

Violence against Women, Istanbul Convention, CEDAW

Recommendations: A - 114.14, A - 114.15, A - 114.33 A - 114.54 A - 114.55, A - 114.56 A - 114.57

The Republic of Cyprus has signed and as of 14th July 2017 ratified the Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence. The government proceeded with preparing a new bill entitled The Protection from Harassment and Stalking and other related Issues Law, and enactment of other related laws. However, some forms of violence against women still remain un-penalized and unmonitored (e.g. economic violence).

Cyprus has transposed Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, implementing national legislation in April 2016 (19), which ensures that women victims of gender-based violence, among others, receive specialized support services. However, there is no evidence that the law is being implemented or that front line services have the knowledge and resources to meet their obligations under the law.

Lawyers, prosecutors and judges lack the necessary training and knowledge on violence against women (VAW), the needs and rights of victims, and the legal framework on violence against women in Cyprus. Legal sanctions against perpetrators are inadequate, particularly in cases of rape, and do not reflect the seriousness of the crime. There is currently no data available on women's access to protection orders and other protection measures.

Moreover, although free legal aid is available in Cyprus, the process for accessing this aid is time-consuming and not facilitated by the government service. Women are often faced with court delays, as well as stereotypical attitudes by prosecutors and the judiciary. A high number of reported domestic violence cases never reach the court and are either suspended or dropped. Cyprus has one of the lowest conviction rates in Europe and the penalties imposed on the perpetrators are minimal and non-deterrent.

An NAP for the Prevention and Combating of Violence in the Family was implemented during the period 2017-2019 by the Advisory Committee for the Prevention and Combating of Violence in the Family. VAW is also included in the current National Action Plan on Equality between Men and Women (2014-2017), including domestic violence, sexual harassment, and trafficking in women. However, the NAP lacks specific indicators, as well as timelines and dedicated budgets.

Front line professionals (Police, Social Welfare Services, and Health Services) often lack the ability (human resources, lack of direction from senior government officials) to offer adequate support and protection due to lack of systematic specialised training.

Comprehensive data collection on all forms of VAW disaggregated by sex and age of victim and perpetrator, type of violence, relationship between victim and perpetrator is urgently needed as foreseen by the Istanbul Convention and the Victims' Rights Directive. The Advisory Committee for the Prevention and Combating of Violence in the Family has formally submitted to the Ministry of Justice a proposal for a unified and centralised data collection mechanism and processing administrative data on domestic violence. However, to date, no action has been taken in this area.

Island wide specialized services for victims of all forms of VAW are lacking. Domestic violence services are offered by one NGO, the Association for the Prevention and Handling of Violence in the Family (SPAVO) with government support. SPAVO runs the national domestic violence helpline 1440, two women's shelters and counselling services in Nicosia and Paphos. The burden for the

provision of specialised support services to victims of violence as well as for securing the financial resources to ensure such services are sustainable falls to NGOs and volunteer organisations.

Cyprus lacks rape crisis centres or specialized services for victims of rape and sexual assault. Conviction rates in Cyprus are among the lowest in Europe, despite increasing reporting rates. Furthermore, awareness raising campaigns and/or other prevention programmes on sexual violence are not implemented at any level.

FGM and other harmful traditional practices, such as honour related violence and forced marriage, are not framed as issues in Cyprus, despite an increasing migrant population in Cyprus, and there is a lack of data on specific forms of harmful traditional practices.

Migrant women often do not have access to services or lack adequate specialised support due to cultural, economic and other barriers. It is essential to ensure that migrant women have access to information and culturally sensitive victim support services. It should be noted that the Cyprus government placed a reservation on Article 59 of the Istanbul Convention on Residence Status, which states that survivors whose residence status depends on that of a violent spouse or partner have the right to apply for a separate residence permit. According to the Ministry of Interior, the reason behind this reservation is a 'fear' on behalf of the government that migrant women will claim being victims of violence in order access residence permits in Cyprus. This is rooted in racist and sexist attitudes towards migrant women.

Primary prevention of VAW has been a neglected policy area in Cyprus, in favour of secondary prevention. Primary prevention should be targeted through the educational system, since it is one of the primary transmitters of traditional cultural and social norms that are conducive to violence against women.

