

ANNUAL REPORT 2020

Equality Body



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Equality Body



Annual Report 2020

The Annual Report 2020 was prepared with the contribution of the staff of the Office of the Commissioner for Administration and the Protection of Human Rights, dealing with issues regarding the Commissioner's work and actions in her capacity as Equality Body.

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1. Table of Contents

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<i>Chapter</i>	<i>Page</i>
<i>1. Table of Contents</i>	<i>7</i>
<i>2. Introductory Note</i>	<i>9</i>
<i>3. Legal Framework of Operation / Powers</i>	<i>17</i>
<i>4. Complaints statistics</i>	<i>25</i>
<i>5. Reports/Positions/Interventions</i>	<i>33</i>
<i>6. Information Campaigns</i>	<i>71</i>
<i>7. Other Actions</i>	<i>87</i>
✦ <i>Contacts with NGOs & other Bodies</i>	<i>89</i>
✦ <i>Participation in the European network Equinet</i>	<i>93</i>
✦ <i>Indicative International References</i>	<i>94</i>
✦ <i>Cooperation with the House of Representatives</i>	<i>107</i>
✦ <i>Participation in seminars, trainings & events</i>	<i>112</i>

2. Introductory Note

2. Introductory Note from the Commissioner for Administration and the Protection of Human Rights



In 2004, the Commissioner for Administration and the Protection of Human Rights was assigned the power to act as an Equality and Anti-discrimination Body (Equality Body), within the context of the harmonisation of the Cypriot legislation with

the relevant European directive.

Just like in the previous years, in 2020 the Equality Body made, either ex officio or following complaints, key interventions both in the public and private sector.

In particular, the Equality Body's interventions were about, inter alia, cases of discrimination and unequal treatment on grounds of race, national or ethnic origin, community, language, colour, age, disability, sexual orientation, religion, political or other beliefs and sex.

At the same time and in order to promote the equality and anti-discrimination issues, part of the Equality Body's actions was about information and awareness on issues connected to her powers, through trainings, lectures and presentations offered to bodies of the public and private sector. And this is because without significant reforms and

turning equality and combatting discrimination into major State and social issues, we cannot establish a culture of acceptance of diversity and fighting practices promoting inequality.

The main categories of cases in which the Equality Body has intervened in 2020 where about public and private hospitals infringing the right of future mothers to have with them a person of their choice during childbirth, due to stricter measures preventing the spread of COVID-19, the non-renewal of a fixed-term employment contract of a woman on maternity and sick leave connected to problems encountered due to the childbirth, the prevention of a volleyball school girls' team from participating in the World Schools Volleyball Championship, the erroneous implementation of the provisions of the Protocol implemented in public maternity hospitals for the separation of the mother and the new born, for mothers with Covid-19.

Some other cases brought before the Equality Body were about discriminatory access to employment, goods and services, to the provisions of facilities for care and custody of children, bullying and harassment at work and sexual harassment.

According to the statistics, pregnancy and maternity issues, which as a biological state concern exclusively the biggest segment of the population in Cyprus, continue to represent the largest volume of cases, despite the existence of a powerful protective legal framework. This confirms the trend that exists in the labour market, especially in a context of economic crisis as the one in 2020, to consider women who are pregnant or/and who have recently given birth or/and on maternity leave as an economic burden and obstacle to the smooth operation of the undertaking or/and to its profitability, either in the public or private sector, with a negative impact on their labour rights or/and her dismissal being an imminent threat, despite the legal protection of the job during pregnancy and maternity leave.

In 2020, the Equality Body dealt also with the provision of facilities (flexible working hours, telework) for taking care of children. The case of discrimination against a male military officer in the provision of facilities for taking care of his minor children, conceals the stereotype and latent perception that the care and child-raising are exclusively reserved to the mother. However, such approaches significantly affect the labour market. It is an absolute necessity to make clear that the provision of facilities to working parents is the key to economic growth and development, a fortiori in a pandemic, where finding alternative ways to provide services and work is turned into a significant issue of high priority, both for the public and private sector. Therefore, the equal sharing of responsibilities of personal life and family between men and women should be encouraged and reinforced in order to restart economy under the new situation that has been created.

As to sexual harassment, it is noted that a relatively small number of cases submitted does not mean the absence of these behaviours from the workplace. To the contrary, even if the phenomenon exists, to a large extent the cases of sexual harassment and bullying are not reported to the authorities, due to the continuing low awareness on the matter, insufficient support channels for the victims, lack of evidence in the investigation of the complaints for sexual harassment, and because it is considered as a sensitive social issue even when there are official procedures for combating such behaviours at work and elsewhere. The continuously increasing cases requires more intensified efforts by everybody to inform, raise the awareness of and support the victims.

Moreover, under the above Law, the Commissioner, in her capacity as an Equality Body addresses issues of discrimination against persons with disabilities and in particular issues on accessibility and refusal to provide reasonable facilities to persons with disabilities.

In this context, just like in the previous years, in 2020, the Commissioner prepared reports and made interventions both in her capacity as an Equality Body and under her responsibility as an Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention on the Rights of Persons with Disabilities.



Maria Stylianou-Lottidi

Commissioner for Administration
and the Protection of Human Rights

Equality Body

3. Legal Framework / Powers



3. Legal Framework / Powers

In 2004, within the context of harmonisation of the national legislation with European Directives 2000/43/EC and 2000/78/EC, the Combating of Racism and Other Discrimination (Commissioner) Law [L.42(I)/2004] and the Equal Treatment in Employment and at Work Law (L. 58(I)/2004) were implemented respectively.

With these two laws the Commissioner for Administration and the Protection of Human Rights has been given the power to act as an Equality and Anti-discrimination Body (*Equality Body*).

In particular, under Law 42(I)/2004, the Commissioner, as an Equality Body, has the power to investigate individual complaints for the existence of discrimination both in the public and private sector, on grounds of race, national or ethnic origin, community, language, colour, age, disability, sexual orientation, religion, political or other beliefs and sex.

Under Law 42(I)/2004, the Commissioner's action as an Equality Body is extended also in the employment, childbirth and professional training sector.

Notwithstanding these Laws, the Commissioner's powers as an Equality Body are also determined by:

- the Equal Treatment between Men and Women in Employment and Vocational Training (L. 205(I)/2002);
- the Equal Treatment in Employment and at Work (L. 58(I)/2004);
- the Equal Pay between Men and Women for the same Work or Work of Equal Value Law (L. 177(I)/2002);

- the Equal Treatment between Men and Women (Access to Goods and Services) Law (L. 18(I)/2008).

Under the domestic legislation, the Commissioner's scope of action as an Equality Body is extended and covers the fields of social protection, social insurance, social benefits, healthcare, education and access to goods and services, including housing, employment and vocational training.

The Commissioner, as an Equality Body, has also statutory powers covering a wider spectrum of activities of preventive, information and educational character.

Some of these actions include the promotion of principles of equal treatment of all persons, taking measures for the practical implementation of legal provisions that protect from treatment that constitutes prohibited discrimination, enforcing measures of a punitive nature (recommendations, fines or decrees) in case of a discrimination that is prohibited by law, drafting Codes of Practice on discrimination issues, carrying out studies and gathering statistics on discrimination issues, and considering issues of general interest related to discrimination, either in an ex officio manner or upon request of a person or organisation.

Under the above legislation, the investigation, through extra-judicial procedures, of complaints submitted by individuals who believe that they have received adverse treatment in their employment or at work, in the private or public sector, on grounds of racial or ethnic origin, religion or beliefs, age, disability, sexual orientation or sex, as well as complaints by workers for discriminations on grounds of pregnancy, breastfeeding or maternity is also part of the Commissioner's powers as an Equality Body.

Furthermore, the Commissioner's powers as an Equality Body are extended to the investigation of complaints for sex discrimination in the accessibility to goods and services

and the provision thereof, including insurance and financial services, both in the private and public sector.

The principle of the reversal of the burden of proof is a significant aspect in the investigation of complaints by the Commissioner as an Equality Body.

That is to say that following a sufficiently evidence-based complaint for a possible prohibited discrimination, the subject of the complaint is invited to prove that he/she has not committed such prohibited discrimination for which a complaint has been lodged. In case the complaint is proved to be founded, the Commissioner for Administration, as an Equality Body, may fine the subject of complaint or/and following consultation, proceed to a recommendation which is binding towards that person.

In addition, in case it is established that a provision, term or criterion contained in any job description, law, regulation or any other legislation, constitutes prohibited discrimination, the Commissioner shall submit a Report to the Attorney General of the Republic.

Notwithstanding the foregoing, i.e. the investigation of complaints, the Commissioner, as an Equality Body, has the following discretion and powers:

- ex officio examination of issues related to prohibited discriminations;
- provision of advice on issues of discrimination and the implementation of the principle of equal treatment in the public and private sector;
- making and publishing orders in the Government Gazette of the Republic when a prohibited discrimination is established, in which the discrimination is determined and a deadline for its termination is set in the way specified in the orders;

- taking measures for the practical implementation of the legislation which prohibits the discrimination;
- examining, following written request by the public or private sector, whether the existing provisions, criteria or practices maintained may constitute a discrimination prohibited by law;
- carrying out studies and collecting statistics related to discrimination and publishing their results.

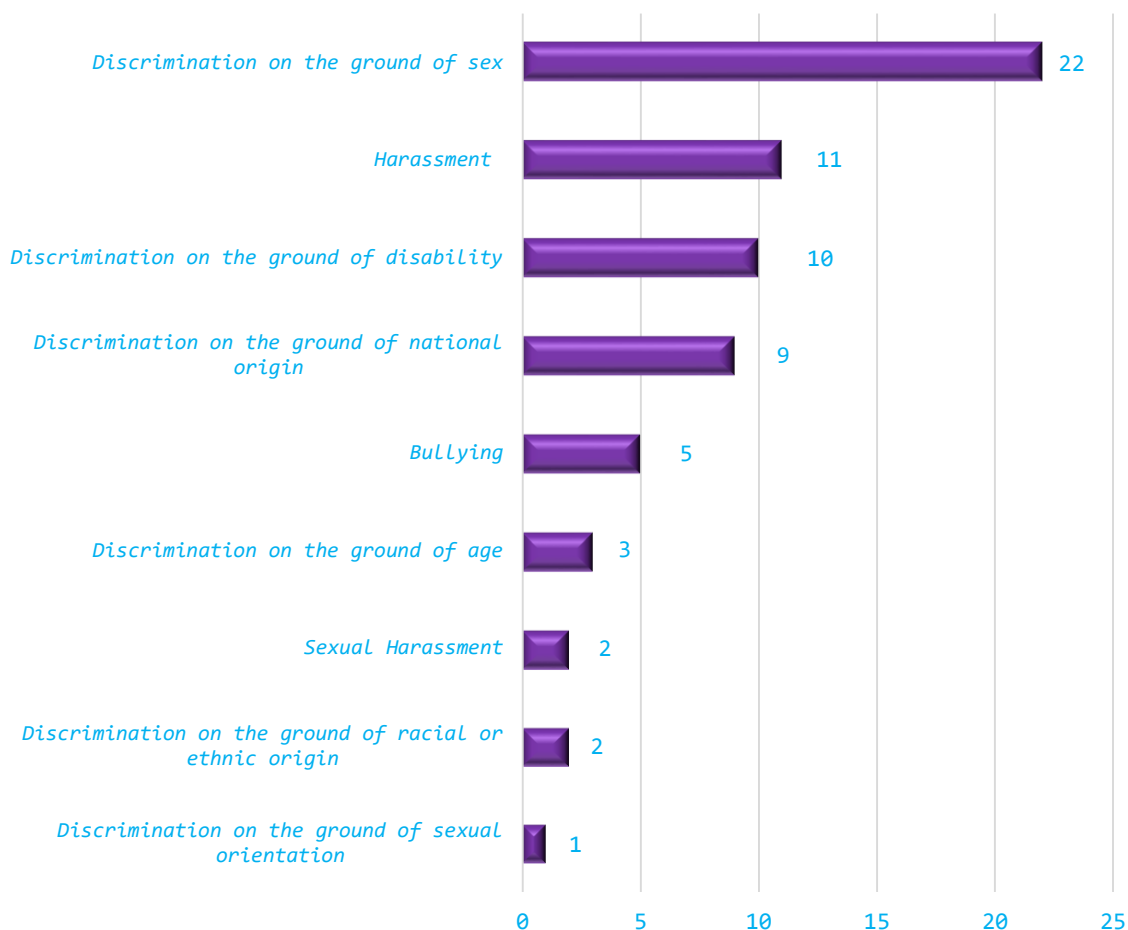


4. Complaint statistics

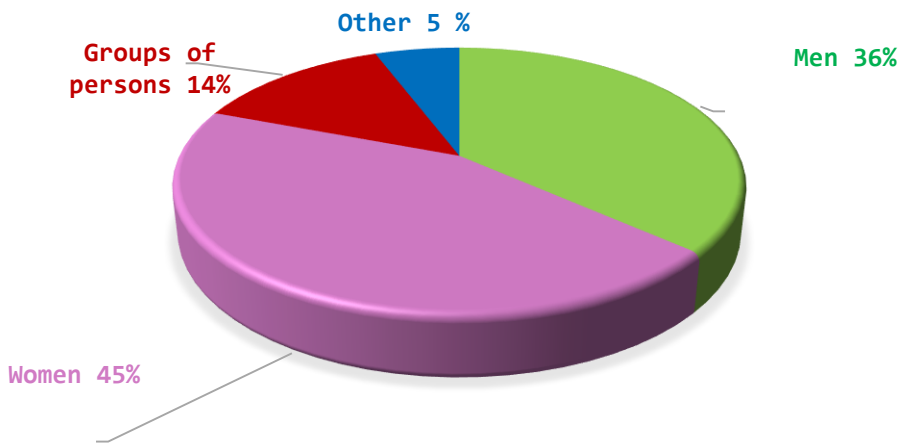
4. Complaint statistics

The Commissioner, as an Equality Body, accepts complaints related, inter alia, to allegations for discrimination on grounds of sex, bullying, harassment, discrimination on grounds of national origin etc.

