

## Cyprus 2025

### Information from: The Commissioner for Administration and the Protection of Human Rights (Ombudsman)

## Independence, effectiveness and establishment of NHRIs

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### International accreditation status and SCA recommendations

The Cypriot NHRI received its [first-time accreditation with A-status](#) by the Sub-Committee on Accreditation (SCA) in October 2022, after being [deferred in June 2021](#).

During its last review, the Cypriot NHRI informed the SCA of several steps it had taken to implement previous SCA recommendations, including the establishment of a Human Rights Advisory Committee aimed at promoting stronger and formal cooperation with civil society and enhancing the institution's visibility. At the time, it was in the process of appointing members to the Committee, which would include civil society organizations working on the promotion and protection of the rights of the LGBTI community, persons with disabilities, women, and other groups. In light of this, the SCA recommended the Cypriot NHRI to ensure the Committee was functional and urged it to continue to enhance and formalize its working relationships with a wide range of civil society organizations and human rights defenders.

The SCA also called for strengthened adequate funding of the NHRI. It noted that, while the institution has management and control over its budget and has effectively undertaken activities within its existing budget, it requires additional funding to allow for recruitment of staff at senior level, particularly in view of its expanded mandates of National Preventive Mechanism under OPCAT and National Monitoring Mechanism under CRPD.

### Follow-up to international and European actors' recommendations on NHRIs and relevant developments

The SCA recommendations concerning the NHRI regarded the necessity for additional funding regarding the recruitment of staff at senior level, as well as on the need to ensure that the Human Rights Advisory Committee is functional and to continue to enhance and formalise its working relationships and cooperation with a wide range of civil society organisations and human rights

defenders, including those working on the rights of various groups.

Concerning funding and staff recruitment, it is noted that seven (7) staff members have been recruited in 2023. Previously and, in particular, during the period 2020-2021 five (5) Officers were also recruited, bringing the total number of new recruits to 12 Officers. At the same time, in 2022 two NHRI Officers were promoted to higher rank positions (Officer A).

The NHRI has also increased its support/secretarial staff with the recruitment of three new secretarial staff members and one hourly employee.

As a result, human resources have been significantly strengthened. However, given that the NHRI's powers and responsibilities have also increased, particularly in view of the new role it has been entrusted with to monitor compliance of the implementation of EU funded programmes with the EU Charter of Fundamental Rights, it has already contacted the Minister of Finance and sought approval for additional Senior Officer posts.

Furthermore, it is noted that at the moment, there is one vacant post for an Officer, one vacant post for an Officer A and one vacant post for a Senior Officer in the organisation chart. When the latter two posts are undertaken - via the promotion of existing staff members - the total number of vacant Officer posts will rise to three. The NHRI will attempt to ensure that in next year's budget additional posts will be approved and included, so that the total number of vacant posts of Officers will be additionally increased, in order to proceed with the recruitment of new Officers.

Concerning the Human Rights Advisory Committee, it is noted that is composed by representatives of NGOs related to the protection of human rights of all vulnerable groups of the population (such as persons with disabilities, refugees, LGBTI people, prisoners, protection of women from any form of violence, etc.), it is completely functional and it meets regularly. During the meetings, issues of concern related to the groups of the population each NGO represents are discussed and solutions are sought together.

Furthermore, it is noted that the Commissioner presides over the Consultative Committee for the Monitoring of the UNCRPD, in which persons with disabilities and representatives of their representative organizations and the Cyprus Confederation of Organizations of the Disabled (CCOD) participate. Therefore, during the meetings all issues concerning persons with disabilities are discussed and addressed and solutions are jointly sought.

Also, at a more general level, NGOs submit complaints to the NHRI on behalf of specific persons or in relation to issues that come to their attention, and it immediately proceeds to their investigation.

**NHRI follow-up on the recommendations concerning their institution,**

## **issued by European actors**

In 2024 EU Rule of Law Report, it was noted that the NHRI's role of monitoring compliance of the implementation of EU funded programmes with the EU Charter of Fundamental Rights in the framework of the 'Horizontal Enabling Condition on the Charter, "is considered challenging as it impacts on the already heavy workload of the Office and could require reinforcement in terms of resources. While the recruitment of seven additional staff members in 2023 increased its capacity, the need for further staff at senior level remains". As mentioned, efforts have been made to further reinforce staff capacity.