Recommendations

- Monitoring of the implementation of the Directive 2012/29/EU is needed and the associated services (governmental and NGOs) should be informed of the directive and the public should have knowledge of and access to their rights.
- Ensure immediate access to free legal aid and the issue of protection measures.
- Strengthen and support multi-agency and multidisciplinary co-operation involving all relevant stakeholders including women's organizations and NGOs.
- Ensure appropriate and sustainable funding for the implementation of policies against gender-based violence and the operation of services.
- Systematic training of the professionals is necessary and VAW should be integrated in both initial training as well as continuous vocational training.
- The government should ensure both general and specialist victims support services are available to meet the needs and provide better support of all groups of women.
- The Government should push forward the proposal of the Advisory Committee for the Prevention and Combating of Violence in the family to establish a unified and central data collection system on VAW.
- Secure the rights of migrant women and immediate lift the reservation of Article 59 of the Istanbul Convention.

Institutional Mechanism National Machinery for Women's Rights
Recommendation: A - 114.22

No steps have been taken to strengthen the NMWR in line with the recommendations. Although the structure has changed somewhat with the appointment of a Commissioner for Gender Equality, we feel this development to be inadequate as the Commissioner does not have a clear mandate with executive powers, or sufficient human and financial resources.

Recommendations

- The Government should strengthen the National Machinery for Women's Rights with financial and human resources with expertise in gender equality and women's rights.
- The Government should reconsider the establishment of a unified governmental body for the promotion of women's rights, with the allocation of adequate human and financial resources. Such a body should have executive powers and a clear mandate for the promotion of women's rights and gender equality policy in Cyprus.

Education and Employment
Recommendation A - 114.28 A114.36 A114.38 A 114.39

Education

Research shows (Mediterranean Institute of Gender Studies - MIGS 2018) that gender stereotypes can be witnessed in everyday settings, including the school environment. They can be projected by teachers and school peers, reinforced by curricula and even come across in the way that information about study fields and occupations is presented to boys and girls.

Parents and teachers are more likely to expect boys, rather than girls, to pursue paths in Science, Technology, Engineering and Mathematics (STEM) subjects, regardless of their level of academic performance. Conversely, girls are expected to follow paths that focus on care-giving and are people-oriented.

In tertiary education, the educational choices of men and women continue to be highly segregated. Women opt for the fields of education, health and welfare, humanities and arts, while men dominate in engineering, manufacturing and construction. The fields of science, mathematics and computing show more of a gender balance with 53.6% women and 46.4% men.

Women are still severely underrepresented in scientific research centres and educational decision-making. While women represent the majority of teaching personnel in pre-primary, primary and secondary education, in tertiary education the majority of teaching personnel are men (59.1% men and 40.9% women). Furthermore, in all educational levels, in 2009/2010 the majority of headmaster/headmistress positions are held by men. In scientific research, women are underrepresented in all fields and particularly in natural sciences, engineering and technology, the medical and agricultural sciences. While 51% of university degree holders and 40% of post-graduate degree holders are women, this number is reduced to 28% among PhD holders. The issue of gender balance in decision-making in education is not explicitly addressed by the MoEC's Strategic Action Plan on Gender Equality.

Research carried out by MIGS (2008, 2011) among adolescents showed that there is a high tolerance for gender based violence, and that this is directly linked to negative gender stereotypes and discriminatory attitudes towards women. Despite the importance of creating strategic

approach to adolescents and young adults on the prevention of gender-based violence and the promotion of gender equality, this dimension has largely been ignored by those involved in policy formulation and implementation in relation to education.

Sexuality education is not regulated by law in Cyprus however, Cyprus has signed and ratified a number of international and European conventions, agreements and treaties which promote and secure the right of children to sexuality education.

Sexuality Education is included in the Health Education curriculum as a thematic area frame “Family Planning – Sexual and Reproductive Health”. Sexuality education is mandatory since September 2011 when it was incorporated in the health education curriculum, however, there is no monitoring and evaluation system in place and as a result, there is no evidence that this is applied in practice. There are also still substantial gaps in the inclusion of issues related to gender and gender equality in the curriculum at all levels of education. Although the Ministry of Education and Culture also has a Policy on Sexuality Education, and the Health Education Program is considered to be an outstanding program in theory, sexuality education is insufficiently and inadequately implemented.