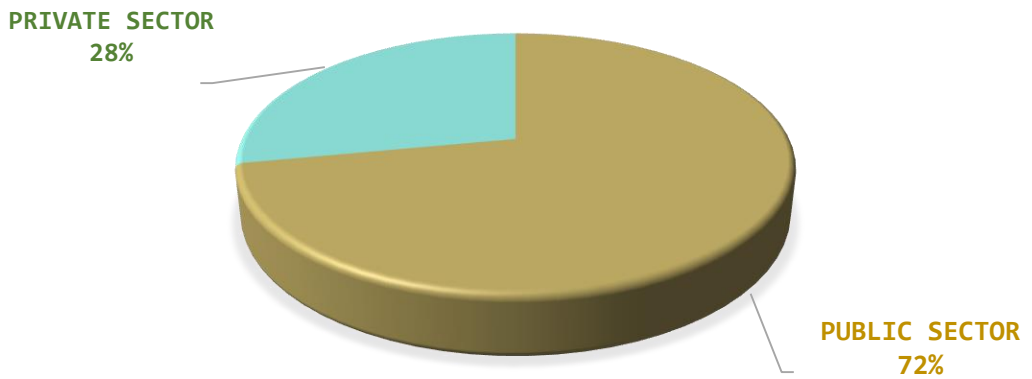
The detailed list of complaints per issue is as follows:



Complaints submitted by

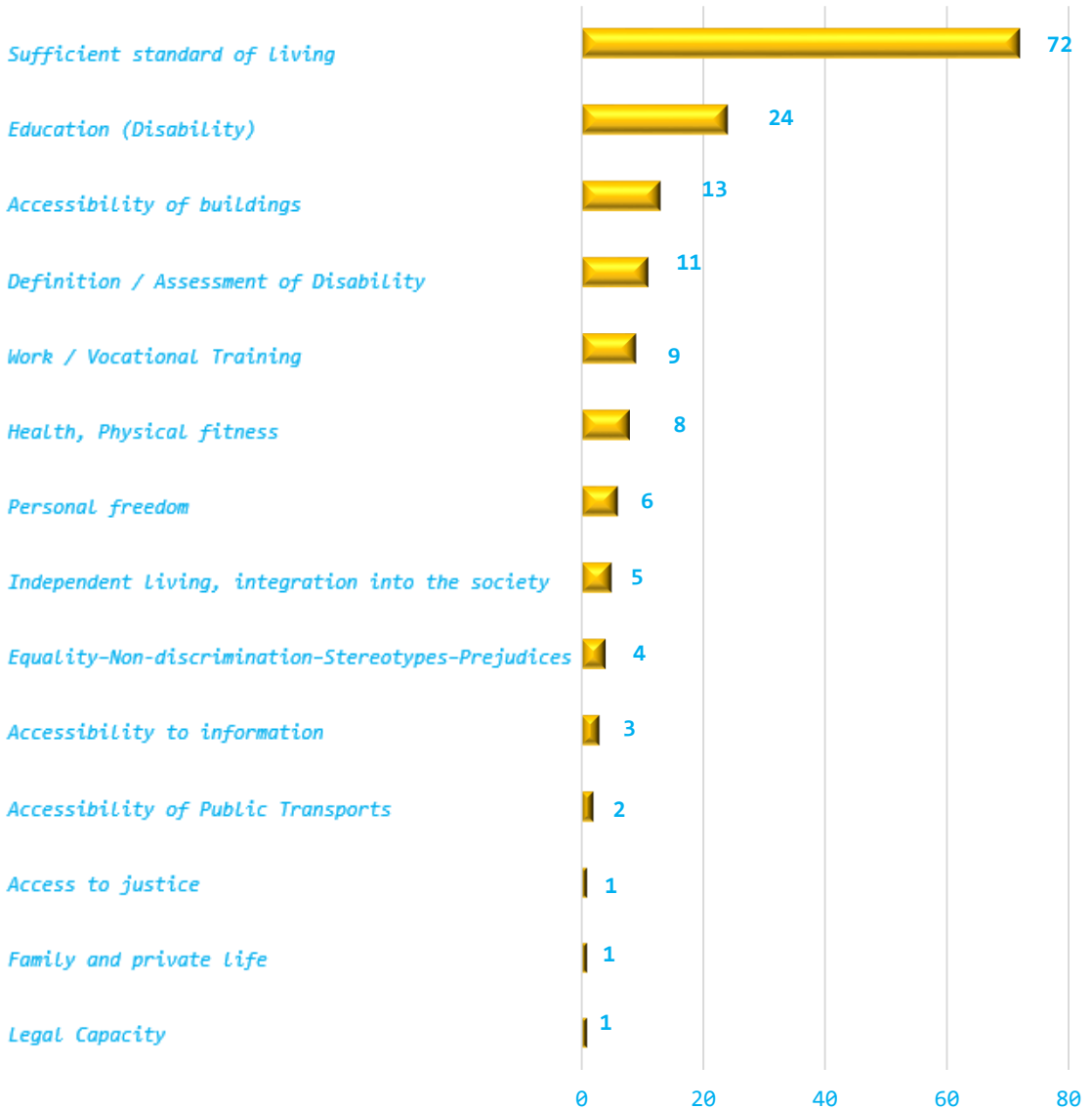


Complaints against the Public and Private Sector



Moreover, the number of complaints related to persons with disabilities and their rights is still high, as well as the complaints related to disabilities in general, which are investigated by the Commissioner as an Equality Body or/and by combining both capacities.

In particular:





5. Reports/Positions/Interventions



5. Reports/Statements/Interventions

- ✿ *Ex officio Statement following a complaint that saw the light of day, according to which during a football player encountered racist verbal attacks on the ground of his colour and racial origin from his opponents, as well as from other persons inside and outside the football pit¹*

These racist verbal attacks, which according to the complaint the footballer encountered, were forwarded to the competent services, i.e. the Cyprus Football Association (CFA) and the Police in order to be investigated and addressed under the Disciplinary Regulations of the CFA and the criminal law.

However, the Commissioner, without wishing to replace the above authorities in the exercise of their competences and duties, decided to proceed to an ex officio intervention.

Due to the gravity of the complaints and the immediate and sharp alert which should be an essential element, in such case, of the State which is primarily responsible for combatting racism and discrimination and protecting all the individuals on its territory irrespective of their origin, colour, religion etc., the Commissioner decided to state its ex officio position on the subject, based on her powers as an Equality Body.

In the Statement was noted that the State has an increased obligation to take preventive, dissuasive and repressive measures against racism and protect its actual and potential victims. In particular, in sports and especially in football, various European and international institutions have highlighted the need for active and comprehensive action against racism, as well as for a determined approach

¹ AYT. 4/2020

of racist violence incidents.

Following consideration of the international and national regulatory framework on tackling and combatting racist incidents or offences in football, the Commissioner concluded that the national law is sufficient, consistent and in compliance with the recommendations and directives adopted and promoted at international and European level. However, what remains to be seen is the substantial implementation of those provided for at an institutional level, in order on the one hand to punish the offender with strict penalties, and on the other hand to protect the victims' dignity through the dissuasion and prevention of the recurrency and establishment of such behaviours in the society.

Based on the foregoing, the Statement was submitted to the Chief of Police and the Chairman of the CFA, with the recommendation to investigate the complaint and initiate the relevant disciplinary proceedings and prosecutions. Moreover, under its Disciplinary Regulations, the CFA should also assess the reaction of the referee of the match to establish whether this was in compliance with those required for addressing such incidents.

Implementation of Recommendations/Proposals

The Police referred the case to the Attorney General of the Republic, who initiated criminal proceedings for the specific racist incident.

◆ *Ex officio Statement AYT. 19/2020 dated 17 May 2020, on the occasion of the International Day against Homophobia, Biphobia and Transphobia*

In this Statement, having made reference to the statements of the Director of the European Union Agency for Fundamental Rights and to its relevant research on the equality of LGBTQI persons, the actions taken by the State for the institutionalisation of the equality and safeguarding of the fundamental rights of LGBTQI persons in Cyprus were noted.

In particular, reference was made to the judgment of the European Court of Human Rights (ECHR) of 1993, in the application lodged by Andreas Modinos vs the Republic of Cyprus, as well as to the progress recorded as to the recognition and enjoyment of human rights by the LGBTQI community and the non-discrimination against the community: The criminalization of homophobic and transphobic rhetoric as a statement of hatred, the legal recognition of same-sex cohabitation, the adoption of civil cohabitation, the initiatives to eliminate homophobic and transphobic bullying in education, as well as the legislative regulation of the legal recognition of sex identity, are particularly positive developments, both for the LGBTQI community itself and for the rule of law in general.

However, the Commissioner noted that the deconstruction of stereotypes in our society on the issue of sexual behaviour, should remain our main objective for the effective approach of homophobia and transphobia.

The Commissioner underlined the necessity to establish that policies, attitudes and behaviours that constitute a discrimination on the grounds of sexual orientation or sex identity, are prejudicial to human dignity.

◆ *AYT. 7/2020 dated 21 March 2020, on the occasion of the International Day for the Elimination of Racial Discrimination*

In this Statement it is noted that the International Day for the Elimination of Racial Discrimination marks and reminds the obligation of the State to remain alert towards the diverse, complex and complicated parameters of racism, in light of the respect of human dignity and every form of otherness.

This obligation calls for taking initiative and action for the immediate, fair and effective tackling of issues arising from racism, such as the protection of individuals belonging to vulnerable groups of the population, which are “easy targets” for discrimination, racist treatment, racist violence and discourse.

The development of a further discussion about the various aspects of racism and discrimination, as well as the intensification of actions aiming at the information and awareness of the society, the cultivation of values of mutual respect and acceptance and the reinforcement and adoption of an effective legislation which shall be implemented and punish such racist behaviours accordingly, may effectively contribute to the fight of such phenomena.

This year’s anniversary, as noted, finds humanity terrified, concerned but united facing an unseen enemy threatening human health and our lives.

“...racism is like the coronavirus. It is a contagious disease which lurks unseen until it suddenly spreads and causes severe damage to individuals, families, communities, and the whole of society” quite rightly said Maria Marouda, chair of the Council of Europe Committee against Intolerance and Racism. Therefore, she continues saying: “...In these difficult times, we need to join forces to build robust defences against racism...”.

Thus, since we stand united facing a world threat of an unseen enemy causing damage to our body, we must stand united to stop the unseen enemy of racism which infects our soul and prevents the creation of a strong arms for the human family.

- ◆ *Ex officio Statement AYT. 5/2020 dated 26 February 2020, on discrimination on the grounds of sex arising from the decision of the Ministry of Education, Culture, Sports and Youth to exclude a volleyball school girls' team from participating in the World Schools Volleyball Championship*

In her ex officio intervention on the subject, the Commissioner noted that the settings and standards that prevail especially in sports, undermine the principle of equality and prevent equal access and participation of the persons concerned, while in relation to the sex the usual social segregation of events in men and women is typical.

Based on the factsheets of the European Institute for Sex Equality (EIGE), progress in sex equality in this area is hindered by the social constructions and prevailing sex stereotypes.

However, in view of the fundamental role of the school and education in the multilateral development of male and female pupils, the school has an increased responsibility to promote the principles of equality and pluralism and overturn social stereotypes and prejudices having a negative impact on the potential of male and female pupils.

