the AS.

15. During the vulnerability assessment in 2021, 7 applicants were identified as potential victims of torture, while in 2022, 13 applicants were identified as potential victims of torture.

16. Further, during the procedure for determining refugee status, the caseworker may identify new vulnerability needs of the applicant, such as psychological or psychiatric needs. In this case, the caseworker is responsible to proceed with the appropriate referrals.

Article 1 and 4

Reply to paragraph 2 of the list of issues

17. According to Article 8 of the Constitution of Cyprus, no person shall be subjected to torture or to inhuman or degrading punishment or treatment.

18. "*The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Ratification) Law, 1990*", [L.235/90], provides for torture and ill-treatment as separated and specific offences and ensures that all acts of torture, as defined in Article 1 of the Convention, are punishable by appropriate penalties, that take into account their grave nature. "*The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Amendment) Law, 2017*", [L.12(III)/2017], provides for more severe penalties for offences of torture and ill-treatment (4 years if the abuse constitutes cruel, inhuman or degrading treatment, 5 years if the abuse constitutes torture, 7 years if actual bodily harm is caused by the abuse and 14 years if severe bodily harm is caused by the abuse).

19. Article 2 of the Convention, which was ratified by *Law 235/90*, provides that no exceptional circumstances whatsoever may be invoked as a justification of torture. According to “*The Limitation of Acts Law, 2012*”, [L.66 (I)/2012], acts of torture are not subject to any statute of limitations.

20. *Law 235/1990* is effectively applied by the Courts. Judges are trained on various subjects that include the imposition of punishment on accused persons. The above law is part of the mandatory training for newly recruited CP officers and other specialized training programmes conducted by CPA.

Article 2

Reply to paragraph 3 of the list of issues

21. Certain basic guarantees apply to all persons deprived of their liberty, including those held in police custody, in order to reduce the risk of torture and other ill-treatment, such as:

- Detainees are informed about their rights both verbally upon their arrest and in writing, upon arrival at the place of detention;
- An interpreter is called to facilitate the process, where is deemed necessary.

22. The manual “Rights of Detained Persons”, which was revised in 2021, in accordance with “*The Rights of Suspects, Persons Arrested and Persons in Detention Law, 2005*”, [L.163(I)/2005], is provided to detainees without undue delay in a comprehensible language and is signed by the detainee.

23. The manual includes, among others, the following rights:

- The reasons of his/her arrest or detention and the offence that he/she is accused of having committed;
- The right of access to a lawyer;
- The right of free legal aid/assistance and the conditions required for such assistance;
- The right of interpretation and translation;
- The right to remain silent and the right against self-incrimination;
- The rights of communicating with a lawyer and / or any other persons in order to inform them about the arrest and/or detention;
- The place of detention;
- The right of access to the material of the case;
- The right to inform the consular authorities or any other person;
- The right of access to urgent medical care;
- The maximum time of detention, and
- The right to challenge the lawfulness of the arrest and detention.

24. According to article 11.5 of the Constitution, the person arrested shall, as soon as is practicable after his arrest, and in any event not later than 24 hours after the arrest, be brought before a judge, if not earlier released.

25. Prompt access to lawyer and legal aid: immediately after the arrest of any person and without undue delay and interception, the detainee is entitled to personally contact a lawyer of his/her choice by telephone, and in full confidentiality without the presence of CP officers.

26. Access to a lawyer includes the right to:

- (a) Have a private meeting and contact with the lawyer who is representing the detained persons at any time whatsoever;
- (b) Request the presence and the participation of the lawyer during the interrogation, in order to provide them with clarifications with regard to the procedure which is being followed and to advise them on the procedural rights related to the interrogation;

(c) Request the presence of their 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.

27. In 2019, *Law 163(I)/2005* was amended in order to include provision for access to legal aid during the interrogation stage for those who do not have the means to appoint a lawyer of their own choice during the interrogation stage.

28. With regards to minors, "*Children in Conflict with the Law, Law of 2021*", [L.55(I)/2021], covers the obligation for the right to a lawyer and legal aid. Particularly, sections 7 and 27 of the above Law, obligates the CP to provide the right of lawyer's assistance during the interrogation/questioning as follows:

(i) The police questioning and statement taking of children must always take place in the presence of the child's lawyer and in the presence of the holder of parental responsibility;

(ii) The child has the right to communicate and receive legal advice by a lawyer, confidentially, prior and during Police questioning;

(iii) The lawyer's assistance extends to the identity parades, reconstructions of the crime scene, the appeal of the child before the court and during the Court procedures.

29. Prisoners have access to a lawyer of their choice, upon their admission to Nicosia Central Prisons (NCP) and have the right to contact the lawyer at any time. In case they are not financially able to appoint a lawyer, they may apply for legal aid from the State.

30. A procedure of initial screening including medical screening upon admission is applied to NCP. Specifically, a three-step process takes place upon the admission of a new prisoner which includes a personal interview undertaken by specialized NCP staff, medical screening as well as an assessment by the Mental Health Services (MHS) (multi-agency approach). In case of an ill-treated person, an established procedure is put in force, according to which the prisoner is transferred to Nicosia General Hospital for medical and psychological evaluation in line with the Istanbul Protocol provisions.

31. All detainees are provided with the opportunity to notify a family member or third member promptly and without any undue delay, unless in exceptional circumstances when the delay of the exercise of the right is fully justified.

32. In NCP, all prisoners are provided with unlimited access to telephone calls on a daily basis between 08:00–20:30 hours.

33. Persons held in CP Detention Centres and NCP are treated humanely and enjoy the treatment and conditions of detention as prescribed by international standards. Men and women are held separately, while at NCP the pre-trial detainees are held separately from convicted persons in a separate prison wing.

34. CP maintains an Electronic Station Diary and a personal file for each detainee, where all incidents concerning the detainees are registered. The PSO 5/3 "Handling of Detained Persons", includes provisions for registrations made in electronic and printed form, concerning the detainee (e.g., visits from lawyers / family / friends, phone calls, rights provided, checks, medical treatment, etc.). CP officers are often reminded about the importance of accurate and systematic registration of incidents/ data concerning detained persons, based on the relevant PSO.

35. In order to meet the recommendation of the Committee for the Prevention of Torture (CPT) stipulating from the ad-hoc visit performed in November 2022 to Cyprus, a circular letter, dated 16.05.2023, was circulated by the HRCDO to members of Menoyia Detention Center (MDC), reminding and emphasizing the importance of correct and immediate registration of actions in the Station Diary and in all files kept, with particular attention given to the personal file of each detainee.

36. During the review period, 21 criminal and 42 disciplinary cases against CP officers who did not immediately allow persons deprived of their liberty to exercise their legal safeguards, were investigated as follows:

- 2018: 3 criminal, 6 disciplinary cases. The 3 criminal proceedings were suspended with the instructions of the OAGR. The 6 disciplinary cases were investigated of which 4 are pending, one case has been suspended by the Chief of Police (COP), while in the remaining case, the alleged perpetrator has been acquitted and discharged;
- 2019: 2 criminal, 4 disciplinary cases. In the first case, instructions were given by the OAGR for non-criminal prosecution while in the second case, the criminal prosecution has been suspended with the instructions of the OAGR. Regarding disciplinary cases, 4 were investigated, 3 of which are under trial and in the remaining case the alleged perpetrator was found guilty and a sentence was imposed (fine and reprimand);
- 2020: 6 disciplinary cases have been investigated of which 5 are pending and the remaining case has been suspended with the instructions of the COP;
- 2021: 9 criminal, 13 disciplinary cases. 9 criminal cases against CP officers were investigated, of which 8 are under trial and the remaining case has been suspended with the instructions of the OAGR. Furthermore, 13 disciplinary cases were investigated, of which 7 are under trial, in 3 cases the disciplinary proceedings have been suspended with the instructions of the COP and in the remaining 3 cases, sentences have been imposed (fine and reprimand);
- 2022: 7 criminal, 13 disciplinary cases. 7 criminal cases against CP officers were investigated, which are under trial. Regarding disciplinary cases, 13 cases were investigated of which 9 are pending and 4 are under investigation;
- 2023: 4 criminal, 1 disciplinary cases. 4 criminal cases against CP officers were investigated, which are under trial. 1 disciplinary case is under trial.

37. Section 30 of Law 163(I)/2005 has been deleted.

38. According to *Law 163(I)/2005*, upon the arrest or detention, the detainees have the right to receive medical examination and treatment by a doctor of their choice. In this case, the costs of medical examination are covered by the detainees. In case the detainees do not wish to exercise the right to choose a doctor, they may receive medical examination, care and/or monitoring by a government doctor, free of charge. All medical examinations are conducted out of the hearing and out of the sight of the CP officers.

39. The medical examination may be carried out within the sight, but not the hearing of a CP officer, who is of the same sex as the detainee, if the detention officer has reasonable grounds to believe that the physical integrity of the examining doctor would otherwise be at risk. In case a doctor is not able to communicate with the detainee in a language he/she understands, an interpreter is provided at the doctor's request.

40. CP has undertaken both training and awareness measures on issues related to the treatment of detainees, ill-treatment and use of force. In particular, CP officers are trained on a regular basis on detainees' rights and treatment, taking into account the special needs of every person. In 2018, CP proceeded to the signing of a Memorandum of Understanding with 14 Non-Governmental organizations (NGO's). The purpose of the Memorandum is to further improve and develop close cooperation between the CP and the NGO's in order to better safeguard and protect human rights. The Memorandum provides inter alia that upon request, representatives of the 14 NGO's may visit CP Detention Centres and the MDC and talk to detainees. Also, where a complaint for ill treatment is filed through an NGO to the CP, the complaint is forwarded to the OAGR and the IAIACAP.

41. Central registries with information on all detainees disaggregated by name, sex, age, ethnic origin, nationality and location have been established in CP Detention Centres, MDC and in NCP. The access to this registry is restricted, with the use of passwords.

Reply to paragraph 4 of the list of issues

42. Detainees are informed about their rights both orally and in writing. When needed, an interpreter is called in order to facilitate the process. The manual "Rights of Detained Persons", which was revised in 2021, includes, among others, the right of access to a lawyer, the right of free legal aid/assistance, the right to challenge the lawfulness of the arrest and

detention and the process to submit a confidential complaint. The document is translated in 20 languages (Greek, English, Turkish, Arabic, Bulgarian, French, Georgian, Persian, Ukrainian, Polish, Russian, Romanian, Serbian, German, Spanish, Hungarian, Bengali, Shri-Lankan, Filipino and Vietnamese) and in case a language is not included, then the person is informed about his/her rights orally with the assistance of an interpreter. The person has the right to read the document and keep it in his/her possession throughout the detention. These rights are also posted inside the CP Detention Centres so that the detainees have unlimited access to them, at any time.

43. Foreign nationals held under *the Aliens and Immigration Laws*, are immediately handed out the booklet of their rights, according to the *Law and Regulations for the Establishment and Regulation of Premises of Irregular Immigrants*. The booklet was revised in 2021 and translated in 11 languages (Greek, English, Turkish, French, Shri-Lankan Bengali, Arabic, Vietnamese, Georgian, Persian and Chinese) and is posted inside the Detention Centre Wings in QR CODE format. The Cyprus Red Cross is in the process of preparing a document with the rights and other information concerning the detainees, in cooperation with the CP, which will be translated into several languages.

44. All newly admitted prisoners receive a booklet with their rights, which is handed to them and explained by the NCP during the interview stage in the 3-step admission process. At the same time, they are allocated a cell, which the responsible Inspector visits daily, in order to assist the prisoners in their daily enquiries.

45. Immediately after the arrest of any person and without undue delay, the detainee is entitled to personally contact a lawyer of their choice without any other person being present. The above rights are included in the manual “Rights of Arrested/Detained Persons” and the PSO 5/3 “Rights and Treatment of Detained Persons”, which was revised in 2023. Please see also paragraphs 19-21 of the Previous Report.

46. During the review period, 1062 detainees have applied for legal aid, as follows:

- 2019: 163;
- 2020: 260;
- 2021: 323;
- 2022: 223;
- 2023: (first semester): 93.