Recommendations

- Targeted measures to promote a gender balance in decision-making in education at all levels;
- The monitoring and evaluation of recent educational reforms and policies in the area of education should be a priority, in order to assess whether challenges are indeed being effectively addressed;
- More funding for research in the field of gender and education to enhance our understanding of gender-related challenges and feed into policy formulation and implementation;
- Systematic teacher education on gender equality and gender mainstreaming should be mandatory for teachers at all levels. Training on gender equality should be included in basic teacher-training at all levels and in all subject specialisations, as well as further training, incorporating experiential learning methods.

Employment

As a consequence of gender segregation in subject choices, gender segregation is well entrenched in the Cypriot labour market. The fields of education, health, social welfare, administrative services are highly ‘feminized’, respectively with 75.6%, 70.5% and 62.4% of female employees. Men tend to concentrate in water supply and waste management (94.7%) and construction (92.3%). There is also a striking concentration of women in professions which require little or no expertise. About 2/3 (64.4%) of working women are employed in elementary professions (i.e. cleaners, helpers, support personnel) clerical and administrative positions or sales jobs.

Women are also underrepresented in decision-making positions in all sectors, including those in which employees are predominantly female (such as education and health). Cypriot women are underrepresented on the boards of listed companies (11% of members and 5% of chairpersons) as well as in management positions within public administration (27% of level-1 administrators and 36% of level-2 administrators), as well as in trade unions representations of all sectors and levels.

Gender segregation in the labour market is the result of gendered choices in education, which are influenced by traditional social expectations and gender stereotypes. Gender segregation in choices

of study at secondary-school level mirrors that in tertiary education and employment, and has a negative impact on the employment status of each gender.

Despite the high levels of educational attainment among women, this has not translated into increased upward mobility of women in the labour market. Only 22% of managerial positions in Cyprus are held by women compared to the EU-28 average of 35%, and 16% of employed women work part-time.

The application of the relevant law on maternity leave in Cyprus have a negative impact on the development of women's careers, and women are often penalised and discriminated against due to pregnancy and maternity, particularly in the private sector. Measures to reconcile work and family life are insufficient and services for childcare and care of other dependents are costly and non-accessible.

The inspection mechanisms for the enforcement of the equal pay for equal work and equal treatment lacks the pursuance of ad hoc investigations without the filing of any complaint. Currently for an inspection to be triggered a specific complaint must be submitted. This imposes on the complainant three important burdens:

- a) to be able to know that she was the victim of inequality,
- b) to be able to know where and how to file a complaint, and
- c) to run the risk of being "mirrored" by her employer that she has triggered the inspection (especially in a small private business).

Recommendations

- The state needs to support families with the development of public/community childcare facilities and develop satisfactory programs and infrastructures for the caring of children and other dependents.
- Measures need to be taken to deal effectively with the *causes of wage gap*, such as gender segregation in academic and career choices, the exploitation of female labour as cheap labour by employers, and the promotion of 'flexible forms of employment' as a solution to lack of social protection systems;
- Adopt robust monitoring and implementation mechanisms of relevant legislation as well as indicators (of impact) following the implementation of measures to eliminate the wage gap and provisions related to maternity and pregnancy.

Political and Public Life

Recommendations: A - 114.34. A - 114.74.

There has been an increase in women actively involved in politics in Cyprus, but progress has been slow and women are still severely underrepresented in Government.

Cyprus is among the bottom three European Union countries when it comes to representation of women in politics. According to the latest Gender Equality Index published by EIGE, Cyprus has a score of only 24.7 points (out of 100) in the domain of power compared to the EU average of 48.5 points. Although the proportion of women in parliament increased from 12.5% to 17.9% in 2016, the rate of progress remains glacial. In 2017, the proportion of women senior ministers was the second lowest in the EU at 8.3%. The incremental increases in the rates of female participation in decision-making cannot be defined as an upward trend because the difference in real numbers is so

small. There is currently only one Cypriot woman MEP out of 6 members (16.6%), and only 4 mayors out of 39 (10%).