Furthermore, Article 28 of the Constitution safeguards the fundamental principle of equality without any direct or indirect discrimination, including in the field of education

where sports fall within. Based on the EU Charter of Fundamental Rights, any discrimination shall be prohibited, particularly on the ground of sex and equality between women and men must be ensured in all areas.

Consequently, as noted, the decision of the Ministry should take into consideration objective criteria that will not imply a violation of the European and constitutional principle of equality and the European Convention on Human Rights.

In view of the above, it was recommended that the Ministry take into consideration the content of this Intervention before making its final decision.

◆ *Ex officio Statement AYT. 6/2020 dated 8 March 2020, on the occasion of the International Women's Day*

In the Statement was noted that the Convention of the Council of Europe on preventing and combating violence against women and domestic violence (Istanbul Convention), which was ratified by the Republic of Cyprus in 2017, is a remarkable development since it obliges the Member States to take action for and allocate resources not only in protecting the victims and prosecuting the offenders but also in preventing and combating violence by, inter alia, promoting changes in the social and cultural patterns of behaviour of women and men with a view to eradicate prejudices, customs, traditions and all other practices based on the idea of the inferiority of women or on stereotyped roles for women and men (article 12.1).

From 1977 to date that the 8th of March has been established as the International Women's Day upon decision by the UN General Assembly, significant actions and legislative measures have been taken at international, European and national level, focusing on combatting discrimination

against women and realising substantial gender equality.

“...the fight for the realisation of women’s rights also relies on each of us. I invite society as a whole, from youth to the elderly, women and men, all acting together, to speak up against violence and discrimination. We all have a key role to play as agents of change” said Council of Europe Commissioner for Human Rights Dunja Mijatovic.

Therefore, the Commissioner suggested that we should all strongly advocate for the full realisation of women’s rights and rise to the challenge of making a world where gender equality is a reality.

◆ *Ex officio statement AYT. 12/2020 dated 8 May 2020, on the women’s right related to maternity during COVID-19*

The policy of hospitals to exclude future fathers from being present during childbirth due to stricter measures to prevent the spread of COVID-19, breaches the right of the future mothers to have with them during childbirth a person of their choice and constitutes a discrimination on the ground of sex giving rise to less favourable treatment for the pregnant women due to pregnancy.

The Commissioner’s Statement, within the context of the powers vested in her by the Combating Racial and Other Discrimination (Commissioner) Laws, was deemed necessary since, following the submission of complaints, it was established that due to setting stricter measures to prevent the spread of COVID-19, public and private hospitals with gynaecological clinics, decided or/and were considering to exclude the presence of fathers during childbirth.

The Commissioner clarified that even though the necessity for strict compliance with the directives/recommendations

of the specialists in order to prevent the spread of the virus to the maternity clinics is not questioned, however, the absolute exclusion of future fathers from being present during childbirth by invoking exceptional situation due to COVID-19, does not comply with the WHO guidelines or the rule of non-discrimination in relation to the obligation for more favourable treatment of women for maternity issues.

The guarantee of the protection of maternity prohibits any less favourable treatment of a woman, especially when it comes to pregnancy, childbirth, breastfeeding and maternity and any breach of the above constitutes a discrimination on the ground of sex.

After making reference to the provisions of the Equal Treatment of Men and Women (Access to Goods and Services and to the provision thereof) Law, the Report noted that the women's rights during childbirth should also be protected during the COVID-19 pandemic, provided that all the necessary preventive and protective measures are observed to prevent the risk of spread of the virus. Otherwise, this constitutes a direct discrimination on the ground of sex against pregnant women, since they are treated less favourably in the area of access to gynaecological services in order to give birth to their children, because they cannot have the person of their choice next to them during childbirth.

In order to guarantee a safe and positive experience during childbirth, future mothers have also the right of respect of their choices and preferences, including their choice to have their partner accompanying them during childbirth.

Since as noted the presence of the father during childbirth is something extremely positive, it was recommended that all public and private hospitals allow the presence of the fathers during childbirth, provided that the fathers have been tested negative to Covid - 19.

The Statement was submitted to the Ministry of Health, being

the competent authority for the issuance of relevant instructions to the public and private hospitals, for the purpose of compliance with the above recommendations, while a copy of the intervention was communicated to the Pancyprian Gynaecology and Obstetrics Society for information purposes.

Following submission of the above Position, some other similar complaints were lodged.²

Implementation of Recommendations/Proposals

There was compliance with the Commissioner's recommendations since the Permanent Secretary of the Ministry of Health, upon instructions of the Minister, informed, inter alia, the Director General of the State Health Services Organisation (OKYPY), the Chairman of the Pancyprian Medical Association, the Chairman of the Pancyprian Association of Private Hospitals and the Chairman of the Cyprus Nurses and Midwives Association, that the fathers are allowed to be present during childbirth and the birth of their children, provided that they have been tested negative to Covid-19".

Furthermore, the Director of Medical & Public Health Services, on her capacity as Registrar of Private Hospitals, informed in writing all private maternity clinics.

² A/Π 619/20, A/Π 734/20, A/Π 750/20, A/Π 766/20, A/Π 769/20, A/Π 796/20, A/Π 801/20, A/Π 817/20, A/Π 858/20, A/Π 874/20, A/Π 1519/20, A/Π 2081/20, A/Π 2173/20

- ◆ *A/Π 1400/2020, dated 8 December 2020, on the non-renewal of a fixed-term contract, which constitutes a discrimination on the ground of sex*

The investigation showed that the complainant, during her six-month employment in the first half of 2020, worked only for 15 days. However, she was in maternity leave up to 17 February 2020 and for the rest of the period she produced medical certificates proving that her medical problems were due to the childbirth.

The Pharmaceutical Services did not question the validity of these certificates and thus they did not question the fact that her absence from work was related to condition caused by the childbirth. To the contrary, the letter sent by them to the complainant shows that, in order to consider her as insufficient, they gave emphasis to the fact that she only worked in the Service 15 days out of 115 days of the first semester of 2020, where the lack of interest was established and that she was performing her duties in a lazy and indifferent way.

However, under the relevant national and European legislation and jurisprudence, the termination and the non-renewal of an employment contract due to childbirth or disease caused by the childbirth may not be justified but it is deemed as an unfavourable treatment and thus a discrimination, unless the employer proves that this is not connected to these situations.

In this particular case, the Commissioner established that the Pharmaceutical Services did not convincingly justify the reasons for which they ignored the medical certificates produced by the complainant, as well as her request for working from home. Moreover, neither the reasons given for the termination of the employment contract, i.e. the evaluation of the complainant's performance, were sufficiently convincing, since it only concerns a very short

period of employment which was after she returned to her work after being on a maternity and sick leave and while she was still having specific health problems.

To the contrary, the impression that is created and was not possible to be reversed with the answer given by the Pharmaceutical Services, is that the reason for the non-renewal of the contract was directly linked to the claimant's absence from work for a big period of time due to health problems connected to the childbirth.

Therefore, given that the above treatment of the complainant is connected to the reasons concerning the pregnancy and maternity, and so this may only apply to women, it constitutes a discrimination on the ground of sex, which is prohibited by the legislation in force.

Based on the foregoing, the Commissioner submitted the Report to the Deputy Director of the Pharmaceutical Services, stating her intention to recommend the suspension of the decision of non-renewal of the complainant's contract and the restoration of her childbirth rights. Therefore, the Commissioner invited her to relevant consultations.

◆ *Report³ on the overall decisions of the Ministry of Education, Culture, Sports and Youth, on the attendance of children with disabilities after the reopening of schools on 21 May 2020*

In particular, the Ministry announced that, in view of the reopening of the schools, different conditions and procedures were laid down for the return of the children with disabilities to school comparing to other children. It was impossible to observe these procedures so children with disabilities could not start their attendance together with the rest of the pupils and this was a discrimination against

³ A/Π 789/2020 dated 21 May 2020

them.

Moreover, it was established that the provisions of the Convention and the Persons with Disabilities Law were not observed, in combination with the Combating Racial and Other Discrimination (Commissioner) Law, not only because individual support measures were not taken in time so the children with disabilities could already go to school, but also because they were treated less favourably comparing to other children in the same situation as them, while more pressure was put on them through the fulfilment of the said conditions.

Implementation of Recommendations/Proposals

Following the submission of the Report, the Ministry took the necessary actions for the implementation of all recommendations contained therein.

- ◆ *Report⁴ on the gap in the evaluation of Learning needs of adults in order to provide facilities in vocational examinations*

The complaint was submitted by a woman who has dyslexia and learning difficulties during her adult life and not when she was in school. During the examination for entering the priority list of candidates to the Public Educational Service, she produced a relevant diagnosis certificate issued by a recognised centre of another European State, i.e. the Great Britain. However, the Examinations Service of the Ministry of Education did not accept the certificate because the psychometric test used to evaluate the complainant was not calibrated for the Cypriot population.

⁴ Σ.Α.Α. 138/2017, dated 29 June 2021

The answers received show that for making its decision the Service took into consideration the fact that the complainant took the said evaluation test at an advanced age, since she was already at a PhD level, as well as the fact that the type of dyslexia she suffered from is not considered as a “disease” but as a different way of learning.

The Commissioner, with her Report as an Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention on the Rights of Persons with Disabilities, stated that it is not required to have a classic form of “disease” or “disability” in order to implement the UN Convention on the Rights of Persons with Disabilities, and this term could be understood since the disability is not in any way a disease. To the contrary, what is recognised is the existence of a long-term condition which in interaction with various obstacles may prevent the full and effective participation in the society on an equal basis with others.

Dyslexia is considered as a long-term condition that disadvantages a person comparing to other people and for this reason it is widely accepted that people with dyslexia are granted, at all levels of education, facilities both during the educational and examination procedure. However, for various reasons it cannot be excluded that dyslexia is not diagnosed in time but during a person’s adult life.

In our case, the complainant requested to be granted specific facilities, not in the education procedure but in her access to employment. At this point, I would like to underline that persons with disabilities have the right to fully enjoy the right to employment, including the access to employment, without any discrimination, and the refusal to grant reasonable facilities is a prohibited discrimination. However, the complainant did not receive the facilities she requested under the certificate of evaluation of her learning abilities, for the main reason

that the Examinations Service could not establish whether the complainant had that specific type of disability.

As reiterated by the Service in all its answers sent, the psychometric test used in the complainant's case is not calibrated to the Cypriot population, while there is a similar tool used in Cyprus to evaluate adults requesting facilities due to learning difficulties, and there is no possibility to develop such tool. This assumption shoes a significant gap in the procedure of granting facilities for examinations organised by the State for recruiting people to the Public Service, in general, since it deprives people whose learning difficulties were not diagnosed before adulthood, from the possibility to receive the necessary facilities.

Moreover, it should be noted that these facilities are not an advantage for the people with disabilities comparing to other candidates, but they are placed on an equal foot, since these facilities are a compensation to their disadvantage due to the interaction of their disability with the procedures and practices that are intended for persons with no disabilities. Therefore, the absence from the Cypriot reality of a mechanism for the evaluation of the needs of adults diagnosed with dyslexia, in combination with the refusal of the Examinations Service to accept a certificate issued by another State, disadvantages these people in a way that constitutes "discrimination at work", in breach of the provision of the UN Convention on the Rights of Persons with Disabilities.

Based on the foregoing, the Commissioner recommended that the competent service of the State consider and implement ways to cover the gap as to the evaluation, in a way to ensure the right of any person to equal access to employment.

◆ *Ex officio Intervention⁵ on the mandatory use of protective masks at school from children with disabilities aged 6 years and above*

In his statements dated 21 August 2020, the Minister of Education, Culture, Sports and Youth announced the decision of the Council of Ministers that, according to the recommendations of the experts, pupils should use protective masks at school.

Upon recommendations by the World Health Organisation and the UNICEF on the use of protective masks by children with disabilities, the decision to use masks for children aged 6 to 11 should be based on the risk, the capacity of the child to appropriately use the mask and adequate adult supervision, as well as the potential impact of wearing a mask on learning and psychosocial development.

Furthermore, the use of masks for children of any age with developmental disorders, disabilities or other specific health conditions should not be mandatory and be assessed on a case-by-case basis by the the child's educator or medical provider.

As to the children with hearing disabilities, they may miss learning opportunities because of the degraded speech signal stemming from mask wearing, the elimination of lipreading and speaker expressions and physical distancing. Adapted masks to allow lipreading or use of face shields may be explored as an alternative to fabric masks.

Given that the Ministry's decision did not include any measures for reasonably adapted measures that meet the needs of children with disabilities or any provision on the alternative way to deal with the issue, the universal use of masks would entail their unequal treatment comparing to the rest of the children, due to the deprivation of their

⁵ AYT. 20/2020 dated 24 August 2020

right to education on an equal basis with the other children of the same age, since their mask and the educators' mask would prevent their access to learning on an equal basis with the other children.