Reply to paragraph 5 of the list of issues

47. Asylum seekers have access to healthcare services upon arrival and granted full access to healthcare benefits, ensuring equal rights to access to healthcare. Upon arrival, illegal migrants enter Pournara Reception Centre (PRC) and are referred by the AS for medical examinations. MPHS supervise the operations of multidisciplinary medical team that consists of Doctors, Health Visitors and 24/7 Nurses for the initial evaluation of the health of the illegal migrants including vaccinations in line with the national immunization scheme. If there is need for any further medical services patients are referred to specialty doctors including mental health support.

48. In accordance with the relevant international Conventions, asylum seekers are assessed by specially trained health professionals for the possibility of being victims of torture. The Ministry of Health (MOH) is committed to providing high quality holistic person-centred healthcare to the asylum seekers and refugees, in order to reduce health inequalities and provide universal support all steps of the procedure, the persons are supported by professional interpreters.

49. The detained persons or their counsel upon request to the CP, have the right to access their medical file. The right of access is provided free of charge, unless in exceptional circumstances, and permission is given as soon as possible.

50. In 2021 and 2022, 3 and 4 cases respectively of asylum seekers and migrants in an irregular situation, were referred to medical examination due to allegations or signs of torture or ill-treatment. In terms of asylum seekers, the outcome of the medical examinations on past

torture or ill-treatment is taken into consideration in regards to the examination of the asylum application, for: (a) the credibility assessment of the asylum seeker's statements, alongside with other credibility indicators, (b) the establishment on whether the applicant is a victim of torture or ill treatment, and (c) the future risk of serious harm or persecution and the determination of the applicant's status of protection.

Reply to paragraph 6 of the list of issues

51. 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:

- “*The Prevention and Combating of Violence against Women and Domestic Violence and Related Issues Law, 2021*”, [L.115(I)/2021], was enacted. The criminal offence of femicide was established as a separate, specific offence in the above Law. Femicide is punished with the maximum of sentences, the life imprisonment sentence;
- The Safeguarding Sub-directorate, has been established in the CP in 2021. Its main role is, inter alia, to provide support, information and guidance to the CP officers as well as to the possible victims of domestic violence, gender- based violence, and sexually abused children;
- The National Coordinating Body to Prevent and Combat Violence against Women (NCBVW), was established in 2022 according to the provisions of the Istanbul Convention. NCBVW is responsible for coordinating, planning, implementing, monitoring and assessing the policies and measures taken to prevent and combat all forms of violence against women;
- The NCBVW has set out the first National Strategy and the first National Action Plan (NAP) to Prevent and Combat Violence Against Women 2023–2028, which was approved by the Council of Ministers on the 15th February of 2023. At the same time, the NCBVW is promoting the creation of a Unified Database on statistics relating to violence, to include all form all violence covered by the Istanbul Convention nationwide. Moreover, the NCBVW has drafted a bill aiming to provide independent assistance and legal aid to victims of gender-based and domestic violence, through which women victims of violence are entitled to such services as a distinct group that requires special support and protection;
- In 2021, the “*Protection from Harassment and Stalking Law,2021*” [L.114(I)2021], was enacted, following the State's obligation deriving from the *Law 115(I)/2021*;
- In 2020, the “*Combating of Sexism and Online Sexism and Other Related Matters Law, 2020*”, [L.209(I)/2020] was enacted, in line with the recommendations of the Council of Europe (CoE);
- The “*Legal Aid Law,2002*”, [L.165(I)/2002], is proposed to be amended in order to include provisions for all the victims of violence against women and domestic violence. The draft bill is pending before the House of Representatives;
- The Women's House (WH) was established in 2020 and functions as a multi-agency and multi-disciplinary crisis centre for women victims of violence and their children. It is based on the Family Justice Centre model, and operates as a ‘one-stop-shop’ providing integrated services for victims of violence against women. The mission of the WH is to provide safety and protection, crisis management, and support women victims of violence and their children through quality, specialized, accessible and coordinated services, all under one roof. The operation of the WH has been assigned, through the Grants-in-Aid Scheme, to the Association for the Prevention and Handling of Family Violence (APHFV) under the supervision and in cooperation of the Social Welfare Services (SWS) and other relevant Services (i.e. CP, MHS etc.) and it is fully subsidized by state funds;
- Government officials (law enforcement officers, social workers, healthcare professionals) were trained on this subject;
- NGOs and women's organizations providing protection and assistance to women victims of gender-based violence were funded;

- The CP Protocols in cases of dealing with victims of sexual violence and rape, were revised in such a way as to fully incorporate the provisions of the Istanbul Convention;
 - Two of the three reservations that had been set upon signing the Istanbul Convention in 2015 were withdrawn. More specifically, according to a Council of Minister's Decision in 2023, Cyprus has decided to withdraw the reservations which refer to the Jurisdiction and the Resident status of Victims of Violence respectively.
52. Regarding violence in the family, the following measures were taken:
- A Risk Assessment Protocol was prepared and is now being implemented in any case of intimate partner violence, to ensure that appropriate measures are taken and to protect the safety of the complainant and/or of her family members. Specifically, the Risk Assessment Protocol for violence between former or current spouses, cohabitants or partners, is a powerful tool which is used within the framework of the proper investigation and evaluation. According to the PSO, the Risk Assessment Protocol must be implemented in all cases;
 - The APHVF has increased in 2020 its shelters to three shelters (each in a different District), which provide a safe environment for all women victims of family violence, who are at immediate physical and psychological risk. The Special Divisional Units of Domestic Violence of CP, were established in 2020 in all districts of Cyprus. All incidents of domestic violence, are now investigated by these Units. The Units are staffed by trained CP officers and cooperate with all competent authorities of Cyprus (SWS, MOH, Ministry of Education), when investigating and dealing with cases of domestic violence, child abuse, harassment, stalking and violence against women;
 - A new application (ELPIS APP) for smart phones and tablets, has been prepared in 2023 in order for silent victims to seek immediate help by pressing an SOS button, which notifies the CP on the exact location of the victim;
 - CP has designed a new training programme regarding the handling of cases of vulnerable persons, which has already been held by for the first time in 2022, with the attendance of 20 CP officers. The training programme will continue to take place on an annual basis. The 2-week training programme is mainly addressed to CP officers serving at the Special Divisional Units of Domestic Violence, Divisional Criminal Investigation Units and CP Stations;
 - Awareness raising campaigns are being held by the CP to raise awareness and inform the public on the identification and prevention of any form of violence. The awareness policy includes providing information on the legislation of violence against women, gender-based violence and protection from stalking/harassment. Additionally, the CP provides information to the public via the Social Media and the Webpage of the CP, on the support and services available to the victims in such cases.
53. The new NAP to Prevent and Combat Violence Against Women 2023–2028, with targeted actions towards prevention and effective support of victims, was approved in 2023. Targeted actions have been included towards prevention, and effective support of victims of violence, as well as prosecution of the perpetrators of violence, such as the following:
- Informing and raising awareness among the community about issues and effects of gender-based violence. The Education, Awareness Raising and Communications Unit established in July 2021, as part of the Safeguarding Sub directorate of CP, in order to raise awareness on issues of domestic violence;
 - Informing specific social groups of the population who especially need support and protection, such as migrants, refugees, and women with disabilities;
 - Preparing and issuing practical information on victims of gender-based and domestic violence, and their rights, where they can seek assistance;
 - Providing specialised education for all professionals involved in the field of violence, including the CP, the Prosecution Authorities, the Justice Service, Social Workers, Health Care Professionals and Educators;
 - Guaranteeing access for all victims of violence to general and specialised services, regardless of charges filed against the perpetrators;

- Increasing the number and the capacity of refuges for women and their dependents;
- Providing both short and long term specialised psychological support to victims of gender-based violence;
- Simplifying and speeding up the process for women victims of violence to access state financial support services;
- Connecting victims of violence to educational programmes to gain professional skills;
- Developing programmes within local and regional authorities to reintegrate and support victims of violence;
- Contributing to setting up and Operating a unified Europe-wide telephone helpline for the victims of gender-based violence. This initiative has been undertaken at a European level, in order to facilitate access to suitable services providing support, protection and guidance for victims all over Europe.

54. Both laws, on criminalizing all forms of gender-based violence against women and protecting from harassment and stalking, have been enacted in 2021 (*L.115(I)/2021*, *L.114(I)/2021*, respectively).

55. Cyprus has taken both legislative and institutional measures to ensure that appropriate protection, support and empowerment is offered to women victims and child witnesses of any form of violence covered by the Istanbul Convention. Protective and supportive measures aim at avoiding secondary victimisation and at addressing the specific needs of victims. These measures also aim at the empowerment and economic independence of women victims.

56. A particularly important action taken to ensure that women victims of all forms of violence covered by the Istanbul Convention receive information on/and support services and legal measures available to them, is the establishment of the WH. Professionals from various disciplines, including social workers, psychologists, medical and legal professionals and CP officers as well as NGOs work under the same roof, thus enabling the provision of appropriate support and protection from all forms of violence.

57. More specifically, services offered at the WH include:

- Financial support services: Victims can apply for allowance from the state. The main allowance for which they can apply is the “minimum guaranteed income”, an allowance that is intended for people with an income lower than the guaranteed income;
- Housing services: There are three shelters for women victims of domestic violence and their children operated by the APHVF;
- Legal counselling services: are provided for victims and are free of charge. Victims, however, need to pay for legal representation in Courts;
- Psychological support services: The MHS provide, upon request, psychological or/and psychiatric support to women victims of violence against women or domestic violence. For the provision of psychological support to children and adolescents victims or witnesses of such violence, approval of both parents is required;
- Education and training services: The APHVF employs teachers in order to provide education to children hosted in shelters. A summer school operates for children in shelters during the summer months;
- Employment services: Assistance is provided to victims in finding employment, through referral to employment agencies or the Employment Department.

58. The reason for low prosecutions may be linked to the withdrawal of the victim from the criminal proceedings which relates to prolonged and lengthy criminal process and fear of lenient sentences.

59. The victim is referred when needed and upon evaluation, to other relevant public services for support and also to NGO’s, such as MPHS, MHS, SWS, the Educational Psychology Service (in case of minors), and the special helpline 1440 of the APHVF for cases of domestic violence. Therefore, an adequate network for support and assistance addressed to the needs of the victims, has been set-up.

60. Training of professionals is of utmost importance in the fight against domestic and gender-based violence. CPA provides training on a variety of relevant topics and offences including those covered by the Istanbul Convention. A newly designed training programme regarding the handling of cases of vulnerable persons, has already been held for the first time in 2022 and will continue on an annual basis. The modules of the training programme, deal with the offences provided for by the *Law 115(I)/2021*, such as Violence Against Women, Protection from Stalking and Harassment, Female Genital Mutilation and Forced Marriage. The training also includes lectures on various issues regarding prejudice, stereotypes and patriarchal culture, sexual harassment in the workplace, the digital forms of violence, the identification of victims of violence, the handling of rape victims.

61. Additionally, the training of CP officers on issues of gender-based violence, the investigation and handling of cases of rape and of offences of sexual violence, domestic violence and other related issues, continue on a regular basis, at all levels and ranks.

62. Furthermore, Protocols and PSOs are published on a regular basis in order to provide guidance to the investigators on the proper way of investigating such cases. Such Protocols and PSOs are the following:

- PSO for the handling of cases of gender-based violence (3/57);
- PSO for the handling of cases of rape and sexual abuse (3/63);
- Risk Assessment Protocol for violence between former or current spouses, cohabitants or partners.

63. Counsels and prosecutors of the OAGR participated in a workshop on Gender Based Violence co-organised by the UK High Commission in Cyprus and the OAGR. In addition, members of the OAGR participated in a study visit in Scotland on support measures and facilities provided to victims of sexual abuse and domestic violence within the criminal justice system.