Concerning the NHRI's, and in relation to the provision of legal assistance to individuals, it is noted that the Commissioner may participate in court proceedings as *amicus curiae*. Specifically and, in spite of the lack of specific procedural rules, dealing with *amicus curiae* issue, the Supreme Court established guidelines upon its jurisprudence on how a person/Institution, acting as an expert for a specific subject matter, such as the Attorney General of the Republic, or the Commissioner for Administration and Protection of Human Rights, as Equality Body can be a part of the trial, after the submission of a relevant application before the Competent Court. Furthermore, in cases where the Commissioner, in its capacity as an Equality Body, issues a binding decision, this decision can be challenged before the court by private individuals and private bodies, against the Equality Body. In such a case, the Commissioner is entitled to be heard in the judicial proceedings.

In relation to the obligation of the authorities to respond to the NHRI's questions/enquiries, in a timely manner and with reasoned and analytical responses, it should be noted that during the last years the NHRI have witnessed that the involved services are responding in a more timely manner when it reaches out to them. This is obviously due to the visibility the NHRI has achieved over the years.

## **NHRI enabling and safe space**

The relevant state authorities have good awareness of the NHRI's mandate, independence and role and the NHRI has adequate access to information and to policy makers and is involved in all stages of legislation and policy making with human rights implications.

### **Adequate resources**

Regarding the NHRI's budget, the Commissioner's budget is prepared every year by the NHRI upon its needs and upon its strategic plan. The proposed budget is approved as a whole by the Parliament via its submission by the Ministry of Finance. This way, the Commissioner is provided with the necessary

financial, technical and human resources to fulfil his/her broad mandate. Following the approval of its budget, the Institution has absolute management and control of the appropriate funds.

The amount included in the budget meets the needs of the Institution, since it is prepared by the Institution upon its needs and the strategic plan.

Indicatively, the Commissioner's Institution's operating budget for 2023 amounted to €2.440.626, compared to €2.132.010 in 2022 and €1.823.357 in 2016.

### **Functional immunity / Measures to protect NHRI staff**

The NHRI's leadership and staff enjoy functional immunity and sufficient measures necessary to protect and support the NHRI, heads of institution and staff against threats and harassment and any other forms of intimidation are in place. According to Article 3(2) of the Commissioner for Administration Laws, the Commissioner may not be dismissed or withdrawn from Office during his/her term of office, except for the same reasons and in the same way that judges of the Supreme Court may be dismissed or withdrawn from Office.

Furthermore, no legal proceedings may be brought against the Commissioner in relation to any act done by him/her or any opinion expressed by him/her or report submitted by him/her in the exercise of his/her functions. And finally, the Commissioner or any other member of the staff of his/her Office may not be called to testify before a Court or in any proceedings of a legal nature in respect of any matter that has come to his knowledge in the exercise of his/her duties.

### **Threats faced by NHRIs**

As noted in last year's report, in 2023 "the Auditor General, as he did in previous years, acting as a threat to the independence of the Ombudsman Institution, in 2023 attempted to intervene in the procedure, regarding the selection and appointment procedure of the new Ombudsman. This time, his interventions were in the form of substituting and influencing the decisions of the Legislative and Executive Powers. More specifically, the Auditor General attempted to interfere without having any jurisdiction in the process of selection and appointment of the new Commissioner in April 2023, when he tried to substitute the decision of the Legislative and Executive Powers in both ways, by a letter addressed to the President of the Republic and by distributing the same letter to the members of the House of Representatives. In particular, after the Council of Ministers decision, following a transparent and open call for applications, to recommend to the President of the Republic the reappointment of the current Commissioner, the Auditor General attempted to substitute his decision and to pre-empt the decision of the House of Representatives by providing false and defamatory information in a letter, without the

Commissioner knowing its content (she found it out later), and without having the right to answer, even though the accusations were directed against her personally. It was clearly an attempt to shape the opinion of the Members of Parliament against the head of the Cypriot NHRI without having any competence to interfere in any way, as an action against the Rule of Law, in democratic societies. Finally, the House of Representatives approved the reappointment of the Commissioner for another term by an overwhelming majority”.