The Ministry of Education, Culture, Sports and Youth in consultation with the Ministry of Health was called upon to reconsider the use of alternative forms of protection for the children with disabilities at school, such as transparent masks or protective shields, both by the educators and/or their classmates, when and where needed, based on the recommendations of the World Health Organisation and the UNICEF and in cooperation with the parents or/and representative organisations of parents of children with disabilities to find a final solution to the issue that emerged.

Implementation of Recommendations/Proposals

The Ministry has fully implemented the Commissioner's recommendations, with its decision that the wearing of masks for children aged 6 to 12 years and for children aged 12 years and above with hearing or developmental disorders, and the teachers in these cases may use a transparent plastic mask or face shield to allow lipreading.

◆ *Ex officio Statement⁶ on the provision of attendants to pupils and students with disabilities, attending private educational establishments*

The right of persons with disabilities for reasonable facilities in education emerges from the Education and Training of Children with Special Needs Law, the UN Convention on the Rights of Persons with Disabilities and the Persons with Disabilities Law which is extended to all levels of education from pre-school to tertiary education and life-long learning.

Furthermore, the provision of attendants is and it should undoubtedly be part of the reasonable facilities on an individual bases. Therefore, the State by enacting the relevant legislation [the Private Schools Law (L. 147(I)/2019)] expressly provides for the obligation of private schools to provide attendants free of charge, when needed and based on the evaluation of the Ministry's District Committees for Special Education and Training, i.e. not only in public schools but also in private schools.

Moreover, because it is necessary to obtain the decision of the District Committee for Special Education and Training, which applies in higher and tertiary education both in the public and private sector, in order to get an attendant according to the domestic law (the Education and Training of Children with Special Needs Law), the State has no choice but to comply with that Law and the UN Convention on the Rights of Persons with Disabilities. In this context, the right to education should be guaranteed and realised with individual reasonable facilities.

The UN Committee on the Rights of Persons with Disabilities in its General Comment No 4(2016) on article 24 of the Convention, notes, inter alia, that States must ensure that

⁶ AYT. 7/2018, A/Π 1449/2019, A/Π 1980/2019 & A/Π 242/2019 dated 22 September 2020

persons with disabilities are able to access education in both public and private academic institutions on an equal basis with others while educational institutions, including private educational institutions and enterprises, should not charge additional fees for reasons of accessibility and/or reasonable accommodation.

Therefore, the state is obliged in a similar way to extend the protection of the right to education with reasonable facilities to higher/tertiary educational institutions - by law so the provision of reasonable facilities by the tertiary education to expressly include the provision of attendants in a mandatory way, when deemed necessary by the District Committee.

Provided that the cost should be borne neither by the Persons with disabilities nor by the parents but as it applies to private schools under the Private Schools Law [L. 147(I)/2019], the provision of reasonable facilities including the attendants should be included in their terms of operation.

Furthermore, since the evaluation and the decision to provide support, including the attendants, depends on the District Committees of Special Education and Training, the way to implement the legislation, their operation and composition, the extend of the reasoning of their decisions, as well as the specific support to be provided to each child that is deemed eligible should be put back on the table.

And this because according to the positions of the organised parents of children with disabilities, the Committee's decision given to them is general without providing any details as to their children's support and the only way to have access to their file is by bringing an action to the Court. According to their position there is no individual programme for each child attending the special unit, based on their needs, and there is no guidance on behalf of the school on the way to meet their needs.

Similarly, other than the provision and assistance, the question of the attendants' qualifications must be reconsidered within the context of reasonable facilities, so they can meet the needs of each child with disabilities, because according to General Comment No 4(2016) on article 24 of the Convention expressed by the UN Committee on the Rights of Persons with Disabilities, even pupils with the same disability may need different facilities.

It was recommended, inter alia, that the Ministry, in concertation with the relevant Associations of Private Schools and and Private Tertiary Education Institutions, KYSOA, as well as the representative organisations of Persons with disabilities and the representatives of parents of children with disabilities, takes the necessary actions and makes the necessary arrangements to ensure the provision of reasonable facilities to students with disabilities attending private establishments, and in this case the provision of attendants, in order to lift any possible discrimination that may be generated in the field of education, in private institutions of tertiary, primary and secondary education by the enactment of a law on the private tertiary education, in a way similar to that of private schools.

Implementation of Recommendations/Proposals

The Cyprus Agency of Quality Assurance and Accreditation in Higher Education has informed the Commissioner that a relevant amending provision will be included in the domestic legislation based on the proposals contained in the Report.

- ◆ *Report⁷ on the provision of reasonable facilities with a different examination essay for Persons with disabilities for career development purposes*

The complaint was submitted on behalf of Persons with hearing disabilities working under open-ended contracts at the Postal Services Department (Sorting Department) and it was about the non-provision of reasonable facilities in the examinations for promotion to the next higher positions of the combined scales of their position (A2 - A5 -A7+2).

As already noted, the nature of the examination essay as such, without any differentiation, it appears to have been a limiting factor and obstacle to the success of the complainants in previous examinations, since, in combination with their disability, they were unable to cope with the difficulties they have had to deal with.

Consequently, in order for the examination to be a comprehensive and equal criterion, they should have been provided with individual reasonable facilities depending on their needs, i.e. with the appropriate differentiation of the examination essay, so they can be able to sufficiently understand and not to have an obstacle in their opportunity for career development, within the context of equal treatment.

Therefore, the translation into sign language of a different essay is the only way in the context of reasonable facilities so the obstacles that interact with their disabilities due to its nature can be lifted. Furthermore, for the purposes of equal treatment, as this was noted, the change in the evaluation way of the examination essay could also be useful, i.e. of their answers, in order to offset their unfavourable position comparing to the rest of the candidates.

⁷ A/П 650/2020 dated 3 October 2020

In view of the need to provide equal career development opportunities to both the complainants and other persons with hearing or other disabilities, as noted in the Report, the Department of Public Administration and Personnel should take individual measures of reasonable facilities including the differentiation of the essay, in order to lift the obstacles and ensure equal treatment.

To this direction, it was recommended that the Department of Public Administration and Personnel consider timely the above proposal to provide reasonable facilities, in concertation and cooperation with the representative organisations of Persons with hearing disabilities, as well as with the Cyprus Confederation of Persons with Disabilities (KY.S.O.A.), so in the examinations of November 2020, persons with hearing disabilities could have an opportunity to succeed on an equal basis with others.

Implementation of Recommendations/Proposals

The Department of Public Administration and Personnel took the necessary actions to provide to the complainants reasonable facilities during the examination on the basis of the recommendations contained in the Report.

- ◆ *Intervention of the Commissioner for Administration on the issue that emerged from the Protocol implemented by the State maternity clinics to separate the mother who is positive to Covid-19 from the new-born (AIM 18.3.02/4)*

The intervention was deemed necessary following a letter signed by (a) Birth Forward, (b) the Pancyprrian Association of Breastfeeding A Gift for Life, (c) the Cyprus Family Planning Association and (d) the Mediterranean Institute of Gender Studies, which submitted that this separation may directly affect both the establishment of breastfeeding and the bond between the mother and the infant, and therefore the infant's health in long-term, as well as the mother's mental and physical health.

In her intervention the Commissioner stated that the WHO expressed its opinion on the subject in its scientific communication dated 23 June 2020. WHO recommends that mothers with suspected or confirmed COVID-19 should be encouraged to initiate or continue to breastfeed and mother and infant should be enabled to remain together while rooming-in throughout the day and night and to practice skin-to-skin contact, including kangaroo mother care, especially immediately after birth and during establishment of breastfeeding.

The Commissioner under the above recommendations proposed that the WHO's recommendations be observed by the State maternity clinics in a way that new mothers are informed by the experts of all data and possible risks and be able to express their will as to whether they will initiate or/and continue to breastfeed.

- ◆ *Intervention of the Commissioner for Administration addressed to the Department of Public Administration and Personnel on the amendment of the Public Service Law, which includes the Disciplinary Code and the proceedings related to disciplinary misconduct committed by civil servants, as well as the Disciplinary Regulations pertaining to the Hourly-paid Government Personnel, in order to determine “sexual harassment or/and harassment on the ground of sex” as a distinctive disciplinary offence in the Public Service, on the ground that sexual harassment is recognised as a form of violence against women and girls and the most extreme and persistent form of discrimination on the ground of sex⁸*

The Commissioner noted that sexual violence and harassment is contrary to the principle of equality of genders and equal treatment and, therefore, they are prohibited at work, inter alia as regards to the access to employment, vocational training and promotions. At the same time the Commissioner highlighted that sexual violence and harassment at work is a matter of health and safety and that it should be treated as such and prevented.

The relevant law of the EU has been incorporated into the Cypriot legislation with the Equal Treatment of Men and Women at Work and Vocational Training (L. 205(I)/2002), which contains also analytical arrangements for the prevention of incidents of sexual harassment and the handling of such complaints.

According to article 30 of the Law, any act of sexual harassment, harassment or other direct or indirect unfavourable treatment due to the fact of sexual harassment or harassment or due to the submission of a complaint for sexual harassment or harassment, which falls within the

⁸ AYT. 15/2020

provisions of L. 205(I)/2002, constitutes an offence. Moreover, paragraph 4 of article 12 of the Law establishes the obligation of each employer, including the Public Service of the Republic of Cyprus, to immediately take any appropriate measure to prevent any act, either as an isolated or repeated case, which constitutes a harassment or sexual harassment or direct or indirect unfavourable treatment due to, in any way, repeal of sexual harassment or harassment or due to the submission of a complaint for sexual harassment or harassment.

By virtue of this established obligation, the “Code of Practice for Preventing and Dealing with Harassment and sexual Harassment in Public Service” was adopted in 2018. The Code covers all those working in the Public Service, including officials, employees under a fixed-term and open-ended contract and hourly-paid employees and aims at informing all parties involved of their obligations and rights, encouraging the submission of complaints, providing direct protection to victims, and dealing with complaints in a correct and fair way.

However, the Commissioner underlined that there are very few cases in the Public Service where sexual harassment is examined and treated as an offence. According to the Commissioner, this may be due to the fact that the concepts of sexual harassment and harassment on the ground of sex are relatively new, so that people working in the Public Service and are either victims of such behaviours or heads of departments responsible for their investigation, do not recognise the distinctive characteristics of such behaviours and, therefore, they do not report or handle them respectively, on the basis of these characteristics.

Moreover, they may classify them, following investigation, as disciplinary misconduct of improper behaviour or as a misconduct offense involving a lack of honesty or moral obscenity.

Furthermore, in any case, the Commissioner submitted to the

Department of Public Administration and Personnel the proposal that sexual harassment, due precisely to its character as a form of violence on the ground of sex, discrimination on the ground of sex and violation of human rights, but also due to the difficulties inherent to its investigation and documentation, be treated individually as sexual harassment. The amendment of the relevant provisions of the Public Service Law, following the Commissioner's recommendations, is under examination.



Mediation Mission

On the basis of institutional capabilities, the Commissioner for Administration focused also in 2020 on her mediation mission. Mediations were conducted in cases where the admissibility of the complaint was prima facie established, and the Body's written and/or verbal interventions addressed to the authorities involved resulted in the settlement of pending issues or/and the satisfaction of specific requirements expressed by the complainants. In addition, this specific activity also includes actions that constitute information of the competent authorities with regard to the powers of the Equality Body.

Some typical cases with successful outcome in which the mediation/intervention of the Commissioner as an Equality Body was necessary, are as follows:

- ◆ *C/N 2246/2019 on the decision of the General Staff of the National Guard (GSNG) to terminate the provision of facilities to a father who was awarded the care of his three children by an injunction granted by the Family Court in 2010.*

During that time, all three children were minors and aged 14 and below, so the GSNG (a) discharged the complainant from the obligation to perform a 24-hour service and (b) gave him the permission to terminate his work daily at 14:30 and during the days where alert measures were taken or there were military exercises. In October 2018, the Standing Committee for the Resolution of Specialised Problems of the GSNG decided to terminate the provision of the above facilities on the ground that the children were now aged 14 years and above.

The Commissioner, within the context of her intervention, brought the issue to the attention of the Permanent Secretary of the Ministry of Defence, saying that, both at EU and national level the promotion of the equality of genders, also through the reinforcement of the father's parental role, is a declared aim and priority. Moreover, among the measures selected for the achievement of this aim is the reinforcement of the right of all parents who are responsible for the care of minor children to request flexible working arrangements and hours. Furthermore, this right was included in Directive 2019/1158 of 20 June 2019 on work-life balance for parents and carers.

In addition, the Commissioner noted as positive fact that the National Guard offers to the members of its staff facilities in order to be able to sufficiently perform their professional duties and meet their responsibilities as parents, and that these facilities were provided to the complainant for 8 years.