64. Please see Annex 1, Table 1.

65. Cyprus applies all the relevant laws, measures and policies for the protection of all women and girls residing in Cyprus based on a non-discrimination basis. Furthermore, with regards to the protection of migrant women and girls in reception centers, a number of SWS officers have been assigned to PRC and are responsible for unaccompanied minors (including unaccompanied girls) accommodated in the Safe Zones. SWS officers are also responsible for a number of vulnerable people accommodated in PRC, including mostly single women, single women with minors, and single pregnant women. A specially designed Safe Zone for vulnerable groups has been developed in the PRC, in order to safeguard the provision of special procedural and reception needs of vulnerable persons in Reception Centres.

Reply to paragraph 7 of the list of issues

66. During the review period, the Anti-Trafficking Unit (ATU) of the CP systematized and intensified its operations and its cooperation with other competent Authorities. As a result of that, 16 convictions under “*the Prevention and Combatting of Trafficking and Exploitation of Persons and the Protection of Victims Law 2014*” [L. 60(I)/2014] have been imposed the last 18 months. In June 2023, for the first time a person was convicted for receiving sexual services from a trafficking victim; the conviction is considered a milestone and demonstrates the sustained and coordinated efforts of Cyprus to tackle trafficking.

67. During the reporting period, the Multidisciplinary Coordinating Group (MCG) against trafficking in human beings (THB) adopted the 2019–2021 NAP which was prolonged until 2022. Its implementation is currently under assessment and evaluation by the members of MCG. On 19.10.2023 the new NAP 2023–2026 was adopted by the MCG and shall be endorsed by the Council of Ministers before the end of the year. The new NAP includes specific targets and practical measures, under the following 4 thematic areas:

- (I) Reinforcement of prevention and reduction of risks for victimization;
- (II) Repression;
- (III) Protection, support and reintegration of victims;

- (IV) Cooperation and Coordination.

68. Furthermore, the MCG conducted a campaign on TV and social media platforms, aiming to raise awareness regarding the sexual services provided by victims of trafficking. The campaign lasted approximately 1 month and was aired on TV, radio, cinemas, social media and digital media. CP continues to raise awareness and train CP officers and other stakeholders on THB issues. Trainings are considered as a major tool towards ensuring the identification, assistance, support and protection of victims. Members of the ATU attend specialized trainings and seminars on handling of victims investigatory issues and financial investigations in cases of trafficking. More details on training on trafficking issues are provided in paragraph 77.

69. In the pillar of prosecution, the ATU conducts proactive investigations and uses special investigative techniques. Random checks are conducted in places that are considered as high risk for victimization, such as factories, fields and farms, in cooperation with the Aliens and Immigration Service (AIS) and the Labour Inspectors of the Ministry of Labour and Social Insurance (MLSI), to combat labour exploitation of workers. ATU also conducts several cooperative international investigations on THB. In addition to Europol and Interpol channels of communication, which are constantly used for the exchange of information on potential suspects and victims, European and International Arrest Warrants have been issued from CP against suspected individuals. During the review period, 14 warrants were issued and 7 warrants and investigation orders were executed by CP. In addition, CP takes part in Joint Investigation Teams and operational meetings, with the cooperation of Europol and Eurojust for the investigation of trafficking cases.

70. The Labour Inspectorate Service, which was established in 2017 at the MLSI with the purpose of combating undeclared and illegal work, continues to operate in close cooperation with the CP and other public services in order to combat labour exploitation. The Labour Inspectors are under constant training and are well experienced in handling violations of the labour legislation.

71. Cyprus maintained victims' protection efforts. During the review period, CP identified 166 victims out of which, 55 persons were sexual exploitation victims, 46 labour exploitation victims, 27 sexual and labour exploitation victims and 38 victims of multiple forms of trafficking. SWS as a first responder authority, in consultation and cooperation with other members of the MCG, have developed a standard referral form, which has been introduced in 2019, to improve the identification and referral of potential victims of trafficking and exploitation into the National Referral Mechanism (NRM) as well as to improve data collection.

72. According to the procedure, SWS officers provide potential victims with information and notify the ATU, which officially identifies victims. Thereafter, SWS evaluate the needs and refer the victims to appropriate government services and NGO's for assistance and support.

73. Special emphasis is given to integration measures. Specialized professionals- psychologists and social workers- have been recruited to provide social rehabilitation services to the female victims of THB of the state shelter, based on a case-by-case assessment. The services include special support programmes such as education and vocational training, assistance in finding permanent residence, support for repatriation and procedures for reconnection with their family and their social environment and counselling guidance/support to these victims for a period of 3–6 months after they leave the shelter.

74. Please see Annex 1, Table 2.

75. During the review period, important developments for the tackling of trafficking took place:

- Since March 2021, CP has been operating a four-digit hotline (1497), which receives anonymous information for human trafficking matters. In 2021 and 2022 the hotline received eight calls respectively. In 2021 CP, SWS and the Ministry of Interior (MOI) launched a campaign under the logo «MIN FOVASE» (Don't be afraid) aiming to inform possible victims on certain victimization indicators and prompting them to reach the 4-digit hotline. The campaign included flyers and posters in 10 languages

(Greek, English, French, Romanian, Bulgarian, Polish, Russian, Ukrainian, Hindi, Arabic). In partnership with Hermes Airports, the campaign was portrayed on the digital screens in the airport departure and arrival halls and posters were placed in visible areas of the airport;

- Since 22.09.2022, the THB platform, linked to the CP central website, has been operating for online reports regarding human trafficking;
- On 24.1.2022, a Memorandum of Understanding was signed between the CP and SWS for the referral, handling and protection of potential and recognized THB victims;
- On 1.2.2023, a Memorandum of Understanding was signed between the MJPO the MLSI and the Deputy Ministry of Social Welfare, (DMSW) for the prevention and combating of human trafficking, the protection and support of the victims.

76. During the review period, several training programmes were carried out that covered the main provisions of the legislation, the indicators for victim identification and the victim support. The trainings included front line professionals from the MOI, the Civil Registry and Migration Department (CRMD), the Labour Department, the SWS, the Labour Inspection Department and the CP.

77. THB continues to be incorporated in all recruitment courses at CPA, as well as in specialized trainings offered to officers of the AIS and of Community Policing. Specialized training includes an overall awareness on trafficking issues, current trends, EU strategies, identification of victims, indicators of victimization and handling of victims.

78. Indicatively, during the review period, the following trainings were completed:

- All newly recruited CP officers were trained for the main provisions of the legislation, the NRM and the indicators for detection of victims;
- First line CP officers were trained for early detection and referral of cases of trafficking and exploitation of persons, and the indicators for detection of victims. These officers include mainly CP officers serving at MDC, AIS and Community Policing.

79. During the review period, 1300 CP officers, including both newly recruited staff and first line professionals, have been trained on THB issues.

80. A training seminar on Human Trafficking, was organised by the Cyprus School for Judicial Training of the Supreme Court in March 2020, upon the initiative and in collaboration with the MOI and with the support of the Embassy of the United States of America in Cyprus. The seminar was attended by District and Judges as well as Legal Officers of the Supreme Court. Recognising the importance of lifelong education and training of law officials, both on legal and other matters, the OAGR proceeded in 2022, in the establishment of an Academy, a statutory body within the Legal Service. Training on the effective investigation and prosecution of acts of trafficking will be included within the future trainings plans of the Academy.

81. In 2019, by “*the Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims (Amendment) Law,2019*” [L.117(I)/2019], the penalties provided for sex trafficking and labour trafficking became more stringent. The above Law prescribed penalties up to 25 years’ imprisonment for offences involving an adult victim and up to life imprisonment for offences involving a child victim.

82. The ATU continued its efforts to investigate any trafficking case, by conducting proactive investigations and using special investigative techniques. Cyprus demonstrated serious and sustained efforts on its anti-trafficking capacity through identification of more victims and imposition of stricter sentences.

83. All victims of trafficking receive immediate support and assistance, including accommodation. Furthermore, victims are entitled to financial, psychological, and social support, which they receive from the government in cooperation with NGO’s. In close cooperation with the ATU and the OAGR, SWS are closely monitoring, supporting and protecting victims of trafficking during the court procedure, covering all basic and special needs (traveling, accommodation, personal and other expenses). Within the framework of

handling cases of victims of trafficking, on the basis of a multidisciplinary approach, a care plan is prepared for each case based on the individual needs of the victim.

84. Victims of trafficking, regardless of their ethnic, national and social background have access to social services, immediate access legal advice and legal aid when they do not have the means to secure legal support.

85. The European and International cooperation concerning human trafficking offences is of major importance for the identification and efficient prosecution of suspects and also for the protection of victims and their families. More precisely, within CP, the Directorate of European and International Cooperation maintains a significant role as a coordination centre.

86. The ATU exchanges information on potential suspects and victims with Law Enforcement Agencies of other countries, via the Europol and Interpol channels, or by implementing bilateral agreements, while it participates in EU programmes such as European Multidisciplinary Platform against Criminal Threat and in Joint Investigation Teams, which enable CP to build on existing networks of cooperation.

87. The exchange of information is framed by International conventions, Bilateral and Multilateral agreements. During the review period, the MJPO has concluded Agreements on combating organized crime, including human trafficking with all EU member states and several non EU countries such as Russia, Israel, Jordan and Lebanon, while it continues negotiations with other countries.

Article 3

Reply to paragraph 8 of the list of issues

88. According to section 29(5) of *the Refugees Law of 2000 [L.6(I)/2000], as amended*, it is prohibited to issue a deportation order against any person to a country where he/she would run the risk of being subjected to torture, inhuman or degrading treatment or punishment. This is ensured by providing unobstructed access to everyone to the asylum processes where the claim is evaluated by the AS and in case of a recourse by the IPAC. In any case, before issuing a deportation order, the CRMD evaluates whether the return will violate the non-refoulement principle. Also, in case a person challenges judicially the decision/deportation order with the claim that their return will put them in danger, then the case is brought before the IPAC.

89. Effective access is guaranteed to the asylum procedure. Asylum seekers are assisted in the PRC and in the district offices of AIS in order to apply for asylum. In CP detention centers and/or in the NCP, asylum seekers are also assisted by the officers who are obliged to provide adequate assistance and information to the detainees who express their willingness to apply for asylum. According to the procedure, the applications are then forwarded to the AS in order to conduct personal interviews with the applicants and examine upon their case.

90. The AS is the designated authority responsible for issuing return decisions in cases where asylum applications have been denied. In order for any such return decision to be issued, a comprehensive individual assessment of each case is conducted, ensuring strict adherence to the non-refoulement principle. It is important to note that the AS does not possess the authority to issue expulsion orders and has no involvement in any pushback operations. Such actions would be contrary to the fundamental mission and purpose of the AS.

91. In accordance with *section 2 of the Refugees Law*, the status of an applicant is valid from the date he submits an asylum application until the date that a final judgment is taken in respect of that application. The definition of a “final judgment” includes the issuance of a first instance judgment of the AC on the recourse lodged as per Article 146 of the Constitution against the decision regarding the granting of international protection. In accordance with *section 8 of the Refugees Law*, the asylum applicant has a right to remain in the Government-controlled areas (subject to certain exceptions), which is valid from the date of submission of his/her asylum application until the date of issuance of the first instance judgment of the AC, subject to the lodging of the recourse within the prescribed deadline. The right of recourse extends to a decision of the Head of the Asylum Service (HAS) granting subsidiary

protection status to an applicant as it constitutes a negative decision and may be challenged under Article 146 of the Constitution. Therefore, the person whose asylum application has been rejected (including the one who has been granted subsidiary protection) has the right to remain in the Government -controlled areas pending his/her recourse against the decision of the HAS and thus is not at risk of deportation while the recourse is pending.

92. Furthermore, in accordance with *section 6(1C) of Law 6(I)/2000*, in the event that the HAS considers the possibility of terminating the refugee status, he/she ensures that (a) the person concerned is informed in writing that it is under review whether that person meets the necessary conditions to qualify as a refugee, as well as the reasons for the re-examination, and (b) the person concerned has the opportunity to present, either in the context of a personal interview or by written statement, the reasons why he/she considers that their refugee status should not be terminated.