In the private sector in Cyprus women hold only 22% of senior managerial positions in the business sector. Furthermore, their salaries are much lower compared to those of men in similar positions. The various measures that have been taken to improve the balance of women and men in decision making positions in public and political life were mainly actions of NGOs. There is an urgent need for an amendment to the Cyprus Constitution for enabling the passing of the law for implementing quotas for women participation in politics and in decision and policy making positions. A recent decision of the Supreme Court of Cyprus found the enactment of such a law as unconstitutional.

Recommendations

- The adoption of a national strategy for the promotion of equal representation of women and men in decision-making with the participation of all relevant stakeholders including NGOs and women's organisations, youth organisations, political parties, and the media. All measures require regular monitoring and intermediary targets.
- The introduction of legislative measures to allow for positive action measures, including quotas, to promote gender balance in decision-making at all levels and sectors.
- Systematic awareness campaigns targeting the public on the importance of the participation of women in politics and in decision and policymaking systems, and to encourage public dialogue and debate on the issue.

Quotas

The Cyprus Government, as well as political parties, have failed to promote and implement positive action measures such as quotas, even on a temporary basis to accelerate de facto equality between women and men. The measures described in the government report do not fulfil the spirit and scope of the Convention and have not shown to promote substantive equality in Cyprus.

For example, the Cyprus Government does not support the adoption of quotas to address the gender imbalance in politics or on the boards of publicly listed companies, despite European level initiatives toward this end. In 2016, a bill was enacted introducing quotas for the participation of women on the boards of semi-government organizations, to ensure that 30% of either sex will be represented on the Board of Directors, [an amendment of the Certain Legal Entities of Public Law (Appointment of the Board of Directors) Law, 1988 (L. 149/1988)]. The President of the Republic referred it to the Supreme Court on grounds of unconstitutionality and the Court unanimously ruled that the law violated the principle of equality as foreseen in the Constitution.

Recommendations:

- The Government should consider introducing legislative measures for the introduction of positive action measures for the advancement of de facto gender equality in Cyprus;
- The House of Representatives should follow up on the Supreme Court decision on the introduction of quotas for gender balance on the boards of semi-government organisations, and make the necessary amendments to ensure its constitutionality.

Peace process

The process for a National Action Plan for Women Peace and Security began in October 2017 with the Office of the Commissioner for Gender Equality sending an invitation to tender for drafting the

relevant National Action Plan to 5 relevant parties with an exceptionally tight time-frame. The final draft of the WPS NAP was submitted to the Commissioner's office early in 2018 but throughout the process there has been no transparency, nor has there been any civic engagement or talk of substantial civic engagement; a prerequisite for a successful sustainable NAP.

Recommendations

- Fully implement UNSCR 1325 through the adoption of a national action plan in consultation and cooperation with all relevant stakeholders and particularly women's organisations and NGOs.
- Encourage and provide support, including financial support, for peace-building efforts of civil society, and particularly women's organisations

Trafficking in Women

Recommendations: A - 114.64. A - 114.65A - 114.66. N - 114.67. A - 114.68. A - 114.69. A - 114.70.

An overarching and critical issue when talking about trafficking in persons in Cyprus is the lack of strategic planning from the government. Since 2005, to date, several National Action Plans (NAPs) have been drafted and implemented, to limited success, as these were not based on a solid strategic framework. Amongst the many key benchmarks which Cyprus currently lacks, are a) timelines after which NAPs should be reviewed, revised and evaluated, b) implementation steps as well as c) a clear delineation of responsibilities and tasks amongst governmental bodies / departments. Despite positive moves forward in combating trafficking in persons, the first step should be the evaluation of these to properly assess the status quo.

Prevention: More actions should be designed in relation to prevention, especially regarding demand and supply. This could be done through bilateral agreements between Cyprus and the countries of origin. At the same time front-line officers (entry points) should receive better training on the issue so they can be proactive in recognising and dealing appropriately with the victims. With regards the demand side of trafficking, although Cyprus has criminalized the use of any service from victims of trafficking provided that the user can reasonably assume that s(he) is using victims of trafficking, we are calling for the amendment of the specific article since the '*reasonable assumption*' cannot be prove in court. It is with no surprise that since 2014, the specific article was never been activated. Currently such amendment is on hold with the Human Rights Committee of House of Representatives.