However, the Commissioner underlined that the provision of these facilities, even though it should be based on objective criteria, however, it should not exclude the discretion of the authority that decides to extend or broaden the facilities, on the basis of reasonable and individual circumstances, as was the case of the complainant, even beyond the age limit provided for by the Order of the GSNS Directorate of Personnel. And this because under the Convention on the Rights of the Child, a "child" is any person under the age of 18. The Commissioner, having underlined that in all the decisions on children the interest of the child should be primarily taken into consideration and that the States should provide the appropriate assistance to parents in the performance of their duties for raising the child, through the provision of facilities for their care, recommended the reconsideration of the GSNG decision, since when special circumstances exist in which the interest of children cannot be served, these facilities should be provided until they reach the age of maturity.

Based on the above recommendation, the GSNG decided to discharge the complainant from the obligation to perform services until his daughter reaches the age of maturity, he should perform 1 24-hour service per month for one year (until October 2021), during the day the child is under the care of the mother, based on the injunction of the Family court. Moreover, it was approved that facilities be provided wherever service needs allow so, in relation to his Unit's obligations, where his presence is necessary beyond the morning working hours.

In addition, the content of the Permanent Order governing the provision of facilities to the members of the army staff dealing with specific difficulties, was amended in a way to enable the submission of requests for facilities from the members of the army staff, whose children are aged 14 years and above, where particular circumstances exist.

◆ *Posting of sexist content in the public service*

Immediate intervention by the Commissioner for Administration and the Protection of Human Rights following complaints received for sexist content posted in the public service. The Commissioner recommended that any posters, pictures, caricatures or calendars with naked women or captions with derogatory remarks about women be immediately removed from the civil servants' offices.

The Commissioner underlined that posting this kind of sexist content in the premises of the public service is to be condemned, since it reproduces sexist stereotypes, maintains gender roles and presents women's body in a derogatory and indecent manner, perpetuating ideas intending to offend and downgrade women in an absolutely generalised way, leading to inequality and violence.

Following the Commissioner's decisive intervention, the Director of the Department of Administration and Personnel issued a circular inviting the heads of departments to

address the issue, so the sexist material be immediately removed.

ΣΥΣΤΑΣΗ ΕΠΙΤΡΟΠΟΥ ΔΙΟΙΚΗΣΕΩΣ

Να απομακρυνθούν όλα τα σεξιστικά από τα γραφεία των δημοσίων υπαλλήλων

Σε μια αλλιώτικη σύσταση προέβη πρόσφατα η Επίτροπος Διοικήσεως και Προστασίας Ανθρωπίνων Δικαιωμάτων προς το Τμήμα Δημόσιας Διοικήσεως και Προσωπικού με αφορμή αφίσες ή και γελοιογραφίες που αναρτούν κάποιοι στους τοίχους των γραφείων δημοσίων υπαλλήλων με υλικό που μπορεί να θεωρηθεί σεξιστικό.

ΕΓΚΥΚΛΙΟΣ. Συγκεκριμένα, σε εγκύκλιο της, η διευθύντρια του Τμήματος Δημόσιας Διοικήσεως και Προσωπικού αναφέρεται σε σύσταση της Επιτροπής Διοικήσεως και Προστασίας Ανθρωπίνων Δικαιωμάτων για την απομάκρυνση από τα γραφεία της δημόσιας υπηρεσίας υλικού που μπορεί να χαρακτηριστεί ως σεξιστικό.

ΣΕΞΙΣΤΙΚΟ ΥΛΙΚΟ. Ειδικότερα, η Επίτροπος προέβη στη σύσταση αυτή όταν έγινε δέκτης παραπόνων / καταγγελιών ότι σε γραφεία δημοσίων υπαλλήλων υπάρχουν αναρτημένες αφίσες, εικόνες, γελοιογραφίες ή ημερολόγια με γυμνές γυναίκες ή λεζάντες με υποτιμητικά σχόλια για τις γυναίκες. Σύμφωνα με την Επίτροπο, η ανάρτηση τέτοιου είδους σεξιστικού υλικού σε χώρους της δημόσιας υπηρεσίας είναι καταδικαστέα, καθώς αναπαράγει σεξιστικά στερεότυπα, συντηρεί τους ρόλους κλισιέ των δύο φύλων και παρουσιάζει το γυναικείο σώμα κατά τρόπο υποτιμητικό και αναξιοπρεπή, διαωρίζοντας ιδέες που κατατείνουν στην προσβολή και κατωτεροποίηση των γυναικών με τρόπο απόλυτα γενικευμένο, ανοίγοντας έτσι το δρόμο στην ανισότητα και τη βία.

ΑΠΑΓΟΡΕΥΣΗ ΑΝΑΡΤΗΣΗΣ. Ένεκα των πιο πάνω, η διευθύντρια καλεί τους αρμοδίους να δώσουν οδηγίες στο προσωπικό για απομάκρυνση και απαγόρευση ανάρτησης στους χώρους της δημόσιας υπηρεσίας υλικού που προωθεί το σεξισμό και τις διακρίσεις λόγω φύλου. Με την ευκαιρία, η διευθύντρια επιστά την προσοχή στις πρόνοιες του Κώδικα Πρακτικής για την Πρόληψη και την Αντιμετώπιση της Παρενόχλησης και της Σεξουαλικής Παρενόχλησης στη Δημόσια



ΚΥΠΡΙΑΚΗ ΔΗΜΟΚΡΑΤΙΑ
ΥΠΟΥΡΓΕΙΟ ΟΙΚΟΝΟΜΙΚΩΝ



winner
innovation award
ΤΜΗΜΑ
ΔΗΜΟΣΙΑΣ ΔΙΟΙΚΗΣΗΣ ΚΑΙ ΠΡΟΣΩΠΙΚΟΥ
1443 ΛΕΥΚΩΣΙΑ

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02 Νοεμβρίου, 2020

ΕΓΚΥΚΛΙΟΣ ΕΠΙΣΤΟΛΗ

Απομάκρυνση υλικού που μπορεί να θεωρηθεί σεξιστικό από τα γραφεία της δημόσιας υπηρεσίας

Η Διευθύντρια του Τμήματος Δημόσιας Διοικήσεως και Προσωπικού επιθυμεί να αναφερθεί σε σύσταση της Επιτροπής Διοικήσεως και Προστασίας Ανθρωπίνων Δικαιωμάτων για την απομάκρυνση από τα γραφεία της δημόσιας υπηρεσίας υλικού που μπορεί να χαρακτηριστεί ως σεξιστικό. Η Επιτροπή προέβη στη σύσταση αυτή όταν έγινε δέκτης παραπόνων / καταγγελιών ότι σε γραφεία δημοσίων υπαλλήλων υπάρχουν αναρτημένες αφίσες, εικόνες, γελοιογραφίες ή ημερολόγια με γυμνές γυναίκες ή λεζάντες με υποτιμητικά σχόλια για τις γυναίκες. Σύμφωνα με την Επίτροπο, η ανάρτηση τέτοιου είδους υλικού σε χώρους της δημόσιας υπηρεσίας είναι καταδικαστέα, καθώς αναπαράγει σεξιστικά στερεότυπα, συντηρεί τους ρόλους κλισιέ των δύο φύλων κατά τρόπο υποτιμητικό και αναξιοπρεπή, διαωρίζοντας ιδέες που κατατείνουν στην προσβολή και κατωτεροποίηση των γυναικών με έτσι το δρόμο στην ανισότητα και τη βία.

✓ Στοπ στις αφίσες, εικόνες, γελοιογραφίες ή ημερολόγια με γυμνές γυναίκες ή λεζάντες με υποτιμητικά σχόλια για τις γυναίκες



Υπηρεσία που εγκρίθηκε από το Υπουργικό Συμβούλιο και κυκλοφόρησε στη δημόσια υπηρεσία με την επιστολή της Επιτροπής Διοικήσεως και Ανθρωπίνων Δικαιωμάτων ημερομηνίας 05.02.2019.

Ο ΚΩΔΙΚΑΣ Πρακτικής έχει σκοπό την πρόληψη και την αντιμετώπιση της παρενόχλησης και σεξουαλικής παρενόχλησης. Αφορά όλους τους/τις εργαζόμενους/ες στη δημόσια υπηρεσία. Μεταξύ άλλων, ο κώδικας στοχεύει στην παροχή άμεσής προστασίας στον/στην κάθε εργαζόμενο/η που θεωρεί ότι υφίσταται σεξουαλική παρενόχληση ή παρενόχληση ή έχει υποστεί παρενόχληση ή σεξουαλική παρενόχληση καθώς και από πιθανές εκδικητικές ενέργειες εναντίον του/της, λόγω απόκρουσης ή υποβολής κα-

ταγγελίας για παρενόχληση ή σεξουαλική παρενόχληση.

ΟΡΓΑΝΩΣΕΙΣ. Στο πολυσύνθετο κοινωνικό φαινόμενο το οποίο λαμβάνει ανθρωπιστικές διαστάσεις επιχείρησαν να βάλουν και οι συνδικαλιστικές οργανώσεις ΣΕΚ, ΠΕΟ σε συνεργασία με την ΟΕΒ, μέσα από τον κώδικα πρακτικής για πρόληψη και αντιμετώπιση της σεξουαλικής παρενόχλησης. Ενδεικτικές συμπεριφορές σεξουαλικής παρενόχλησης, σύμφωνα με τα όσα αναφέρονται στον πιο πάνω κώδικα θεωρούνται μεταξύ άλλων τα προσβλητικά ή αχρείαστα αγγίγματα σε οποιοδήποτε μέρος του σώματος, χειρονομίες με οποιοδήποτε μέρος του σώματος ή νοήματα με τα μάτια, το στόμα, κτλ.

- ◆ *The Open University of Cyprus (OUC) adopts a coherent and integrated policy to prevent and address harassment at work on the ground of any reason, and to promote the principles of equality and respect of dignity and human rights of every person (A.I.M. 5.7.02.4)*

The Commissioner, having congratulated the OUC for its decision to develop guidelines and good practices for in-house investigation of complaints and management of bullying, mobbing, sexist, degrading, racist or other behaviours that constitute a discrimination, noted that in order for the project to succeed the following specific principles should be adopted:

- any effort for preventing and combatting harassment at work should start with full and dynamic information of the employees about the concepts of discrimination, equal treatment and harassment at work and the legal basis on which the protection of employees from harassment and the procedures that may follow in case of a complaint are founded;
- the organisation should state its intention to ensure a healthy and safe working environment and promote cooperation between the management and the employees;
- in particular, the organisation should clearly state that immediate protection shall be provided to each employee deemed to be sexually harassed or harassed or who has been harassed or sexually harassed, including the protection from possible punitive actions against him/her, due to response or submission of complaint for harassment or sexual harassment. This will encourage employees to report the incidents they experience;

EQUALITY BODY

- in particular, the various organisations are recommended to create an “Equality Committee”, formed with at least three employees of both genders, one of whom shall be hierarchically superior, in order to submit proposals to each competent authority about the measures that are deemed to be needed to improve the organisation of these projects, monitor the implementation of the Code, assess their effectiveness and qualitatively upgrade the working environment and the relationship between employees. This Committee may be assigned with the investigation of complaints for sexual harassment. Moreover, it is important to adopt internal regulations on the composition, office and operation of the Equality Committee;
- in case an Ombudsman is appointed by the Organisation, probably the above powers will be exercised by that person;
- as to the management of complaints received, the Committee which or the person who receives the complaints should observe some basic principles such as the principle of confidentiality, objectivity and respect. This rule applies to both oral and written complaints;
- another fundamental rule that must be observe is the provision of support to the employee and the necessary, under the circumstances, contribution to cope with the consequences he/she already suffered or those he/she is still suffering. The complainant or any witnesses should in no case be victimised;
- the investigation procedures for harassment complaints may be official or unofficial. It is noted that the unofficial procedure may at any time be converted into official depending on the complainant’s will;
- the unofficial procedure aims at immediately tackling the harassment before being further developed, and

gives results in a very short period of time. This is the appropriate procedure mainly when the incidents forming the harassment are less serious and the complainant expects that the harassment or sexual harassment may cease without the official procedure and that in this way the positive working relationship between the complainant and the subject of complaint will be restored;

- in this case the complaint is submitted in writing and the subject of complaint is informed three days later by the Organisation and invited to submit his/her comments within the next three days. If required and without stigmatizing the parties involved, the professional cooperation between them is avoided and/or they are taken away from each other if their offices are close to each other or if they are on the same floor. If the subject of complaint admits the complaint orally or in writing within the above deadline, he/she shall be invited by the competent authority to make an apology to the victim and then the unofficial procedure is terminated;
- if the subject of complaint does not admit the complaint within the above deadline, or should he/she fail to answer whether he/she admits the complaint, following expiration of the deadline, the competent authority informs the complainant of his/her right to submit an official complaint;
- in order for the official procedure of investigation of a complaint to be initiated the submission of a written complaint is necessary, while the complaint is investigated by virtue of the procedure provided for by the Laws and Regulations on disciplinary offences;
- provided that, in any case, a harassment or sexual harassment may be reported to the Police, with regard to a possible commission of an offence, or to the

Commissioner for Administration and the Protection of Human Rights, who shall investigate into the incident within the scope of her powers as an Equality Body.