93. “*The Establishment and Operation of Administrative Court (Amendment) Law, 2021*”, [L.3(I)/2021], introduced a remedy with automatic suspensive effect when an individual alleges that his/her expulsion would violate Articles 2 and/or 3 of the Convention. The main provisions of the Law are summarized as follows:

- When a person challenges a deportation order, a decision to return or a decision to remove which had been issued by virtue of *Aliens and Immigration Law*, the enforcement of the administrative act is automatically suspended pending the outcome of the recourse on a first level. Therefore, the authorities responsible for deportation and removals are legally bound not to deport the said person because by virtue of the new legislation the enforcement of the deportation order, decision to return or a decision to remove is suspended;
- The suspension of the administrative act is subject to the following two conditions: (i) the person challenging the administrative act alleges that the deportation is contrary to the principle of non-refoulement as provided for in an international convention or in the law of the European Union or in the national law and/or the person challenging the administrative act alleges that violates Article 2 and/or 3 of the European Convention on Human Rights and/or article 7 and/or 8 of the Constitution and/or Article 2 and/or 4 of the Charter of Fundamental Rights of the European Union, and (ii) the person challenging the administrative act serves it to the MOI the CRMD, and the OAGR;
- The AC decides the case as soon as practicable and the judgment shall be given as a matter of priority. If together with the deportation order, a detention order is also challenged, the AC delivers its judgment within 30 days from the submission of the recourse.

94. Over the last 5 years, Cyprus has consistently been the Member State with the highest number of applicants for international protection, in relation to its population.

- Number of individuals granted subsidiary protection per year:
 - 2018 (June to December): 944;
 - 2019: 1327,
 - 2020: 1684,
 - 2021: 2095,
 - 2022: 244,
 - 2023: (first semester): 138.
- Discontinuation or cessation of subsidiary protection from June 2018–June 2023:
 - 3 cases: In 2023, 3 cases of subsidiary protection were re-examined by the AS and the applicants were granted continuation of their protection status.

Reply to paragraph 9 of the list of issues

95. When a third country national is detained due to illegal stay and is in the process of return, he/she is informed both orally and in writing of their right to seek asylum in the place

where they are detained. As per subparagraph (a1) of paragraph (7B) of *section 18 of the Refugees Law*, in the case where the HAS rejects an application regarding refugee status and/or subsidiary protection status, the HAS orders the return and/or removal and/or deportation of the asylum applicant, an order which constitutes an integral part of the decision of the HAS (subject to specified conditions). In this instance, the HAS informs, via his/her decision, the applicant, as per subparagraph (b), of his/her right to recourse against the decision of the HAS before the AC as per Article 146 of the Constitution, as well as of the nature and form of such a recourse and the deadline, in accordance with the said Article. The right to lodge a recourse against such decision before the IPAC is subject to the following deadlines: 30 days for the ordinary procedure regarding an asylum application and 15 days for the accelerated procedure regarding an asylum application. If they seek recourse against the decision before the AC (depending on the legal premise of the decision), the relevant deadlines apply. If with the deportation order there is also a detention order, the detainee can file a habeas corpus application before the Supreme Court examining the legality of the duration of his detention.

96. Interpretation services are provided at all stages of asylum procedures: registration, vulnerability assessment, interviews, and notification of the decision. Legal aid is granted by the IPAC for lodging a recourse against the AS's negative decision when the criteria set by the *Legal Aid Law of 2002* are met.

97. When an unaccompanied minor enters Cyprus he/she is placed automatically under the care of the Director of SWS, who acts as a guardian, safeguarding access to his/her rights, including access to legal assistance, where it is required. All the Services involved are responsible for the provision of interpretation to unaccompanied minors, during any interview.

98. Asylum seekers whose applications are rejected or granted subsidiary protection, have the right to recourse against the decision of the AS before the IPAC. As already mentioned, pending the ruling of the Court, the appellants are considered asylum seekers, thus no deportations are implemented. For the time limits of the recourses and appeals, please see answer in paragraph 95 of the Present Report.

99. The independence of the Courts from the Executive and the Legislative power in Cyprus is envisaged in the Constitution, which is the supreme law of the Republic.

100. For the steps taken to ensure the suspensive effect of appeals against deportation orders, please see answer in paragraph 13 of the Present Report.

101. Cyprus is not in the process of revising the time limits for lodging an appeal before the Appeals Court against a decision of the IPAC.

Reply to paragraph 10 of the list of issues

102. Number of asylum applications received from 1.6.2018 until 30.06.2023: 81087.

- Number of successful applications from 1.6.2018 until 30.06.2023: 7497 successful applications, from which 6249 files were granted subsidiary protection and 1248 files were recognized as refugees;
- Number of asylum-seekers whose applications were accepted because they had been tortured or because there were substantial grounds for believing that they would be in danger of being subjected to torture if returned to their country of origin from 1.6.2018 until 30.06.2023, is not available at the moment. However, this type of data has been added to new updated system of the AS (CASS). The upgrading of the AS Service Database was considered necessary in order to incorporate the role of the ICAP as well as to improve current roles of all involved services so as to facilitate the better exchange of information relating to an asylum claim.

103. For further statistics, please see Annex 1, Table 3.

104. Asylum seekers whose applications are rejected or are granted subsidiary protection, have the right of recourse against the decision of the HAS, before IPAC (for details regarding such right, please see also answer in paragraph 13). Moreover, *section 13 of the Law on the Establishment and Operation of the International Protection Administrative Court of 2018 (L. 73(I)/2018)*, grants a right of appeal against any judgment of the IPAC before the Appeal

Court, on a legal point only, within a period of fourteen (14) days from the date of the issuance of the IPAC judgment.

105. Please see Annex 1, Table 4.

106. There is no monitoring mechanism of the situation of vulnerable individuals and groups in receiving countries after their deportation. The monitoring is carried out only in cases included in the Joint Reintegration Services.

107. Diplomatic assurances offered by Cyprus:

- 2021: Pakistan 15;
- 2022: Pakistan 341; Bangladesh 5; Georgia 8: there is no subsequent monitoring in such cases. During the review period, 21 extraditions in total took place. In all cases, assurances for the full respect of human rights, were provided.

Reply to paragraph 11 of the list of issues

108. Please see answer in paragraph 14 of the Present Report.

109. The vulnerability assessment procedure is used consistently for all asylum-seekers, especially during the reception of the applicants. The vulnerability assessment forms are part of each applicant's files and the caseworker responsible for the examination of the asylum claim has access to it and should take it into consideration during the interview procedure and the drafting of the decision. Further, during the procedure for determining refugee status, the caseworker may identify new vulnerability needs of the applicant, for example psychological or psychiatric needs. In such a case, the caseworker is responsible to proceed with the appropriate referrals and postpone the examination of the claim as long as needed.

110. In 2022, 2800 out of the 10237 applicants who underwent vulnerability assessment at the PRC were identified as having special reception needs. The nature of those needs varied from material needs and access to the medical unit of the PRC, to psychological assistance and referrals to the psychiatric clinic. The above procedure also applies in case the special reception needs come up at a later stage of the international protection procedure.

111. Claims of potential victims of torture are examined by caseworkers who have the competent and appropriate training and expertise and are prioritized along with other claims of vulnerable persons, as these are considered vulnerable persons according to the law.

112. Regarding the number of asylum seekers that have been referred to rehabilitation centers please see answer in paragraph 50.

Articles 5–9

Reply to paragraph 12 of the list of issues

113. During the review period the following extradition treaties were concluded:

- Treaty between Cyprus and the Republic of China on Extradition of 30th June 2018;
- Agreement between Cyprus and the Hashemite Kingdom of Jordan on Extradition of 17th December 2021;
- Agreement between Cyprus and the Republic of Kazakhstan on Extradition of 20th October 2022.

114. The offences referred to in Article 4 of the Convention are considered to be extraditable offences under the said Treaties.

115. In the absence of a bilateral Agreement or Treaty, the Convention may be invoked as a legal basis for extradition in respect of offences under its Article 4 provided that the state requesting the extradition is also a State Party to the Convention. This is so because under the legal system of Cyprus an extradition can be effected only where there is a legal basis in place.

116. In order to encounter compliance with its obligation to extradite or prosecute, “*the Extradition Law, 1970*” [(L.97/1970)] was enacted.

117. During the review period, Cyprus has entered into one Agreement on mutual legal/judicial assistance. The Agreement was signed on the 20th October 2022 but has not yet been ratified by either side.

Article 10

Reply to paragraph 13 of the list of issues

118. All CP officers are fully acquainted with the provisions of the Convention and the absolute prohibition of torture as the provisions of the *Laws 235/90* and *2(III)/2009* have been incorporated in the curriculum of CPA. The Convention against Torture is also a main subject of the curriculum of the Prisons Academy (PA), which was established in 2017.

119. Members of the National Guard are informed through an Order, communicated in all its Units/ Services, of the provisions of the Convention and the absolute prohibition of tortures. Furthermore, according to the Order, in case of any violations, these will be investigated and prosecuted.

120. The learning module 170 on the provisions of *Laws 235/90* and *2(III)/2009* has been incorporated in the mandatory basic training for all newly recruited CP officers and in 7 other specialized programmes including the Annual Programme for the AIS members. So far, all recruited officers and a significant percentage of immigration officers have participated in the training since 2019, while procedures are in place to train the remaining officers from the AIS.

121. Since the establishment of the PA, all NCP staff have been trained on the provisions of the Convention and the absolute prohibition of torture, while the treatment of prisoners remains the main subject in the curriculum.

122. CP promotes a non-coercive model of interviewing that ensures that no person under questioning is subjected to torture, ill-treatment or coercion, including any forms of violence or threat. The learning module of interviewing techniques and taking statements is taught to all new CP recruits at the CPA as well as to members of Criminal Investigation Department (CID), AIS, and detention centres. According to the above module taught at the CPA, the use of force must be absolutely necessary and considered as an exception to the rule.

123. Moreover, the CP implements the Police Code of Ethics, which includes provisions on prohibition of torture. The Code is binding on the members of the CP and a violation of the Code constitutes a disciplinary offence. Further circular letters with instructions of the COP are circulated to CP officers emphasizing that zero tolerance is to be exhibited for incidents of ill-treatment, as well as for incidents of use of excessive force, torture, inhuman and degrading treatment or punishment.

124. At CPA long term programmes (one week or more) are being evaluated through structured questionnaires, aiming to specify whether the learning objectives have been achieved. No assessment methodology has been developed for short term programmes. However, the CPA intends to review the existing methodology for all programmes offered.

Reply to paragraph 14 of the list of issues

125. The prohibition of ill-treatment and torture are included in the basic CP training offered by the CPA as well as in PSOs and circular letters in order to raise awareness among the officers on the zero-tolerance policy that must be exhibited against any incidents of violence and ill treatment. It is also included as a compulsory learning module at the PA for the NCP staff.

126. MHS staff are already trained in the identification of psychological consequences of torture and possible victims of torture, while staff trainings are held at regular intervals for various professionals including Psychiatrists, Child Psychiatrists, Clinical Psychologists, Occupational Therapists and Mental Health Nurses. The MPHS examine the possibility to repeat the education programme for the revised Istanbul Convention in order to address the new needs that emerged after the Cyprus Health Care System Reform in 2019.

Article 11

Reply to paragraph 15 of the list of issues

127. With regards to interrogation rules, methods and practices for custody, specific PSOs and learning modules at the CPA are in place. In particular, the following PSOs provide on this matter:

- PSO 3/3 “Investigating Officers”, last revision on 17.03.2023;
- PSO 5/3 “Rights of Detained Persons”, last revision on 05.04.2023;
- PSO 3/55 “Arrest and Detention of Persons”, last revision on 09.06.2021;
- PSO 5/4 “Escorts of detainees, pre-trial and convicted persons – Escape from Lawful Arrest”, last revision on 04.02.2021.

128. Additionally, training modules of taking statements and questioning techniques with respect to the detainees’ and suspects’ rights are included in the basic mandatory training for all recruit CP officers as well as in specialized courses for AIS officers offered at CPA.

129. An internal committee, set up at the CP, examines on a regular basis the content of both trainings and any material distributed to CP officers and decides whether these should be reviewed and amended according to needs. The identification of training needs derives mainly from the commitments and obligations undertaken towards European and International organizations.