Protection: Although positive steps have been taken throughout the years, the protection of the victims remains a weak area in combating trafficking in persons in Cyprus. The adoption of the referral mechanism has meant that victims are more easily referred across the services that exercise competence on this issue. Although, trainings on the implementation of the referral mechanism are currently taking place with front line officers, however, there is no evidence that the process uses a holistic, victim-centred approach, rendering the victims vulnerable and disempowered.

Prosecution: This aspect is highlighted in a number of reports such as the Trafficking in Persons Report of the US State Department or the Report drafted by the Group of Experts of Trafficking in Human Beings of the Council of Europe. The main issue in terms of prosecution of THB is the need

for judges and prosecutors to receive training on the issue of trafficking in persons, as well as reducing overall delays in the justice system.

Partnership: Civil society organisation has strongly recommended that primary responsibility for the coordination of anti-trafficking actions be transferred from the Ministry of Interior to the Ministry of Justice and Public Order. The issue of trafficking is deeply gendered and has far more to do with justice and human rights than migration, and should therefore be rightfully brought under the remit of the Ministry of Justice and Public Order.

Protocols of collaboration between NGOs and the state have yet to be developed. This is an urgent issue that needs to be addressed so that there is clarity in the roles and responsibilities facilitating both state and civil society to more adequately offer support to the victims. As an illustration of the limited effectiveness of NAPs that lack a foundation of strategic thinking, we draw attention to the fact that 3 out of the 4 NGOs tasked with collaborating on the appointed multidisciplinary group quit before making any discernible impact. The set up was simply unsustainable due to the power imbalance experienced among the partners. We recommend that the relationship between the government and NGOs should be placed on an equal footing, all the while crucially prioritizing and strengthening the position of the victims of trafficking.

Domestic Workers: Another issue of major concern would be that of trafficking in women for the purpose of labour exploitation and particularly domestic work. Although domestic workers play a crucial role in society, due to the isolated and unregulated setting of their work, they are especially vulnerable to abuse, violence and exploitation. Migrant domestic workers mostly live in the private households of their employers and many report physical, psychological and sexual abuse and exploitative work conditions. They are often overworked and underpaid, have their personal documents such as passports and travel documents confiscated, report restrictions in freedom of movement, and have their pay withheld in order to pay off "debts" related to their recruitment and transportation. Such exploitation is highly under-reported and authorities do not necessarily recognize and identify cases of trafficking. It is also important to note that private households are protected by household asylum and labour inspectors are therefore not able to inspect the working conditions of domestic workers. Another major issue of concern is that private employment agencies, most often used by employers to employ domestic workers, are not regulated and are reportedly involved in trafficking networks.

The Cyprus Government responded positively to a joint call by the NGOs KISA and the MIGS and did vote in favour of the Convention on Domestic Work by the ILO. However, this was not followed by ratification.

Recommendations

- The development of a national strategic framework on trafficking in human beings based on robust evaluation of previous NAPs and the drafting of new targeted NAP based on the vision of the strategic framework;
- The House Committee on Human Rights of the Cyprus Parliament to move forward the legislative amendment of the paragraph related to the criminalization of the demand side of trafficking;
- The actual implementation and evaluation of the National Referral Mechanisms in order to identify its strengths and weaknesses;

- Introduce systematic mandatory training of judges and prosecutors on the issue of trafficking in human rights and gender equality;
- The immediate ratification of the ILO Convention on Domestic Work.

Sexual and Reproductive Health and Rights

Recommendations: A - 114.77. A - 114.78.

In Cyprus there is a strong lack of choice, accessibility and affordability of contraception for all women, especially young girls and vulnerable groups, migrants and domestic workers. The contraceptive methods available in Cyprus are limited to the male condom, few brands of combined oral contraceptives, the Intra-Uterine Device (IUD), and hormonal Intra-Uterine Systems (IUS). These are not available in state hospitals but only through private clinics, pharmacies at market prices. Diaphragms, injectable hormonal contraception, mini-pills, femidoms, and other modern contraceptive options are not available in Cyprus. This scarcity of options provided regarding family planning, sexual protection and contraception is likely to affect the prevention of Sexually Transmitted Infections (STIs) and unwanted pregnancy, and have adverse effects on quality of life for many women and girls. Teenage girls do not have access to contraceptive methods beside condoms or any medical and counselling services without the consent of their parents. Furthermore, there are no youth friendly SRHR services available for young people.