6. Information/Awareness Campaigns



6. Information/Awareness Campaigns

The Office of the Commissioner for Administration and the Protection of Human Rights, within the context of the Commissioner's powers and institutional role as a body for the protection of all aspects of human rights, and in particular as an Equality Body, organises or/and participates in information/awareness campaigns for the work and role of the Commissioner, as well as for promoting the respect of human rights in general.

The following is noted for illustration purposes:

✿ *COVID-19 & Human Rights*



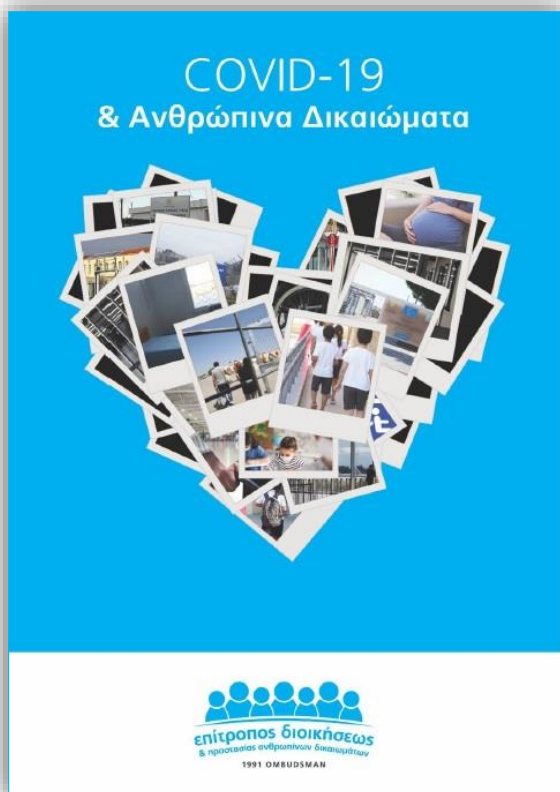
With the outbreak of the COVID-19 pandemic in Cyprus and the measures taken by the State to prevent the spread of the virus, our Office, as a defender of human rights,

remained vigilant in order to intervene and prevent any possible violation thereof.

Having regard to the foregoing, our office conducts since March 2020 an Information and Awareness Campaign about COVID-19 and the protection of Human Rights.

To this end, a [special page](#) was created on our office's website, which includes links to all necessary information about the COVID-19 pandemic, as well as our interventions on COVID-19 and in general its impact on human rights.

Furthermore, from the commencement of the pandemic to date,



we proceeded to a series of interventions and recommendations on the mitigation of the impact observed mainly among the vulnerable groups of the population as NHRI, Equality Body, Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention on the Rights of Persons with Disabilities, as we as Mechanism for the Prevention of Torture, which were compiled in a [special edition](#) in order to be a useful tool for information and claiming rights.

A significant percentage of these interventions were submitted under the Commissioner's powers as an Equality

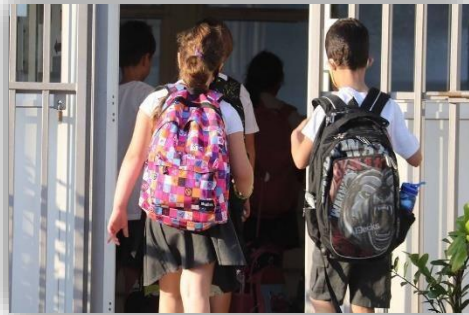
Body or/and as an Independent Mechanism of Monitoring the Implementation of the UN Convention on the Rights of Persons with Disabilities. A summary reference is presented below since they are illustrated in detail on Chapter 5 “Reports/Opinions/Interventions”.



Ex officio opinion on the accessibility of persons with disabilities to information about the COVID-19 pandemic as an Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention on the Rights of Persons with Disabilities (3 April 2020)

Ex officio intervention on the rights of women in relation to maternity during COVID-19 pandemic, as an Equality Body (8 May 2020)





Report by the Commissioner for Administration and the Protection of Human Rights, on the attendance of children with disabilities in primary schools as an Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention on the Rights of Persons with Disabilities & as an Equality Body (21 May 2020)

Ex officio Opinion on the compulsory use of masks for children with disabilities aged 6 years and above at schools as an Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention on the Rights of Persons with Disabilities & as an Equality Body (24 August 2020)



◆ *Equinet: Equality 2020*

Cyprus Equality Body Intervention: Beach Access for Persons with Disabilities

On 29 June 2020, EQUINET, on the occasion of the 20th anniversary of the entry into force of Directive 2000/43/EC, in collaboration with the Council of Europe, the European Commission and the Croatian Presidency of the Council of Europe, held an online conference on the Promotion and Protection of Equality as a fundamental value of the European Union.



The conference was attended by representatives of EQUINET, the European Union Agency for Fundamental Rights (FRA), the Croatian Presidency, as well as the Commissioner for Equality of the European Commission, Mrs Helena Dalli. The

conference focused on the importance of the Directive and the important role that Equality Bodies have played over time in the promotion and implementation of the provisions of the Directive.

On the occasion of the conference a [special website](#) was created to promote good practices related to the promotion of equality and the fight against discrimination by Equality Bodies.

In this context, EQUINET chose to showcase as an example of good practice the contribution of the Commissioner as an Equality Body in ensuring the accessibility of persons with disabilities to the beaches and, in particular, her relevant Report and the developments that followed towards the implementation of her recommendations made therein.



In the video ([video](#)), the President of the Cyprus Paraplegics Organization (OPAK) Mr Demetris Lambrianides and an Officer from our Office describe the importance of the Commissioner’s intervention, as an Equality Body, in

improving the accessibility of the disabled to the beaches, as well as the wider catalytic importance of the Commissioner's interventions in the promotion of human rights of all persons with disabilities.

Furthermore, the above [website](#) makes reference to other interventions by the Commissioner, as an Equality Body, as examples of good practices on the basis of which significant improvements were achieved and the existing legal framework was amended in favour of vulnerable groups, victims of discrimination.



✦ **Commonwealth Forum of National Human Rights Institutions: Campaign IDAHOBIT2020 «Breaking the Silence»**

The International Day against Homophobia, Biphobia and Transphobia is celebrated every year on 17th May.

For 2020, the theme selected by the **Commonwealth Forum of National Human Rights Institutions (CFNHRI)** is “Breaking Silence” and [all members joined their voice](#) to promote the human rights of LGBTQI people.

In particular, the CFNHRI brought together the testimony of its members, including our Office within the powers of the Commissioner as National Authority of Human Rights, and produced the [animated film “Beyond Tolerance”](#), in order to remind everyone of the importance of upholding the human rights of LGBTQI people and the work of its members to achieve this.



Within the context of the preparation of the script, an officer from our Office spoke with the people in charge of the production and shared with them the problems tackled by

LGBTQI people in Cyprus.



Furthermore, part of the statements of our Officer about the “*Support of Human Rights of LGBTQI people in Cyprus*”, are hosted on a [special website](#) on the CFNHRI website.

"The ultimate goal is for all people to be treated equally and for everyone to recognise that LGBTI people have the same human rights as everyone else."

Kyriacos Kyriacou
Office of the Commissioner for Administration and the Protection
of Human Rights, Cyprus

 Commonwealth Forum of
National Human Rights Institutions

✿ *Lectures at the Police Academy on Racial Discrimination and Racism*

As in previous years, in 2020 the lectures to police cadets of the Cyprus Police Academy held by officers from our Office continued on Racial Discrimination and Racism, even though due to the pandemic their number was reduced comparing to previous years.

✿ *Awareness and Information Actions*

In 2020, due to the restrictive measures taken against coronavirus, all the ongoing awareness and information actions of our office on gender equality were suspended, such as:

- a series of actions in cooperation with the Cyprus Federation of Business and Professional Women to raise awareness and inform the people on the Charter of Girls' Rights, starting from the field of education;
- a series of seminars in cooperation with the Cyprus Academy of Public Administration, for training civil servants on bullying, mobbing, stalking and sexual harassment at work;
- a series of workshops in cooperation with the Cyprus Academy of Public Administration and the Gender Equality Committee in Employment and Vocational Training, titled "Code of Practice on the Prevention and Handling of Harassment, Sexual Harassment at Work, in public service";
- seminars in cooperation with the Advisor of the Minister of Foreign Affairs for gender issues, to high-ranking officials of the Ministry of Foreign Affairs on Sex Mainstreaming to all the policies promoted by the Ministry of Foreign Affairs.

✦ *Protocol of Cooperation signed between the Commissioner and Accept - LGBTQI Cyprus*

The Commissioner for Administration and the Protection of Human Rights and officers from her Office had a meeting with Accept - LGBTQI Cyprus.

The meeting was held on 27 October 2020 and during the meeting a Protocol of Cooperation was signed between the Commissioner and Accept - LGBTQI Cyprus, within the context of voiceit project, to reinforce the voice of the LGBTQI community in politics.





7. Other Actions

7. Other Actions

Contacts with NGOs and other Bodies

The Commissioner for Administration and the Protection of Human Rights and Officers from her Office, within the context of her powers has regular meetings and communication with NGOs and other bodies to reinforce their cooperation and promote, under her powers, requests or/and other issues that concern the members of the civil society.

The following is noted for illustration purposes:

- ◆ *Meeting of the Commissioner and Officers from her Office with the representatives of the Cyprus Federation of Business and Professional Women*

On 05 February 2019, the Commissioner for Administration and the Protection of Human Rights, Mrs Maria Stylianou Lottidi and Officers from her Office had a meeting with the representatives of the Cyprus Federation of Business and Professional Women on the Charter of Girls' Rights.

- ◆ *Meeting of the Commissioner and a Senior Officer from her Office with MP Savvia Orfanidou and MP Xenia Constantinou*

The Commissioner for Administration and the Protection of Human Rights, Mrs Maria Stylianou Lottidi and a Senior Officer from her Office had a meeting with MP Savvia Orfanidou and MP Xenia Constantinou.

During the meeting the parties discussed, inter alia, the

integration of single persons to the Aid Scheme for Assisted Reproduction Purposes, the provisions of legislation on Assisted Reproduction, the domestic violence, the equality between men and women etc.

The meeting was held on 26 February 2019, at the Office of the Commissioner.

◆ *Meeting between the Commissioner and representatives of organised parents of children with disabilities*

On 27 August 2020, the Commissioner for Administration and the Protection of Human Rights, within the context of her powers as an Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention on the Rights of Persons with Disabilities, had a meeting at her Office with the representatives of organised parents of children with disabilities.

During the meeting the parties exchanged opinions on, inter alia, the school year that is about to commence and the problems of children attending (fully or partially) special school units, as to the actions that should be taken to ensure the correct, smooth lawful operation of the District Committees for Special Education and Training, as well as on their representation.



◆ Protocol of Cooperation signed between the Commissioner and Accept - LGBTQI Cyprus

The Commissioner for Administration and the Protection of Human Rights and officers from her Office had a meeting with Accept - LGBTQI Cyprus.

The meeting was held on 27 October 2020 and during the meeting a Protocol of Cooperation was signed between the Commissioner and Accept - LGBTQI Cyprus, within the context of voiceit project, to reinforce the voice of the LGBTQI community in politics.



◆ *Meeting of the commissioner for Administration and the Protection of Human Rights with a delegation of EDON School Section*

On 20 November 2020, the Commissioner for Administration and the Protection of Human Rights, Mrs Maria Stylianou-Lottidi had a meeting with a delegation of EDON School Section, for the purposes of cooperation with the Office within the context of the campaign against racism.



 *Participation in Equinet*

The Commissioner for Administration, in her capacity as an Equality Body, is a member of the European Network of Equality Bodies since 2007. This network is composed of independent authorities/organisations who have the power to implement European directives against discrimination in the countries of the European Union (Equality Bodies).

The formation and operation of the Network aims at the cooperation and coordination between its members for a more effective action and, in this context, they exchange opinions on matters that fall within their common powers, they draft common reports and hold specialised seminars and educational seminars.



 *Indicative international references*

- *European Network of Equality Bodies (Equinet)*



Equinet's response to COVID-19

"...Ex officio Opinion on the access of persons with disabilities and/or other vulnerable groups residing in psychiatric institutions and social welfare centres, to information about the coronavirus pandemic..."

Ex officio Investigation of a case of persons with disabilities who were not allowed to leave their workplace where some of their colleagues were infected by COVID-19...