130. The respect for human dignity and the securing of human rights, without discrimination, are a priority for the CP, which attributes great importance on issues regarding ill-treatment and use of force by CP officers.

131. As regards suicide and suicide attempts in CP detention centres, several measures were taken during the review period to effectively prevent these incidents. An interview form for the first assessment of persons in CP custody was prepared by the MHS in order to help the CP officers to identify detainees, who are at high risk of committing suicide. The interview form is completed by the CP officers immediately before the detention of a person, without undue delay. In case that the CP officer considers that the behaviour of a detainee is unusual, the procedure for immediate psychiatric examination begins, with his / her consent. If the detainee refuses to cooperate, then the procedure for compulsory treatment/hospitalization is followed.

132. In this regard, in 2022 the CP created a specially designed room for the detention of persons who are aggressive or suicidal, in cooperation with the CAPHR and MHS.

133. During the review period, there was one incident of suicide reported at Limassol Central Police Station, in March 2022. The incident was fully investigated by the CID and no CP officer was held accountable for possible negligence. No incident of suicide or attempted suicide occurred at Paphos Central Police Station during the review period.

134. Also, the following complaints were lodged regarding ill treatment by CP officers at Limassol and Paphos Central Police Stations, during the review period:

	2018	2019	2020	2021	2022
Limassol	6	3	5	5	7
Paphos	4	4	6	3	3

135. The HRCDO is responsible for the implementation of preventive initiatives as well as for monitoring intervention tactics to combat racism, discrimination and xenophobia within CP procedures. In this aspect, CP makes continuous and coordinated efforts to prevent verbal abuse and racist behaviour in general and in particular in places of deprivation of liberty, such as the following:

- The CP has appointed 2 officers to each District Department, with experience in investigative duties, as liaison officers with the Legal Department and the HRCDO of the CP. In particular, there are 12 liaison officers, responsible for coordinating and

supervising the investigation of complaints concerning incidents / cases of discrimination, racism and / or racist motives or other related hate crimes;

- CP officers are being trained on developing a culture in line with the respect of human rights. The training offered by the CPA focuses on harmonizing police culture mentality with the new multicultural environment of the Cyprus society. In this regard, during 2022, training programmes were organized at the CPA on the Professional Approach of Cases of Racism and Discrimination and on the Handling of Racist Offences, attended by 60 CP officers. On a more regular basis, a 13-week training programme is offered to CP officers, who are appointed at MDC focusing on subjects such as racism, xenophobia, the rights of detainees and the prevention of torture;
- CP participates in the Working Group for Dealing with Hate Crimes, an initiative undertaken by the CAPHR with the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe. The active participation of the CP in this Working Group provides the opportunity to disseminate knowledge and further train / raise awareness of CP officers on this area;
- The Community Police Officers organize multicultural events with the cooperation of Embassies, NGO's, the Local Authorities and foreign liaison officers in order to:
 - Strengthen communication lines between racial and ethnic groups;
 - Inform racial/ethnic groups about Cyprus legal system, their rights and obligations;
 - Provide the necessary information to vulnerable groups of people and to the public in general on ways to contact the CP and to reinforce mutual cooperation.

Reply to paragraph 16 of the list of issues

136. The issue of overcrowding is still considered as the most serious problem faced by the NCP. Aiming at the reduction of overcrowding in prisons, the following amendments of the *Prisons Law and Regulations* were enacted in 2020.

137. *Regulation 127 of "the Prisons (General) Regulations of 1997", (I.P 121/1997)*, was amended so that more prisoners are entitled to be included in the Open Prison and the Centre for Guidance and Extra-Institutional Employment of Convicts. More specifically, Regulation 127, amended in 2020, provides that the Classification Committee can include in the Open Prison detainees who were sentenced to imprisonment and for whom no safety, disciplinary or other special reasons exist that would render their inclusion in the Open Prison inappropriate and who have been:

(a) Sentenced for any offence to prison sentences not exceeding 12 months (6 months before the amendment);

(b) Sentenced, irrespectively of the amount of prison sentence, for owing a monetary sentence, judicial expenses or compensation;

(c) Sentenced to prison sentences for more than 12 months (6 months before the amendment) and up to 24 months and who had served at least 3/12 of their imposed by the court sentence and who had during their stay in prison displayed excellent behavior and proved to be reliable and hardworking.

138. Amendment of *Regulation 137 of the Prisons (General) Regulations*, so that the possible period of inclusion of detainees in the Center for Guidance and Extra-Institutional Employment of Convicts is extended from 12 months to 18 months.

139. Amendment of *section 21 B of the Prisons Law*, so that more prisoners are entitled to serve part of the sentence imposed on them by the measure of house detention (electronic monitoring), under the conditions and for the period of time that the Classification Committee determines.

140. A new subsection was added, so that the Classification Committee may allow a convict who was sentenced to imprisonment for less than 12 months and has served at least 1/3 of his sentence for an offence other than those stated in the table of Appendix of the Prisons Law, to serve part of the sentence imposed on him by the measure of house detention (electronic monitoring).

141. Additionally, section 21 B was also amended, so that the Classification Committee may allow a convict who was sentenced to imprisonment for more than 12 months and less than 5 years (prior to the amendment the prison sentence requirement had been for less than 4 years) and has served at least half of his sentence, for an offence other than those stated in the table of Appendix B of the Prisons Law and who has been previously included in the Centre for Guidance and Extra-institutional Employment of Convicts for at least 1 month, to serve part of the sentence imposed on him by the measure of house detention (electronic monitoring) for a period not exceeding 12 months.

142. On 15.6.2023 the Council of Ministers approved, inter alia, the following measures, aiming at the reduction of the overcrowding in prisons:

- Amendment of the building of the open prison, so that convicts of the closed prison can be detained in this place. The Open Prison includes 116 cells and has a potential capacity of 240 detainees. Today, the number of the detainees who are detained in the Open Prison is around 40. Therefore, it was considered appropriate to convert the building of the open prison into a building of closed prison, with all relevant amendments in line with the human rights standards;
- Amendment of the building of the Center for Guidance and Extra-Institutional Employment of Convicts so that the detainees of the Open Prison can be detained there;
- The creation of a new infrastructure to house the Centre for Guidance and Extra-Institutional Employment of Convicts;
- The conduct of a study by the competent department and services of the government concerning the construction of a new wing, with a potential capacity of 200–300 detainees.

143. By implementing the above measures, the total capacity of the central prisons is estimated to increase to approximately 1200 detainees and therefore, it is expected that the problem of overcrowding will be significantly reduced.

144. Another significant measure for the tackling of overcrowding is the application of *Law 41(I)/2016*, which concerns accused persons who are also drug users. NCP in cooperation with the Cyprus National Addictions Authority, activate procedures so the pre-trial detainees enter in therapeutic drug addiction programmes. In the context of this procedure, a total of 113 prisoners have benefited during the review period.

145. Also, during the review period, the Parole Board has released a total number of 110 prisoners.

146. The possibility of electronic monitoring for the treatment of pre-trial detainees as an alternative to detention is also under review as a measure to deal with overcrowding in NCP.

147. The CP does not face any issues regarding overcrowding in Police Detention Centres and in MDC and strictly complies with the specified capacity of each centre.

148. The Constitution contains strict provisions as to the duration of detention of a person. Pre-trial detention is strictly regulated also through the Criminal Procedure Law, CAP 155(CPL), which stipulates that the judge, on application made by a CP officer, where it appears that the investigation of an offence has not yet been completed and under strict conditions, has the power to remand an arrested person in the custody of the CP. The following conditions must be met:

- (a) A specific offense has been committed for which the suspect has been arrested;
- (b) There is evidence/testimony that reasonably links the suspect to the commission of the crime/s under consideration;
- (c) The interrogations have not yet been completed and briefly describe what must be performed;
- (d) The detention of the suspect is considered necessary to avoid the possible influence of the investigations (influence of witnesses, destruction of evidence, escape, etc.).

149. The Constitution prescribes that the judge before whom the arrested person is brought, shall as soon as possible, and in any event not later than 3 days from such appearance, either

release the arrested person on such terms as may deem fit or remand him on custody. The arrested person may be remanded in custody from time to time for periods not exceeding 8 days at one time. The total period is 3 months (Section 24 of the CPL and Article 11.6. of the Constitution).

150. As regards the length of detention of persons during remand, CPL provides that an arrested person can be deprived of his/her liberty or be detained by the CP 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.

151. 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 more than 24 hours. These efforts are made to meet the standards and recommendations of the CAPHR and the CPT which stipulate that the detainees held longer than 24 hours, must have access to outdoor exercise for at least one hour per day. To this end, some adjustments have been made by the CP to certain Detention Centres, namely Limassol and Paphos Central Detention Centres, Kofinou, Lakatamia, Pera Chorio, Nisou, Aradippou, Paralimni, Peristerona, Evrichou, Ayia Napa and Polis Chrisochous Detention Centres in order to comply with these standards. Future adjustments will also be made according to the recommendations of CPT made after their periodic visit to Cyprus in May 2023.

152. Immigration detainees held under the Aliens and Immigration Laws, are transferred directly to MDC, which serves as a pre-departure centre, prior to deportation. However, due to MDC's limited capacity (128 persons) detainees can also be held in CP Detention Centres. Towards this end, 4 CP Detention Centres (Lakatamia, Paphos, Limassol, Paralimni) which have outdoor exercise area and separated wings for criminal and immigration detainees were designated for detaining administrative detainees, until their transfer to MDC.

153. There are 24 CP Detention Centres in Cyprus. The total capacity of the Police Detention Centres, including MDC, amounts to 331 persons, out of which 200 are immigration detainees. For further details, please see Annex 1, Table 5.

154. From 2019 to 2023, 2347 aliens have been detained at MDC as follows:

<i>Year</i>	<i>Number of detainees</i>
2019	535
2020	347
2021	378
2022	658
2023	429

155. At the moment, 103 persons are being held in CP Detention Centres, while 106 persons are held in MDC. Therefore, the percentage with regard to the total capacity of CP Detention Centres rises to 63,1%.

156. Detention period for asylum seekers and migrants in an irregular situation does not exceed the time frame of 18 months. Apart from detention, other measures may also be imposed according to *Section 9F (3) of the Refugees Law*, such as:

- Regular appearances before the authorities;
- Deposition of a financial guarantee;
- Obligation to stay in a designated place, including an accommodation centre;
- Supervision by a supervisor.

157. Furthermore, after individual assessment of each case, the alternative to detention measures that are mostly used are the following:

- Regular report to the AIS of each District;
- Report a residence address to the AIS of each District;

- Consent to the issuance of travel document by presenting a valid identification document such as an identity, a passport, or a travel license or a birth certificate within 30 days and cooperate with the CP and the CRMD for the issuance of such document.

158. Regarding NCP, the number of pre-trial detainees is 319 persons (97 Cypriot nationals and 222 non-Cypriot nationals, 300 men and 19 women). The total number of detainees at the moment is 1016 persons, therefore the percentage of pre-trial detainees rises to 31,4%. The pre-trial detainees are kept in a separate block in the NCP.

Reply to paragraph 17 of the list of issues

159. According to *Law 55(I)/2021*, the detention of a minor in conflict with the law, is considered as last resort. In case the Court decides the detention of the minor, then he/she will be held in a special juvenile detention centre.

160. During the review period, the European Project Finding Education for Female Inmates was developed, which aims to find special educational needs of women in order to exchange good practice between the EU participant countries. In addition, specialized programmes are offered to women prisoners such as fitness programmes as well as handicraft programmes. Special lectures are also offered to develop the parenting skills of female prisoners who are mothers as well as dedicated accelerated programmers for the acquisition of professional skills to enhance their employment opportunities after their release.

161. Special protocols are in place to meet the needs of groups of people with increased needs such as the LGBTIQ persons and persons with disabilities. Specifically, there are interdepartmental orders concerning the treatment and searches of such persons while there is an anti-bullying order and a general consensus that NCP staff as well as other prisoners, should offer assistance to vulnerable groups. Moreover, the specific needs of such groups are always met, with the assistance of the MPHS, MHS, NGO's and other governmental actors.