Abortion: After many attempts, discussions and lobbying by a number of NGO's and members of the Cyprus Women's Lobby, on March 30th, 2018 the Cyprus Parliament passed with an overwhelming majority, a new law consisting of amendments of the existing law for the termination of pregnancy within the penal code. This was voted in with 33 votes in favour, 8 against and 5 abstentions. It gives women the right to terminate a pregnancy before week 12 of gestation under certain conditions, which are described below.

Abortion in Cyprus is regulated under the Penal Code (Article 169A), which was recently amended to allow pregnancy to be terminated with the consent of the pregnant woman, by a medical doctor, gynaecologist-obstetrician, and an anaesthesiologist, both registered as medical practitioners, at a registered medical unit before week 12 gestation, in cases the pregnancy is a result of rape or incest, in cases where there is evidence of abnormalities of the foetus; and if there is an unavoidable risk to the life of the pregnant woman, or a serious risk to her physical and mental health.

Abortion services are not provided at the state hospitals. The only viable option for obtaining abortion services is through the private sector at a relatively high market price. In addition no proper pre- and post- abortion counselling services are currently available, either in the public or private sector.

No statistical data is available in Cyprus regarding a series of issues related to Sexual Reproductive Health and rights including abortion, unwanted pregnancies, STIs, contraception and others for women and girls.

In 2017, a National Strategy for the Children's Rights in Health (2017 – 2025) was developed by the Ministry of Health, and approved by the Cabinet. However, like many National Action Plans in place and strategies, it lacks specific indicators, an appropriate monitoring and evaluation system for its implementation, timelines and dedicated budgets. There are no protocols on family planning and modern contraceptive services currently available, although the Ministry of Health declared plans to develop them in the near future as part of a wider reform of the healthcare sector. There is no evidence whether trainings are provided to health care professionals on SRHR issues.

HIV/AIDS: With regard to HIV/AIDS there was a National Aids Program 2011-2015 but, there is no information as what activities have been implemented and no evidence whether they have been evaluated. Moreover, no discussion has been made yet for the development of a new National Aids Program or Strategy since 2015.

A welcome development, was the re activation of the National AIDS Committee (consisting of stakeholders from governmental and nongovernmental sector), after being inactive for some years. However, it needs to review its roles and responsibilities since they are not clear HIV care and treatment in Cyprus is provided by only one facility, the Gregorios clinic in Larnaca, which has been operating since 1996. This inevitably, is a barrier for access to HIV care and treatment for women who live in different parts of Cyprus.

The state does not provide to women living with HIV, any support services beyond healthcare, neglecting as a result their needs and difficulties faced related to their chronic health condition and the social stigma associated with HIV in all aspects of their lives (social, economic etc.) as women and HIV positive people.

Very recently on May 30th the cabinet has decided to grant HIV positive individuals a monthly allowance of €300 from July 1, 2018. The aim of the scheme is to provide HIV positive individuals and incentive to comply with their treatment schedule. The money will only be given to those who fully comply. The allowance does not depend on any other income received by HIV positive persons. The cabinet approval comes following a series of hard-hitting articles by a daily Newspaper "Politis".

Recommendations

- Ensure women's access to information about contraception and family planning as well as access to good quality contraception methods and family planning goods and services;
- Ensure reproductive health care services, goods and facilities that are: (a) available in adequate numbers; (b) accessible physically and economically; (c) accessible without discrimination; and (d) of good quality;
- Support the efforts of the Cyprus Family Planning Association in providing essential information and advice on family planning and sexuality education;
- Develop comprehensive legislation for the termination of pregnancy in line with the standards of the CEDAW Convention that will include access to information, access to free counselling services, and access to safe and accessible abortion services;
- Ensure the development and provision of support services targeted to women living with HIV.