... Ex officio intervention by the Commissioner for Administration and the Protection of Human Rights as an Equality Body, on the women's right of maternity during COVID-19...

The Commissioner for Administration and the Protection of Human Rights, acting as an Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention on the Rights of Persons with Disabilities, prepared a report on the discrimination policy of the Ministry of Education towards children with disabilities, due to the requirements they have to meet in order to go back to school, after the opening of primary schools...

Report on the implementation of measures in elderly houses to restrict the spread of COVID-19 pandemic and the post COVID-19 εποχή...


Ex officio Opinion on the decision for compulsory use of protective masks at school from children with disabilities aged 6 years and above..."



[Let's talk about sexual and reproductive health and rights: Not fully implemented before COVID-19 & suspended during the pandemic](#)

«...The Commissioner in Cyprus published an official Opinion

pointing out that the women’s right during childbirth should be protected during the COVID-19 pandemic, if all the necessary preventive and protective measures are taken to avoid the risk of spread. Otherwise, it would constitute a direct discrimination on the ground of sex against pregnant women who wish to have someone next to them during childbirth...”.




December

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28	29	30	31			

3 International Day of Persons with Disabilities
 10 Human Rights Day
 18 International Migrants Day

EQUALITY AND HUMAN RIGHTS COMMISSION GREAT BRITAIN
 Stacey has Ehlers-Danlos syndrome, a condition that limits her mobility. She needed to make changes to her home but a term in the lease banned alterations. Her landlord refused to make an exception and Stacey and her husband had to move out. The Equality and Human Rights Commission funded and supported Stacey’s discrimination case against her landlord to make sure the law is clear and supports other people with disabilities like Stacey to live independently.
 In January 2019, Cardiff County Court ruled that the landlord should have let Stacey make alterations, which were reasonable in light of her disability. The judgment means that landlords must allow disabled leaseholders to make changes that are reasonable and necessary.

COMMISSIONER FOR ADMINISTRATION AND THE PROTECTION OF HUMAN RIGHTS CYPRUS
 The Commissioner for Administration and the Protection of Human Rights examined the accessibility of persons with disabilities to beaches and used the findings to produce an extensive report and request legislative changes that will improve accessibility for everyone. All recommendations of the Report were implemented. In particular, the relevant legislation was amended, access ramps have been built at beaches where there had not been any or improved existing ones, while electric ramps and floating wheelchairs were placed on other beaches that were not accessible for Persons with Disabilities.



[Equinet calendar 2020](#)

“...The Commissioner for Administration and the Protection of Human Rights examined the accessibility of persons with disabilities to beaches and used the findings to produce an extensive report and request legislative changes that will improve accessibility for everyone.

All recommendations of the Report were implemented. In particular, the relevant legislation was amended, access ramps have been built at beaches where there had not been

any or improved existing ones, while electric ramps and floating wheelchairs were placed on other beaches that were not accessible for Persons with Disabilities...”.

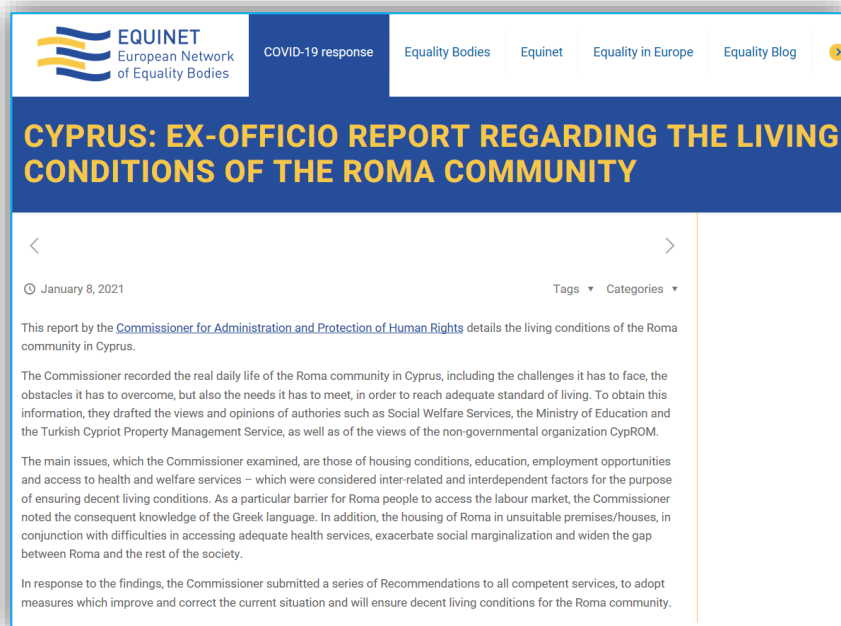


[Cyprus: Report on the status of foreign domestic workers](#)

“This report by the Commissioner for the Administration and the Protection of Human Rights (Cyprus Ombudsman) details the situation of foreign domestic workers (FDW) living and working in the Republic of Cyprus. In most cases, these are women who come from third countries and extremely difficult economic conditions and who migrate autonomously, with the aim of improving their and their families’ living standards.

The report focuses on the vulnerability of this group, factoring in their migrant status, their gender, and their economic status. The Commissioner found that in absence of a protective legal framework, these factors can result in exploitation, sub-standard living and working conditions, and a range of human rights violations, including of Article

4 of the European Convention on Human Rights that safeguards freedom from slavery and forced servitude...”.



[Cyprus: Ex officio Report regarding the Living conditions of the Roma community](#)

This Report by the Commissioner for Administration and the Protection of Human Rights details the living conditions of Roma community in Cyprus.

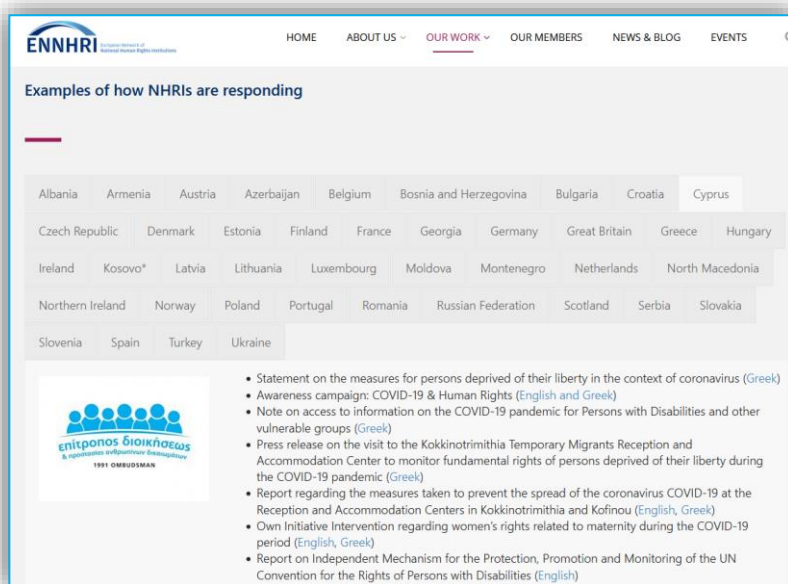
...The Commissioner recorded the real daily life of the Roma community in Cyprus, including the challenges it has to face, the obstacles it has to overcome, but also the needs it has to meet, in order to reach adequate standard of living...

...The main issues, which the Commissioner examined, are those of housing conditions, education, employment opportunities and access to health and welfare services – which were

considered inter-related and interdependent factors for the purpose of ensuring decent living conditions. ...

...As a particular barrier for Roma people to access the labour market, the Commissioner noted the consequent knowledge of the Greek language. In addition, the housing of Roma in unsuitable premises/houses, in conjunction with difficulties in accessing adequate health services, exacerbate social marginalization and widen the gap between Roma and the rest of the society...”.

▪ [European Network of National Human Rights Institutions \(ENNHRI\)](#)



[Examples of how NHRIs are responding to COVID-19](#)

«... Awareness Campaign: COVID-19 & Human Rights ...

...Opinion on the access of persons with disabilities and

other vulnerable groups to information on the COVID-19 pandemic...”.



[ENNHRI CRPD Working Group Newsletter July-September 2020](#)

“...The Office of the Commissioner for Administration and the Protection of Human Rights launched an awareness campaign on COVID-19 and human rights. A special website was created with the links of all necessary information about COVID-19, the Commissioner’s actions for COVID-19 and its impact on human rights.

In March, the Commissioner, as NPMm, issued an intervention which included guidelines and specific recommendations, based on the principles of the CPT regarding the treatment of people who are being deprived of their liberty within

the context of the COVID-19 pandemic, including those with mental disabilities residing in psychiatric clinics.

In April, the Commissioner, as an Independent Mechanism for the Monitoring of the UN Convention on the Human Rights of Persons with Disabilities, published her Ex officio Opinion on the access of persons with disabilities to information on COVID-19.

The Commissioner published the following Reports in the first semester of 2020: a Report on a House operating within the Community for persons with disabilities, a Report on the visits to the Psychiatric Hospital of Athalassa and a Report on the gap that exists in the evaluation of Learning needs of adult persons with disabilities...”.

[ENNHRI CRPD Working Group Newsletter October – November 2020](#)

“...In the last trimester of 2020, the Office of the Commissioner for Administration and the Protection of Human Rights published several reports, i.e. –

- a Report on the provision of reasonable facilities such as a differentiated examination essay for persons with disabilities, for professional development purposes. Following the submission of the Report the Commissioner was informed that the reasonable facilities had been provided;*
- a Report on the withholding of a wheelchair of a person with disabilities from an Elderly House until the full payment of the accommodation expenses;*
- a Report on the decision to terminate the severe motor disability allowance;*
- a Report on the gap that exists in the provision of reasonable facilities to summer schools.*

Moreover, the Commissioner proceeded to several interventions on various matters. It should be noted that the Commissioner published, on the occasion of the Day of Human Rights, a special leaflet -Covid-19 and Human Rights - which includes all the interventions by the Commissioner in 2020 regarding Covid-19...”.



- Commonwealth Forum of National Human Rights Institutions (CFNHRI)



[Protection of rights of persons with disabilities in the Commonwealth](#)

“...The Commissioner for Administration and the Protection of Human Rights issued an Opinion on the access of persons with disabilities to information on COVID-19 pandemic. The Opinion underlines the need for live interpretation into the sign language or subtitles on the TV, as well as for the provision, in accessible forms, of scientific guidelines regarding the measures taken during the pandemic.

The Commissioner also published a Report on the discriminatory policy of the Ministry of Education, Culture, Sports and Youth on the return to school of children with disabilities at the same time as the rest of the children of the same age during the pandemic...”.

[Supporting the human rights of LGBTQI people in Cyprus](#)

“Even though the rights of LGBTQI people are protected by Law, the closed society in the cities and villages is not ready to accept them..

...For instance, last year a Bishop who was speaking to the public said that homophilia is a disease that will infect people. As National Authority for Human Rights we have issued a communication noting that the specific speech promotes and encourages hatred, discrimination and racism against a specific group of people..

...We have worked towards the improvement of legislation on the recognition of sex and with our advice trans people may now change their sex on the official documents and a relevant bill on the official recognition of change of sex has been prepared but is still pending..

...We cooperate both with the government and the civil society to prevent prejudice and discrimination... In particular, we participate in HOMBAT project along with the Cyprus Youth Council, the Ministry of Education and Accept LGBT Cyprus. The programme aims at preventing homophobic and transphobic bullying in schools.

“The ultimate target is the equal treatment of all people and that everybody recognises that LGBTQI people have the same human rights with all the others...”.

 **Commonwealth Forum**
@CFNHRI

Across the [#Commonwealth](#), National Human Rights Institutions are raising their voices to promote the human rights of [#LGBTI](#) people. Read about the work being undertaken by [@CYOmbudsman](#) in [#Cyprus](#) 🇨🇵


[#IDAHOBIT](#) [#IDAHOBIT2020](#)
sosci.in/EzmpU

Μετάφραση Tweet

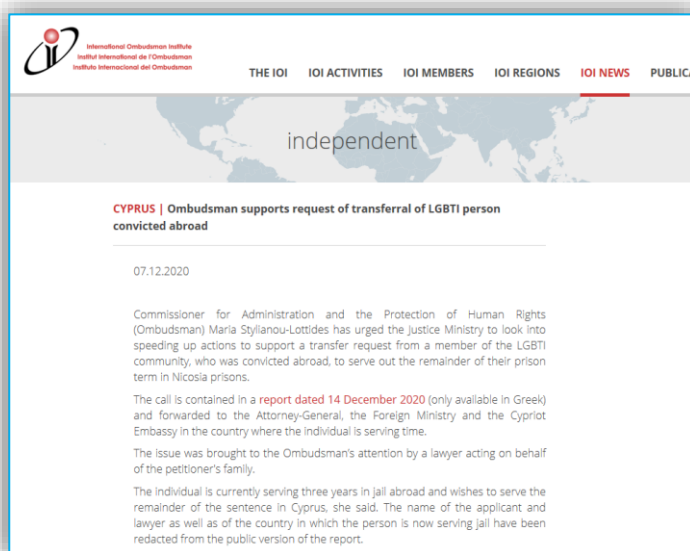


How the Cyprus Ombudsman upholds SOGI rights

Commonwealth Forum of National Human Rights Institutions

15:00 · 17 Μαΐ 20 · Orlo

▪ *International Ombudsman Institute (IOI)*



Ex officio Intervention on the women's maternity right during the COVID-19 pandemic

"... In her ex officio intervention dated 08 May 2020, the Commissioner for Administration and the Protection of Human Rights recommended to the public and private hospitals with gynaecological clinics to allow the fathers to assist during childbirth and the birth of their children, provided that the fathers have been tested negative to COVID-19..."