Reply to paragraph 18 of the list of issues

162. People who are serving life sentence also participate in the daily NCP activities such as school, substitution programmes and gym and are provided with opportunities so as to be prepared in the event of parole. According to the *Prisons Law* and relevant *Regulations*, people who are serving life sentences are also eligible to apply to the Parole Board for conditional release. There are future plans for the establishment of a specialized Assessment Committee/Team, specifically with the purpose of assessing these persons throughout their sentence. The primary goal is to establish an assessment tool in order to be able to assess their needs and progress on an annual basis and assist them in remaining active citizens and active prisoners.

163. During the review period, 13 male prisoners died in custody, as follows:

- 2018: 1 person, natural causes, (Cyprus) 1 person suicide (Romania);
- 2019: 2 persons, natural causes (Cyprus);
- 2020: 1 person natural causes (China);
- 2021: 3 persons natural causes, (Cyprus, Poland, Bulgaria);
- 2022: 2 persons natural causes(Cyprus, 1 person homicide-(Cyprus);
- 2023: 1 person, natural causes-(Cyprus), 1 person suicide-(UK):
- 2 male detainees died in CP custody, as follows:
 - 2019: 1 person, natural causes (Cyprus):
 - 2022: 1 person, suicide (Cyprus). After the incident, CP proceeded to the removal of all locks that were placed on the grid of the lights in CP cells, in order to avoid any similar incidents. The case is under investigation.

164. NCP Directorate has repeatedly made clear to both staff and prisoners that there is a zero tolerance policy to any abuse by the NCP staff and has alerted the staff to be aware of any incidents of violence and inform immediately the Directorate. Effective risk assessment and risk management take place on admission and during imprisonment. During the admission stage, all prisoners are assessed according to their needs and are placed in an

environment as familiar as possible to them, so they can adapt more easily. NCP take into consideration the particular features of each person such as language, religion, culture, nationality, and then proceeds to the allocation of prisoners in cells.

165. NCP staff is trained at the PA in order to carry out their duties with professionalism, obtain interpersonal communication skills, identify hostile behaviours or tensions between prisoners, refer and deal effectively with any signs of hostility from other prisoners and be alert to signs of trouble and intervene when necessary.

166. In relation to the prevention of ill treatment of prisoners by staff and the protection of an ill-treated prisoner, a prompt, independent and efficient investigation is carried out in all cases by the CP and internally by the NCP.

167. The NCP applies certain safeguards for ill-treated persons (either by staff or by any other prisoner). As soon as a complaint/ allegation about ill treatment/ abuse of power comes into the attention of the NCP management, either in a formal manner or even in the absence of a formal complaint (collected information from whistleblowing, doctors, psychologists, psychiatrists, etc.), then immediately the NCP proceeds to the following actions:

- Notification of the CP to investigate the incident;
- Preliminary examination by the doctors of the NCP;
- Transfer of the ill-treated person to the General Hospital for medical examination (forensic evidence), by coroner and other medical specialists;
- Preparation of a report by the coroner with the medical findings/ forensic evidence which are used for the criminal prosecution of the perpetrator/s;
- Suspension of the perpetrator until the investigation is completed. If the perpetrator is not suspended off duty, he/she is never assigned a duty in the unit where the person is placed for protection;
- Placement of the ill-treated person into a small unit with a capacity of ten persons, for better supervision and for protection purposes;
- Conduct of an internal investigation by collecting evidence (testimonies, CCTV footage etc.) and disciplinary against the perpetrator. In cases of ill treatment by the NCP staff, the NCP management usually enquires the MJPO to appoint public officers to carry out the disciplinary investigation for the purpose of ensuring transparency and objectiveness. The NCP provides any evidence/ findings in its capacity and assists the investigators when asked to do so;
- Prosecution of the perpetrator before the criminal court, by the CP.

168. The past few years, a large percentage of the NCP staff have received training for identifying vulnerable prisoners at risk of ill-treatment, inter-prisoner violence or of suicidal behaviours while some officers have received training on the prevention of alleged victims of ill-treatment and the steps for the investigation of such incidents according to the Istanbul Protocol.

169. During the review period, there was one case of ill-treatment of prisoners by NCP staff, more specifically a staff member was reported by a prisoner for attack/actual bodily harm. The staff member was then suspended, however, in July 2022, the case was closed by the OAGR.

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170. Detention orders for migrants and asylum seekers are issued only as a last resort, after the possibility to enforce less coercive measures has been eliminated and the risk of absconding has been assessed according to the provisions of the national legislation that concerns asylum seekers (*Refugees Law and Irregular Migrants (The Aliens and Immigration Law (Cap. 105))*). In this regard, there is a provision for evaluating the continuation of detention in accordance with the *Aliens and Immigration Law (Cap. 105)* on a bi-monthly and six-monthly basis. The re-examination process applies to all migrants irrespective of their legal status (asylum seekers or irregular migrants). Furthermore, where possible alternative

to detention measures are imposed or the migrant is released. For alternative measures to detention, please see paragraphs 156 and 157 of the Present Report.

171. Constant efforts are made by the CP to further improve the conditions of detention at MDC in order to meet the recommendations of the CPT and the CAPHR. During the review period, the following measures were taken in order to improve the level of living conditions at MCD:

- Installation of four new flat-screen televisions and four complaint boxes;
- Allocation of longer time for outdoor activities;
- Installation of exercise equipment at the outdoor area;
- Upgrade of the quality of water and food;
- Resolution of electrical and plumbing issues, as per the recommendations of CPT at its periodic visit performed in Cyprus in May 2023;
- Creation of a QR code for detainees to access information on their rights and obligations with their cell phones in several languages.

172. Further to the above, the returnees have access to the following activities:

- Leisure activities (painting and English classes);
- Outdoor exercise;
- Exercise equipment;
- Books, games, handcrafts and TV. Every wing is equipped with a TV, books and games;
- Wi-Fi in all Wings;
- Weekly fitness program for detainees, in collaboration with the Cyprus Sports Organization;
- Access to electronic communication.

173. As regards health care, the MDC is staffed with one doctor on a daily basis (Monday–Friday) between the hours 0730-1500, a nurse on a 24-hour basis, a MHS nurse on a daily basis, a psychologist twice a week and a health visitor once a week. Also, the detainees are transferred to the Regional Medical Centre or at Larnaca General Hospital, for medical care, if necessary. Additionally, a medical screening for every detainee is conducted upon admission (laboratory examinations for contagious diseases, Tuberculosis – Mandoux skin test.).

174. As a matter of public policy, no vulnerable persons are detained, including unaccompanied minors or families with children. Migrants detained on deportation orders as a rule are transferred to MDC. Nevertheless, in cases where it is not possible to be detained at MDC, due to the lack of available cells or for any other reason (e.g. on a weekend or Public Holiday, a medical examination cannot be performed there), they are transferred temporarily to CP Stations.

175. Asylum applicants at the PRC, undergo vulnerability assessment where potential victims of torture may be identified. The vulnerability assessment form is signed both by the competent officer- the caseworker responsible for the examination of the asylum claim- and the applicant. The vulnerability assessor will then proceed with referrals of the applicant according to the psychiatric/psychological and/or medical needs of the applicant/ potential victim of torture. SOPs regarding the vulnerability identification, assessment and referral have been drafted and approved.

176. Potential victims of torture are always referred to the SWS, who according to section 9KF of the *Refugees Law*, are responsible to safeguard their access to appropriate healthcare and psychological therapy and care. Follow-ups regarding the psychiatric/psychological assessment and needs of the applicant take place at a later stage, by the caseworker who is going to proceed with the assessment and examination of the asylum application.

177. The CP in cooperation with the MHS has proceeded to the designation of procedures followed by CP officers for handling high-risk detainees. An interview form for the first assessment of persons in Police custody was prepared in order to help the CP officers to identify detainees, who are at high risk of committing suicide. The interview form is completed by the CP officers, immediately before the detention of a person, without undue delay. In case that the CP officer considers that the behavior of a detainee is unusual, the procedure for immediate psychiatric examination begins, with his / her consent. In case the detainee refuses to cooperate, then the procedure for compulsory treatment/hospitalization is followed. This interview form primarily aims to the prevention of suicides in detention centers. During detention, the detained persons are monitored every 30 minutes, unless more frequent monitoring is deemed necessary, for reasons of protection of his life/health or for security reasons. CP officers among other things, check for any unusual or dangerous behaviour of the detainee (e.g., talking to himself/herself, crying, expressing suicidal intent, etc.). In case the CP officer notices this behavior, he/she immediately informs his/her superiors and makes the relevant registrations in the Station Diary. In case during detention, the detainee's behavior continues to be unusual, then the procedure for immediate psychiatric examination begins. The above procedure is included in the PSO 5/3 "Rights of Detained Persons".

178. In NCP, risk assessment and risk management take place upon admission and also during imprisonment. Upon their arrival to the NCP, prisoners are interviewed by the prison officers as well as by a general practitioner, a psychologist and a psychiatrist in order to make an initial screening of their medical and mental health history and identify their needs. The prison officers are alert to signs of prisoners who are at high risk of committing suicide and intervene when necessary. In case of a dangerous or unusual behavior from a prisoner they immediately refer the case to the MHS and the Prison's Management to deal with them effectively. Where necessary, the prisoners get counselling and support from the MHS or in more serious cases where hospitalization is needed, all the necessary steps for such a procedure/transfer are being taken.

179. Regarding the detention of asylum seekers, according to *section 9F of the Refugees Law*, it is prohibited to detain an applicant solely because of his/her status as an applicant, as well as to detain a minor applicant. In case the asylum seeker or migrant has a family, this is taken into consideration and an evaluation report is asked from the SWS, in accordance with *section 18PG of The Aliens and Immigration Laws*.

180. Asylum seekers are detained only if specific criteria are met. The main criteria for an asylum applicant to be detained is when there is strong evidence that his/her application has been submitted in order to prolong or obstruct their repatriation process, and where the applicant has been deemed dangerous for national security and/or public order. An asylum application is considered to be abusive leading to the issuance of a detention centre following by the CRMD in which specific criteria are examined in accordance to the *Refugees Laws*. These include the time period that the asylum application was submitted, whether the application was submitted while a return procedure was in effect and whether new details on the asylum application have been submitted.

181. Furthermore, detainees who file an application for international protection, while detained, are individually assessed, as soon as the CRMD is notified on the application by the AIS. After the individual assessment and the possibility to enforce less coercive measures and the risk of absconding have been assessed, a decision is taken whether a) to continue the detention b) to apply alternative to detention measures or c) to release the asylum seeker. Among the main factors taken into consideration, is whether the asylum seeker is a threat to the national security, or whether his/her application was submitted abusively in order to delay the deportation procedure.

182. As regards access to legal aid, all immigration detainees have the right to consult a lawyer of their choice confidentially, upon apprehension and without undue delay. In case they wish to receive legal aid, they file an application to the Court. Immigration officers for the oversight of administrative detainees, are tasked –among others-to systematically and on a daily basis liaise with the Court Registrars to ensure that all applications/ to the Courts are duly communicated in a timely manner.

Reply to paragraph 20 of the list of issues

183. The Directorate of MHS has already drawn up a physical restraint protocol. A relevant protocol for chemical immobilization is under development while mechanical immobilization is not applied.

184. According to “*the Psychiatric Hospitalization Law, 1997*”, [L.77[(I)]/1997], involuntary hospitalization applies to cases where the patient suffers from a serious mental disorder, and where appropriate treatment is provided only by a secure psychiatric centre. Compulsory hospitalization is provided only in secure psychiatric facilities. Athalassa Hospital and the Inpatient Unit for Adolescents, accept involuntary patients in accordance with the provisions of the above law.

185. In order to issue any hospitalization order and where the patient is unable to testify, the Court hears the views of the patient’s personal representative. In case this representative is not located then, the Court hears the views of the social worker, who may be accompanied by a lawyer and a psychiatrist of his/her own choice.