It should be noted that in September 2024, the Supreme Constitutional Court in a unanimous decision, dismissed the Auditor General from his position, due to inappropriate conduct, noting, among others, that his behaviour failed to meet “the bare minimum” standards expected of his office, showed “complete disrespect and a complete lack of self-restraint. After the Court’s decision, the President of the Republic appointed a new Auditor General (Relevant [decision](#) of the Supreme Constitutional Court dated 18/09/2024).

## **NHRI’s recommendations to national authorities**

The enhancement of the effectiveness of the Institute can be achieved by further strengthening its human resources. In particular, in view of the scope of its competences, the reinforcement of its staff, both in senior positions specifically but also in simple Officer positions, will allow the NHRI to carry out its mandates more efficiently.

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## **Human rights defenders and civil society space**

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### **Practices negatively impacting civil society and human rights defenders**

The Cypriot NHRI reports on the issues related to the [closure](#) of civil society organisations (CSOs) which have not registered in the official register in line with the national law. This has also affected the perceptions of the wider public on the work of CSOs operating within the legal framework.

### **Activities of NHRIs to support civil society space and**

## Human Rights Defenders

With a Council of Ministers Decision in June 2022, an Advisory Committee of Human Rights was established, which is presided by the acting Commissioner, comprised by various human rights stakeholders (including representatives of the civil society representing the rights of persons with disabilities, the elderly, the LGBTQI community, prisoners, refugees, and others). The said Committee operates effectively and is in constant contact with its members through meetings and other communication channels. Through the dialogue conducted, we maintain working relationships and cooperation with a wide range of civil society organisations and human rights defenders.

In terms of NHRI initiatives in 2024 to promote civil society space and human rights defenders, the NHRI reports having organised joint meetings and/or roundtables.

Within the framework of the functioning of Advisory Committee of Human Rights and of the Consultative Committee for the Monitoring of the UNCRPD, but also through the NHRI's collaboration with various civil society actors, relevant have taken place and issues related to civil society were discussed. have taken place and issues related to civil society were discussed.

NHRI actions to protect civil society space and human rights defenders (HRDs)

In order to protect civil society space and human rights defenders (HRDs, the NHRI reports to have handled complaints and issued recommendations and opinion.

More, specifically, the Cypriot NHRI continued to receive complaints by NGOs on behalf of specific persons or in relation to issues that come to their attention, and we immediately proceeded to their investigation.

## NHRI's recommendations to national and regional authorities

### To national authorities:

To better protect and support civil society and HRDs in Cyprus, national authorities could consider the following key recommendations:

1. Strengthen Legal Protection for HRDs: Adopt and enforce national legislation recognizing and protecting HRDs, in line with international standards.
2. Provide security and legal aid when necessary
3. Address hates and stigmatization:
  1. Take concrete steps to counter misinformation and hate speech targeting HRDs and CSOs,

2. Ensure that government officials and media outlets do not engage in smear campaigns against HRDs.

### **To European actors:**

Enforce stronger human rights accountability measures:

- Ensure that EU member states comply with international and European human rights obligations.
- Further strengthen monitoring mechanisms, to track and respond to shrinking civic space in Europe.

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## **Functioning of justice systems**

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The NHRI's human rights monitoring and reporting has identified delays in court proceedings; professionalism, specialisation and training of judges, timely and effective execution of national courts' judgments as significant challenges affecting access to justice and/or effective judicial protection.