"...In her capacity as an Equality Body, the Commissioner underlined that the absolute exclusion of future fathers from being present during childbirth by invoking the exceptional situation due to COVID-19, does not comply with the WHO guidelines or the rule of non-discrimination in relation to the obligation for more favourable treatment of women for maternity issues. The Commissioner has also stated that ensuring the protection of maternity prohibits any less favourable treatment of a woman, especially when it comes to pregnancy, childbirth, breastfeeding and maternity and the infringement of any of the above constitutes a discrimination on the ground of sex..."

Cooperation with the House of Representatives

Each year, the Commissioner is invited to attend the meetings of Parliamentary Committees in order to express her opinions on some provisions of legislation or issues that fall within her powers.

Inç 2020, the Commissioner or/and Officers from her Office, participated in the following meetings of Parliamentary Committees on issues that fall within her powers as an Equality Body:

Parliamentary Committee on Human Rights and on Equal Opportunities between Men and Women

- On 20 January 2020, Officers from the Office participated in a meeting of the Parliamentary Committee on Human Rights and on Equal Opportunities for Men and Women, which discussed the procedure followed in cases of voluntary sterilisation in public and private hospitals and the sexual and reproductive rights of women.
- On 21 January 2020, the Commissioner for Administration and the Protection of Human Rights and an Officer from her Office participated in a meeting of the Parliamentary Committee on Human Rights and on Equal Opportunities for Men and Women, which discussed the “Additional Protocol to the Convention on cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems”.
- On 17 February 2020, an Officer from the Office participated in a meeting of the Parliamentary Committee on Human Rights and on Equal Opportunities for Men and Women, in which information was provided on the Equality Strategic Plan 2019-2023.

- On 16 March 2020, the Commissioner for Administration and the Protection of Human Rights and an Officer from the Office participated in a meeting of the Parliamentary Committee on Human Rights and on Equal Opportunities for Men and Women, which discussed the “Need for timely and correct information about keeping/freezing ova, for women who want to preserve their fertility for the future”.
- On 15 June 2020, an Officer from the Office participated in a meeting of the Parliamentary Committee on Human Rights and on Equal Opportunities for Men and Women, which discussed the “Need for timely and correct information about keeping/freezing ova, for women who want to preserve their fertility for the future”.
- On 6 and 27 July 2020, an Officer from the Office participated in a meeting of the Parliamentary Committee on Human Rights and on Equal Opportunities for Men and Women, which discussed: (a) “the Suppression of Certain Forms and Behaviours of Sexism against Women Law of 2020” and (b) “the Suppression of Sexism and Sexist behaviours against Women through the Criminal Code and Related matters Law of 2020”.
- On 14 September 2020, an Officer from the Office participated in a meeting of the Parliamentary Committee on Human Rights and on Equal Opportunities for Men and Women, which discussed: (a) “the Suppression of Sexism and Sexist behaviours against Women through the Criminal Code and Related matters Law of 2020” and (b) “the Suppression of Sexism Spreading through the Internet against Women through the Criminal Code and Related matters Law of 2020”.
- On 26 October 2020, an Officer from the Office participated in a meeting of the Parliamentary Committee on Human Rights and on Equal Opportunities for Men and Women, which discussed: (a) “the need to protect the rights of HIV-positive people” and (b) “Giving priority

to certain special groups of the population (pregnant women, parents with children aged 5 years and below, retired people and persons with disabilities) in areas serving the public (public and private areas)”.

◆ *Parliamentary Committee on Foreign and European Affairs*

- On 5 February 2020, the Commissioner for Administration and the Protection of Human Rights and an Officer from her Office participated in a meeting of the Parliamentary Committee on Foreign and European Affairs, which discussed the “Additional Protocol to the Convention on cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (Ratifying) Amending Law of 2019”.

◆ *Parliamentary Committee on Education and Culture*

- On 5 February 2020, an Officer from the Office participated in a meeting of the Parliamentary Committee on Education and Culture, which discussed the: (a) “the Holding of Pancyprian Examinations for Access to Higher and Tertiary Education Institutions (AAEI) in Cyprus and Greece (Amending) Law of 2020” and (b) “the Holding of Pancyprian Examinations (Amending) Law of 2020».
- On 11 November 2020, an Officer from the Office participated in a meeting of the Parliamentary Committee on Education and Culture, in which information was provided on the participation of children of special education to the quadrimestrial examinations and how to ensure equal participation therein.
- On 18 November 2020, an Officer from the Office participated in a meeting of the Parliamentary Committee on Education and Culture, in which information was provided on the measures taken to avoid possible

inequalities between pupils, which are arising due to the measures taken for the pandemic in relation to the operation of schools.

◆ *Parliamentary Committee on Legal Affairs*

- On 9 December 2020, the Commissioner for Administration and the Protection of Human Rights participated in and submitted a relevant memorandum to the Parliamentary Committee on Legal Affairs, which discussed: (a) “The Establishment and Operation of an Independent Anti-corruption Authority Law of 2019” and (b) “the Protection from Harassment and Sexual Harassment Law of 2016”.

◆ *Parliamentary Committee on Childbirth, Welfare and Social Insurance*

- On 29 September 2020, an Officer from the Office participated in a meeting of the Parliamentary Committee on Childbirth, Welfare and Social Insurance, which discussed the “establishment of minimum requirements for the creation of specially designed areas of breastfeeding or/and pumping breast milk in areas where breastfeeding mothers are working Regulations of 2020».

◆ *Parliamentary Committee on Health*

- On 5 March 2020, an Officer from the Office participated in a meeting of the Parliamentary Committee on Health, which discussed the need to amend the provisions of the Assisted Reproduction Plan.

◆ *Parliamentary Committee on Internal Affairs*

- On 24 February 2020, an Officer from the Office participated in a meeting of the Parliamentary Committee

on Internal Affairs, in which information was provided on the actions and programmes of the Cyprus Broadcasting Corporation to the benefit of persons with disabilities and the possibility to use RIK2 to that purpose.

◆ *Parliamentary Committee on Refugees - Enclaved - Missing - Adversely Affected Persons*

- On 28 January 2020, Officers from the Office participated in a meeting of the Parliamentary Committee on Refugees - Enclaved - Missing - Adversely Affected Persons, in which information was provided on: (a) the Report by the Commissioner for Administration on the decision not to provide financial assistance to displaced persons who have already been approved for getting State plots for residential housing and (b) the rights of refugees whose mother is Cypriot and they did not get any support due to the legislation in force up to 2013 and the need to find ways to support them under the new legislation and regulations.
- On 29 September 2020, Officers from the Office participated in a meeting of the Parliamentary Committee on Refugees - Enclaved - Missing - Adversely Affected Persons, which discussed the “the rights of refugees whose mother is Cypriot, and they did not get any support due to the legislation in force up to 2013 and the need to find ways to support them under the new legislation and regulations”.

Participation in seminars, trainings & events

The Commissioner for Administration and the Protection of Human Rights and Officers from the Office, within the context of the Commissioner's duties as an Equality Body, participated actively in conferences, lectures, seminars and events held in Cyprus and abroad.

The following is noted for illustration purposes:

- *An Officer from the Office gave a series of lectures at the Police Academy for the members of the Police serving at Mennoyia Detention Centre for Illegal Immigrants, titled "Human Rights, Discrimination, Racism - The Role of the Police", between the 24 and 27 February 2020.*
- *On 25-26 February 2020, an Officer from the Office participated in a conference on Vienna, held by the Fundamental Rights Agency (FRA) in cooperation with Equinet on the promotion of awareness actions for the implementation of the EU Charter of Fundamental Rights at national level.*
- *On 7 May 2020, an Officer from the Office participated in the online meeting of the Equinet Working Group on Policy Formation.*
- *On 4 June 2020, an Officer from the Office participated in the online meeting of the Advisory committee for the Integration of Immigrants.*
- *On 20 - 22 July 2020, an Officer from the Office participated in an online international conference held by the Organisation for Security and Cooperation in Europe titled: "20th Conference of the Alliance against Trafficking in Persons".*

- *Officers from the Office participated in the webinar on “Protecting and promoting equality as a fundamental value of the EU: 20th anniversary of the Race Equality Directive”, along with representatives of EQUINET, the European Union Agency for Fundamental Rights, the Croatian Presidency and the Commissioner for Equality of the European Union. The webinar was held on 29 June 2020.*

- *An Officer from the Office made a presentation to the officials of the Office for Combating Trafficking in Human Beings (OCTHB) of the Cyprus Police on: Powers of the Commissioner for Administration and the Protection of Human Rights – State Obligation of Respect of Human Rights – Interventions by the Commissioner for Administration on combatting the phenomenon. The presentation was made on 03 September 2020 within the context of a training programme for the officials of the OCTHB on: “Trafficking in Human Beings: Recognition of Victims and Handling of Cases”.*

- *On 8 September 2020, an Officer from the Office participated in an Online focus group on issues of acceptance of diversity at work in the public and private sector, following invitation by the Centre for Social Innovation.*

- *On 17 September 2020, an Officer from the Office gave a lecture at the Police Academy for the members of the Police serving at Mennoyia Detention Centre for Illegal Immigrants, titled “Human Rights, Discrimination, Racism – The Role of the Police”.*

- *On 21 September 2020, an Officer A from the Office participated in a Workshop held by the NGO Accept - LGBTQI Cyprus, within the context of “Voiceit” project titled: “Reinforcing the voice of the LGBTQI community in politics”.*

- *An Officer from the Office participated in the Meetings of the National Priority Working Group formed within the context of the “Voiceit” project to prepare a National Action Plan for the respect and protection of the rights of LGBTQI people. The meetings were held on 28 September and 30 November 2020.*
- *On 06 October 2020, an Officer from the Office participated in an online meeting of the Advisory Committee for the Integration of Immigrants, following invitation by the Civil Registry and Migration Department.*
- *On 08 October 2020, an Officer from the Office participated in a one-day conference titled: “Ensuring social-inclusive access to digital health resources for pregnant couples and new-parents” (Baby Buddy Stakeholder Workshop) held by the NGO Birth Forward.*
- *On 14 October 2020, an Officer from the Office participated in the Equinet Equality Law Roundtable webinar.*
- *On 14 and 22 October 2020, an Officer from the Office gave lectures to cadet police officers at the Cyprus Police Academy on Racial Discrimination and Racism.*
- *On 15 October 2020, an Officer from the Office participated in the one-day online conference on the National Plan for the Integration of Immigrants.*
- *An Officer from the Office completed a series of lectures on 15 and 21 October 2020 at the Police Academy, within the framework of the Basic Training of Police Officers, titled “Racial Discrimination and Racism”.*
- *On 16 October 2020, an Officer from the Office participated through the internet in the Annual General Meeting of Equinet.*

- *On 06 November 2020, an Officer from the Office participated in a webinar held by Accept - LGBTQI Cyprus, within the context of the Voiceit project, to reinforce the voice of LGBTQI community in politics.*
- *An Officer from the Office participated in the webinar titled: “Integration of Roma children into the educational system and Local society: Trends and challenges in Cyprus and Europe”, organised KISA, CypROM and the BREATHE project, on 18 November 2020.*
- *On 3 December 2020, an Officer from the Office participated in the Side Event: 13th Conference of States Parties to the CRPD, organised by (a) the Office of UN High Commissioner for Human Rights, (b) the United Nations Development Programme and (c) the UN Alliance for the Human Rights of Persons with Disabilities.*
- *An Officer from the Office, participated as a trainer in the UNHCR Cyprus Second Annual Integration Conference, on the integration of refugees into the society. The Conference was held on 9 and 10 December 2020 and the Officer made a presentation titled: “Racial Discrimination in Cyprus - A review of the current situation from the perspective of the Cyprus Equality Body”.*



30
ΧΡΟΝΙΑ



Επίτροπος διοικήσεως
& προστασίας ανθρωπίνων δικαιωμάτων

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