	2019	2020	2021	2022	2023 (1st semester)
Athalassa Hospital	860	906	970	786	405
Inpatient Unit for Adolescents	74	82	108	135	46

186. When patients are hospitalized with voluntary hospitalization, they are fully informed about the treatment methods. In cases of disagreement about the forms of treatment and the administered medication, the benefits of the specific treatments are re-communicated and alternative treatments are suggested where possible. In cases of involuntary hospitalizations, patients are fully informed about the treatment methods and the medication given to them. Where there is disagreement about the forms of treatment and the administered medication, the benefits of the specific treatments are re-informed and alternative treatments are being suggested where possible. Where medication is imposed, it is administered compulsorily without their will.

187. The Directorate of MHS has community structures on a Cyprus-wide basis, which include outpatient clinics for adults and minors and community nursing services for adults provided through resident visits. In addition, there are rehabilitation structures such as Day Centres and Work Rehabilitation Units.

Reply to paragraph 21 of the list of issues

188. CP Detention Centres as well as MDC are often visited / inspected by many agencies such as CAPHR, United Nations Refugee Agency, embassies and NGOs (Cyprus Red Cross, Cyprus Council for Refugees, KISA), which deal with the protection of human rights. These Organizations are provided with all the necessary facilities and information to carry out their visits.

189. During the review period, the following visits took place:

- 2019:
 - Aradippou Detention Centre
 - Kophinou Detention Centre
 - Lakatamia Detention Centre
 - Ayia Napa Detention Centre
- 2020
 - Paphos Detention Center
 - Short-term point of entry facility at Larnaca Airport

- 2021
 - MDC
- 2022
 - Short-term point of entry facility at Larnaca Airport
 - MDC (CPT ad hoc visit)
- 2023 (CPT periodic visit)
 - Paralimni Detention Centre
 - Aradippou Detention Centre
 - Kofinou Detention Centre
 - Oroklini Detention Centre
 - Germasogia Detention Centre
 - Limassol Central Police Station
 - CID Nicosia
 - Lakatamia Police Detention Centre
 - Nicosia Central Police Station –
 - Pera Chorio Nisou Detention Centre
 - Paphos Central Police Station
 - Polis Chrysochous Detention Centre

190. The CAPHR has visited the NCP more than 15 times during the period January 2020–October 2022 to ensure that the NCP policies and actions complied with its obligations under the Convention at the coronavirus pandemic. Also, in 2023 the CPT visited NCP, during its periodic visit to Cyprus.

191. Since June 2018, 2 visits were carried out at the Athalassa Hospital by the CAPHR. In addition, in the framework of the implementation of the *Psychiatric Hospitalization Law*, a Committee for the Supervision and Protection of the Rights of Mentally ill Patients is established which, submits recommendations regarding the suitability of the treatment centres and inspects the centres where patients are treated, the places where they stay or the centres where outpatient care is provided after the termination of their hospitalization. In addition, the Committee examines complaints regarding the detention and provision of hospitalization in any centre and submits the findings and recommendations to the MOH. Relevant complaint boxes are placed in all the Structures of the Directorate, internal hospitalization, external structures, and rehabilitation structures.

192. The recommendations made to the NCP by the CAPHR and the CPT included mainly the overcrowding and the material conditions, the inter-prisoner violence and the backlog in the disciplinary procedures. As a response to the recommendations made, alternative measures to detention were taken through the amendment of the Prisons' legislation in 2020 as well as the recent decision of the Council of Ministers in June 2023 providing for the building of a new block in the prisons, with the capacity of 250 persons. Also, all pending disciplinary cases were completed.

193. Regarding the recommendations made by the CPT on the living conditions, NCP has installed air conditioning systems in all blocks and all areas. Furthermore, no more than 4 prisoners are held in the same cell.

194. Independent monitors, including NGO's, are provided with all the necessary facilitations and information to carry out their visits. In 2020, following the CAPHR's initiative and efforts to align with the recommendations of the CPT, "*the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Optional Protocol), (Ratification) (Amendment) Law, 2021*" (L.3(III)/2021) was enacted and therefore

CAPHR can now conduct visits freely, unhindered and unannounced to any place or places of detention.

195. The CAPHR investigates complaints on alleged torture or ill treatment and refers them to the relevant authorities: a) The NCP and the MJPO when the complaints concern the NCP, b) the COP and the MJPO when the complaints concern CP Detention Centres, c) the SHSO (State Health Services Organization) and the MHS of SHSO when it concerns the Psychiatric Hospital, d) the SWS when it concerns private homes for the elderly and disabled persons.

196. During the review period the following complaints were submitted to the CAPHR for ill-treatment by staff:

	2018	2019	2020	2021	2022	2023
CP Detention Centres and NCP	10	2	3	8	7	1
Private Homes	3	9	10	9	2	1

197. As a rule, visits for the detection of cases of ill-treatment in places of deprivation of liberty are carried out without prior submission of a complaint to the CAPHR. In certain cases, however, when a relevant complaint is submitted to the CAPHR, then an investigation takes place in conjunction with a visit to the place of detention.

198. In October 2022 the CAPHR under the mandate of the National Human Rights Institution was re-accredited by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions with A status, confirming that the institution is fully compliant with Paris Principles.

199. In its decision the sub-Committee took into account, not only the CAPHR's actions for the promotion and protection of human rights, but also the implementation of all of its previous observations and recommendations in order to be fully compliant with the Paris Principles. In particular, to achieve our accreditation with A status, the following actions were taken:

- By “*The Commissioner for Administration (Amendment) Law, 2022*” [L.127(I)/2022], the term of office of the Commissioner is 6 years with the possibility of reappointment for only one additional term of office;
- On a basis of a Decision by the Council of Ministers in June 2022 (Decision No 93.297), an advisory Committee of Human Rights was established. The Committee is comprised by various human rights stakeholders (including representatives of the civil society representing the rights of: persons with disabilities, the elderly, the LGBTIQ community, prisoners, refugees, and others), and are presided by the acting Commissioner;
- On the basis Decision by the Council of Ministers in June 2022 (Decision No 93.298), the selection and appointment procedure of the Commissioner has been formalized and specific binding rules have been set up. Specifically, it is henceforth provided that for the appointment of the Commissioner a public call by the Council of Ministers needs to be initiated for expression of interest for the position prior to the expiry of the term, the evaluation of all the candidates by the Council of Ministers (to recommend the most suitable one to the President of the Republic), the approval of the nominated person by the majority of the House of Representatives, and, then, the appointment by the President.

200. In 2021, the Council of Ministers and the House of Representatives approved the exclusion of the staff of the CAPHR from the governmental exams. With the new procedure, the applicants are now excluded from the general examinations applicable for other public authorities and are instead, required to take specialized exams, organized by the CAPHR. The final selection of any new staff is made by the Public Service Commission from the pool of applicants who succeeded in the exams, after consultation with the CAPHR and upon her recommendations. The new procedure has already been applied in a process that is currently under way, and 7 new officers have been recruited.

201. According to article 3.1 of the Constitution of the Republic of Cyprus, the Official languages of the State are Greek and Turkish. Moreover, article 3.2 provides that all legislative, executive and administrative acts and documents shall be drawn up in both official languages and shall, where it is provided in the Constitution, be published in the Official Gazette of the Republic in both languages. Furthermore, according to article 123 of the constitution of the Republic of Cyprus, 30% of public servants should be Turkish Cypriots and 70% Greek Cypriots.

202. However, after the events/ bi-communal riots of the period 1963–1964, the Turkish Cypriots proceeded, among other things, to withdraw from public service, a process that was further consolidated with the Turkish invasion of 1974. In order to maintain the continuity of the state, the Supreme Court adopted the legal “doctrine of necessity” and therefore all constitutional provisions which, for practical reasons, could not be applied, were suspended. In view of the case law of the Supreme Court, the authorities of Cyprus have no legal obligation to publish Laws or other official documents, in the Turkish language.

203. Regarding the recruitment of Turkish-speaking staff, the possession of the Turkish language is not compulsory for a person to be employed in Civil Service. However, when complaints are submitted to the CAPHR by Turkish Cypriots who do not speak English or who wish their communication to be in Turkish, then the documents sent to them, are translated into the language of their choice.

204. The human resources of the CAPHR consists, at this stage and after the recruitment of twelve (12) new Officers during the last years (five Officers during 2020–2021 and seven more in August 2023), as well as with the addition of two new members of secretarial staff in the Institution in 2023, of 49 persons (34 Officers, 11 secretarial staff and 4 hourly staff). The budget is prepared according to the needs and upon the strategic plan of the CAPHR and is approved by the House of Representatives as it is submitted. This way, the CAPHR is provided with the necessary financial, technical and human resources to fulfil its broad mandate. Following the approval of the budget, the CAPHR has absolute management and control of the appropriated funds which seems to be adequate every year.

Articles 12–13

Reply to paragraph 22 (a) of the list of issues

205. All persons may file a complaint for abuse by CP members, either directly to the IAIACAP or at the CP. According to instructions of the OAGR, when a person submits a complaint for abuse by CP officers, then the IAIACAP in consultation with the OAGR, appoint an independent criminal investigator to investigate the complaint. Also, the IAIACAP can carry out an investigation *ex proprio motu* into allegations of human rights violations which comes to its knowledge in any manner whatsoever. The result of the investigation is submitted to the OAGR for instructions as to whether a criminal offense has been committed by the CP officers. Therefore, no hierarchical or institutional link exists between the suspected perpetrators and the inspectors.

206. During the review period, 623 complaints for abuse by CP officers were investigated by the IAIACAP:

<i>Year</i>	<i>Number of complaints</i>
2019	137
2020	146
2021	155
2022	107
2023 (until 30/06/2023)	78

207. 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, regardless if he/she has been released from the detention facility.

208. The above procedure was incorporated in a PSO in 2022, describing in detail the procedure to follow in cases where there has been a complaint of ill-treatment by CP members. Among others:

- It provides for targeted measures to ensure that any complaint of ill-treatment is transmitted within 24 hours to the President of IAIACAP and to the OAGR;
- It stresses the necessity of a forensic examination of a person within 24 hours and the photographing and recording of injuries, when force has been used by the CP during the arrest of a suspect;
- It provides for the CP's obligation to keep the CCTV footage if the circumstances giving rise to the complaint occurred a place where there is CCTV, within the CP.

209. In 2022, the Council of Ministers of the CoE adopted the final resolution (CM/ResDH(2022)348) for the closure of the examination of cases *Kabbara V. Cyprus* (no. 24459/12) and *Thuvo v. Cyprus* (no. 3869/07). The cases concerned allegations of ill-treatment by CP officers in 2007 and 2011 and ineffective investigations into those allegations. The Council of Ministers after examining the cases, and taking into account the significant improvements in the system of investigating complaints of ill-treatment by CP officers, in particular in respect of independence, promptness and quality and the measures capable of preventing ill treatment by CP officers, decided to close the examination.

Reply to paragraph 22 (b) of the list of issues

210. According to the *Article 113 of the Constitution*, the OAGR has the power to initiate ex officio investigation for all types of offences including those that arise from the Convention. Such power may be exercised by the Attorney General in person or by officer's subordinate to him acting under and in accordance with his instructions.

Reply to paragraph 22 (c) of the list of issues

211. The subject of suspension of CP officers from their duties when an allegation of ill-treatment against them is lodged, is regulated by the Police Disciplinary Regulations (n.53/1989) according to which the decision is taken by the Police Commander with the approval of the COP or after an order given by the COP. However, in every case effective safeguards are in place so as the alleged perpetrator does not have any contact with the victim.

Reply to paragraph 23 of the list of issues

212. Please see Annex 1, Table 6.

213. On further details regarding disciplinary and criminal proceedings, please see paragraph 36 of the present Report.

214. The risk assessment of each demonstration is determined by the Intelligence Management and Analysis Sub-Directorate of the CP on the basis of information received. Subsequently, the information is transmitted to the Operations Office, which draws up an operation plan, taking into account various parameters such as the venue of the event, number of people who will take part, previous events and protests from the same individuals/groups. The PSO 5/36 "Riots and Demonstrations", modified in 2023, regulates this matter: type of demonstrations, risk levels, first response, group formation and behaviour of CP officers towards the crowd.

Reply to paragraph 24 of the list of issues

215. The complaints, including those of migrants in an irregular situation, 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.

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

- Once the investigation is concluded, the investigator submits the case file, along with his findings, to the IAIACAP,

- The investigator's findings are not binding to the IAIACAP. The IAIACAP looks into the evidence acquired by the investigator and draws its own conclusions,
- The IAIACAP's conclusions, along with the case file, are forwarded to the OAGR, who has the final call for exercising or not a criminal prosecution. In the case of disciplinary offences, the case is forwarded to the COP,
- Each investigator is subject to the instructions of the IAIACAP and of the OAGR and may apply directly to him for guidance.

217. The IAIACAP is financially independent through its own budget, as approved by the House of Representatives. The Ministry of Finance has provided additional funds to the IAIACAP whenever such funds were asked.

218. *"The Police (Independent Authority for the Investigation of Allegations and Complaints) Law, 2006"*, [L.9(I)/2006], regulates the protection of victim of torture and their relatives. According to section 18(1) "A person who, by reason of the fact that another person has filed or intends to file an allegation or a complaint, under this Law, or has provided or intends to provide for its purposes any information, document or data or has made or intends to make a statement, annoys or intimidates the other person or any of his relatives anywhere, in a way which affects or might affect the investigation, is guilty of an offence", and 18(2) "A person who is guilty of an offence, in violation of subsection (1), is liable to imprisonment not exceeding six months or to a fine not exceeding seven hundred and eighty-five euro or both".

219. According to the Regulations for the Function of the MDC a three-member Complaints Committee comprised from the MOH, the MOI and the DMSW is established with the mandate to:

- (a) Review a decision made by the person responsible for the detention centre, and
- (b) Hear and investigate the complaints of the detainees for any matter related to the detention or their treatment.

Article 14

Reply to paragraph 25 of the list of issues

220. A bill is currently being drafted by the IAIACAP so that the Authority will be able to employ permanent investigators. This new procedure will be combined with the existing one, by which the investigators are selected from a pool of experts, prepared by the OAGR, and are recruited exclusively for the purposes of each case. At the same time, the IAIACAP is empowered to engage the services of experts/specialists such as photographers, interpreters, forensic doctors and others that may be necessary for an investigation. The new procedure will contribute to the increased speed of the investigations and the improved management of the budget of the IAIACAP.

221. There is no ongoing reparation programme in Cyprus ran by governmental authorities, for the rehabilitation of victims of torture and ill treatment. However, Cyprus participates to the International Rehabilitation Council of Torture through the Cyprus Refugee Council, an independent non-profit organization, which focuses primarily on the support and safeguarding of the rights of vulnerable groups in Cyprus.

Reply to paragraph 26 of the list of issues

222. The current progress rate made in the investigation of missing person is not satisfactory due to the low identification rate. Please see Annex 1, Table 7.

223. The response rate of the Turkish Cypriot (T/C) office to the investigation requests, such as locating persons who have information on missing persons, is unsatisfactory. In many cases, the excuse given is that there is difficulty for the T/C office to approach individuals (Turkish military, T/C Fighters or even T/C informants/witnesses) who might have been involved in Greek Cypriot (G/C) missing person's cases. Additionally, there is a poor track record by the T/C office on following up of cases in order to determine possible burial locations.

224. Also, most of the cases of T/C who went missing during the Turkish military invasion in Cyprus in 1974 have been recovered. Concerning cases of T/C who went missing during the inter-communal fighting of 1963 to 1964, even though many persons who were involved in such cases have already died, there is an active investigative process to determine possible burial sites, as demonstrated in the ongoing excavation in Choulou, Pafos.

225. Regarding access, and while excluding sites located in military zones, it is usually granted to investigators. The CMP members achieve this through face-to-face negotiations with the relevant parties. In most cases the core issue of such negotiations is a request of a compensation fee which is granted upon prior assessment regarding the validity of such requests. In some cases, this process can be time-consuming.

226. Permission to excavate in military zones is usually approved but not always without complications. Those mainly arise by Turkish Military Forces' inflexibility to allow excavations in exact predetermined geographic coordinates of possible burial sites. This hampers the CMP's efforts and pushes back the excavation as a new request must be submitted. It is important to note that most missing person cases in military zones are not in direct proximity of any military installations and in many cases involves open fields that are classified as military zones.

227. Regarding measures to uphold the right to truth, the following apply in case remains are found:

- The families are informed about the results of the identification process and other relevant information, such as the date and place of the exhumation, as well as the bones identified;
- The families visit the anthropologist lab where they can view the remains. A team of anthropologists, geneticists and archaeologists inform families about the process of exhumation and identification;
- The funeral practicalities are arranged by psychologists, according to the wish of the family of the identified. Psychologists attend the funeral and are close to the relatives during the ceremony and later at the burial ceremony;
- Psychologists continue visiting the family as long as it so wishes. After the funeral, the family can visit the exhumation site and the place where bones were found. The family can also visit the CMP office to read the file of the identified person. A copy of testimonies is given to the family if they so wish.

228. Psychologists provide support to families of the identified person at any stage of the process above.

229. With regards to efforts made to ensure that alleged perpetrators are brought to justice, please see answer in paragraphs 233–241 of the Previous Report.

230. We trust that the Committee will issue a specific question/query/recommendation to Turkey, during Turkey's evaluation under the CAT 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.

Article 15

Reply to paragraph 27 of the list of issues

231. All evidence/testimonies that have been obtained upon violation of constitutional rights and/or through torture/ill treatment/degrading behaviour are deemed inadmissible and are not accepted at Courts, provided that there is substantial proof of the method of acquisition. The admissibility of evidence is decided upon the process of *voir dire*.

Article 16

Reply to paragraph 28 of the list of issues

232. Domestic and international human rights groups operate without government restriction and are treated with respect towards their mandate. In 2017, CP signed a Memorandum of Understanding with NGO's to develop further cooperation between the two Parties. As a result, the NGO's have the right to perform unannounced visits to places of deprivation of liberty, monitor the detention and treatment conditions and submit reports with their findings and suggestions for corrective measures.

Reply to paragraph 29 of the list of issues

233. During the review period, Cyprus has not reviewed or amended the law relating to the National Guard. According to the Decision of the Council of Ministers, dated 9.1.2018, the age of enrolment of children in Grade A of primary school has been increased from 5 years and 10 months to 6 years before September 1st of the school year they will attend school. Therefore, the age of completion of the secondary education has been increased and as a result the recruitment in the National Guard takes place largely after adulthood.

Other Issues

Reply to paragraph 30 of the list of issues

234. CP implements specific measures especially at the borders in order to prevent any activities related to terrorism by the illegal immigrants'/refugees flow.

235. These measures include among others:

- Increase of security measures at the entry and exit points of the Cyprus and at the crossing points through the Turkish occupied areas;
- Special training programs prepared and delivered to border security and crossing points officers related with the profile and the identification of foreign fighters (jihadists);
- Upgrade and reinforcement of existing mechanisms for a quick and direct exchange of information with other countries and institutions;
- Continual guarding, patrolling and surveying of possible identified targets (soft targets, critical infrastructures, embassies, airports etc.);
- Strict passport scrutiny at the arrival and departure of passengers at airports and ports; patrolling and surveying of the coastal areas under the control of Cyprus by aerial and naval means.

236. All the measures taken are within the legal framework, without affecting/violating human rights.

237. Cyprus has not faced any complaints of non-observance of international standards in relation to terrorism.

238. Cyprus in compliance with EU Regulations, UN Resolutions and Council of Europe conventions enacted "*the Combating of Terrorism and the Protection of the Victims Law, 2019*" [L.75(I)/2019].

239. CP officers are trained on anti-terrorism issues during both the recruitment stage as well as in specialized programmes. Counterterrorism Trainings contain topics such as: "European and National Counter Terrorism Legislation", "Indicators of terrorist activity", "Signs of Violent Extremism and Radicalisation", "Common Risk Indicators concerning Foreign Terrorist Fighters" etc. Special references concerning safeguarding of Human Rights are incorporated on each training session. Since June 2018, a total of 2350 persons have been trained on the above-mentioned topics.

240. In 2023, one person has been convicted under the abovementioned legislation, to 2 years of imprisonment, for the offence of "intentionally receiving instructions and/or training

in the manufacture or use of explosives, firearms, other weapons or noxious or dangerous substances, or in other specific methods or techniques, with the intention to commit or to contribute to the commission of a terrorist offense”.

Reply to paragraph 31 of the list of issues

241. During the pandemic, Cyprus has taken several preventive measures to avoid the spread of coronavirus disease. These measures were in all cases aligned and in full respect of the obligations arising from the ratification of the Convention.

242. In particular, CP during the pandemic, took the following indicative measures, although the list is non-exhaustive:

- Daily cleaning and disinfection of the common areas of the detention facilities, as well as disinfection of the cell when a detainee is released;
- Selection of special vehicles, which are intended for the transportation of detained persons and their disinfection after any transport. The same applies to special vehicles for transporting detainees and persons against whom mandatory hospitalization orders are issued;
- Provision of a sufficient number of masks, gloves, antiseptics, chlorine and alcohol for the protection of the CP members and those who come in contact with them, for disinfection of the vehicles transporting detainees as well as in CP Detention Centres;
- Provision of electronic thermometers for using when visitors come to CP Directorates, Stations and Citizen Service Offices;
- Prohibition of visits to detainees, except in exceptional cases. However, instructions were given to members of the CP to facilitate the telephone communication of the detainees, even more often than allowed;
- Posting of posters concerning COVID-19 virus in a prominent position in all the CP buildings.

243. Further to the above, in order to protect persons arrested and detained as well as CP members, a circular letter was circulated in which specific detention centres were designated as “Reference Detention Centres”. These detention centres were used only for the detention of persons arrested by the CP until their Covid test and the final result. Immediately after the arrest of any person, all necessary measures were taken, so that the arrested person was immediately examined for Covid and then placed in a Reference Detention Centre. The transportation of detainees in other detention facilities was allowed only in cases where the test was completed, with a negative result.

244. As regards MDC, the following measures were in place:

- For the admission to the MDC, the detained person was obliged to have a medical certificate that he/she has given a sample for COVID testing with a negative result.
- The transportations of detained persons outside the centre, were limited to the most necessary, such as hospital and court.

245. At this moment, all measures for the pandemic have been lifted, apart from the rapid test conducted to all detainees, before their transport in the MDC. Also, according to the CPT recommendations during both the ad hoc and the periodic visit performed in November 2022 and May 2023 respectively, the family visits at MDC have re-commenced. The detainees have been informed both in verbal (loudspeakers) and written form (announcements placed inside the wings of the MDC) about the re-commencement of family visits.

246. In PRC, during the coronavirus pandemic, in order to ensure that policies and actions comply with obligations under the Convention, some measures were taken in relation to persons deprived of their liberty. Vulnerable individuals with high-risk indicators were allocated outside of the PRC in appropriate shelters. Also with the help of UNHCR there was an emergency number that people in quarantines were given so as to be able to communicate for any emergency or medical issues.

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

Reforms in the Healthcare Sector

247. Since 2019, two major healthcare reforms were introduced.

248. The first one, refers to the introduction of the General Healthcare System (GHS) as a modern, patient-centric healthcare system with the aim of delivering quality healthcare services and access to primary secondary, tertiary and emergency healthcare services. It provides universal coverage of the population, equal and equitable access to all beneficiaries, a comprehensive package of healthcare services, freedom of choice of provider and social reciprocity. The core of the GHS is based on the concept of the Family Doctor. Beneficiaries are all citizens. Third country nationals who hold a permanent residence status as well as refugees and persons with a status of supplementary protection have access to the system.

249. The other reform, refers to the establishment of the SHSO as a Public Corporate Body responsible for the operation of all public hospitals and primary health care centres, including the MHS (Athalassa Hospital) and its various structures. Based on this, the MHS consists a separate Directorate under the administration of SHSO.