### **Disproportionate impact on women or marginalised gender groups**

The NHRI has not been made aware of any such challenges in 2024. Nevertheless, it should be noted that, through its work, the NHRI has identified that women and marginalized gender groups can encounter challenges in accessing justice, primarily due to systemic discrimination, legal barriers, and social stigma. For example,

- With respect to Gender-Based Violence (GBV), women seeking protection having experienced sexual and gender-based violence (SGBV), have faced difficulties in reception services that failed to meet the specific needs of SGBV survivors, leading to underreporting and insufficient support.
- Regarding Economic and Social Barriers, it can be said that economic hardships disproportionately affect women and marginalized groups, making legal representation unaffordable. Additionally, a scarcity of gender-sensitive training among law enforcement and judiciary personnel, leading to dismissive attitudes toward victims, has been observed on occasions.
- As regards LGBTQ+ individuals, and even though Cyprus has made

strides in LGBTQ+ rights, such as decriminalizing same-sex relations and recognizing civil unions, discrimination has been observed to persist.

Actions Taken: Further to the anti-discrimination legislation the government has developed National Action Plans aiming to promote gender equality and combat discrimination.

### **NHRI actions to support implementation of the European Courts' judgments**

The NHRI has supported the implementation of European Courts' judgements through referring to the judgments of European Courts in the reports and recommendations to state authorities, awareness raising of the general public, support to the general public and human rights education.

Human rights education was targeted towards the Police Department and public authorities in general. In the framework of implementing a [Regional Project](#), funded by the EEA and Norway Grants, that aimed to provide support to National Human Rights Institutions (NHRIs) of member states of the European Union in monitoring fundamental rights and the fundamental rights aspects of the rule of law, the NHRI submitted capacity building [seminars/training](#) to the NHRI's Officers, to selected Officers of Public Authorities, to practising private Lawyers (the seminar/training was co-organised with the Cyprus Bar Association) and to Cypriot Judges (the seminar/training was co-organised with the Cyprus School of Judges).

In December 2024, the Department for the Execution of Judgments of the ECtHR visited Cyprus and had a meeting with relevant stakeholders, including the NHRI, to discuss the implementation of the ECtHR. The NHRI's meeting with the Department for the Execution of Judgments, was focused on the execution of DANILCZUK v. CYPRUS case (Application No. 21318/12, Final judgment of 03/07/2018) and, specifically, the preparation, in cooperation with the Attorney General's Office, and the Ministry of Justice and Prisons Department, of an Action Plan concerning effective remedies for detainees at Nicosia Central Prisons. The final Action Plan will be submitted to the Department for the Execution of Judgments in mid-March.

### **NHRI's recommendations to national and regional authorities**

1. Modernize and digitize the justice system through the full implementation of e-justice reforms to reduce case backlogs and improve efficiency in case management and through improving public access to legal information through online platforms, ensuring better

- understanding of legal rights and processes.
2. Strengthen legal aid and judicial training:
    1. Expand state-funded legal aid to ensure equal access to justice, especially for vulnerable groups such as migrants, women, and marginalized communities.
    2. Introduce mandatory human rights and anti-discrimination training for judges, prosecutors, and law enforcement to ensure fair and unbiased rulings.
    3. Improve case management training for judicial staff to reduce delays and increase procedural efficiency.

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## Media freedom, pluralism and safety of journalists

### Measures to follow up on the recommendations concerning media freedom, issued by European actors

As far as the NHRI knows, Cyprus has undertaken several measures to address recommendations from European entities concerning media freedom, such as legislative reforms and policy initiatives to better protect journalistic expression, access to information and to promote media pluralism and independence.

### NHRI's recommendations to national and regional authorities

- Safeguard public interest journalism and pluralism.
- Enhance EU-Wide Monitoring and Accountability to provide stronger oversight and sanctions against member states that restrict press freedom.
- Improve EU mechanisms for protecting at-risk journalists, including relocation programs for those facing serious threats.

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### Other challenges to the rule of law and human rights

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Persisting structural human rights issues impacting on the national rule of law environment

Cyprus continues to face several structural human rights challenges that impact its national rule of law environment with respect to:

- Stranded asylum seekers in the United Nations Buffer Zone: Dozens of asylum seekers from countries like Sudan, Afghanistan, and Cameroon have been stranded in the buffer zone, which is under the effective control of the UN. The issue has been resolved, and the asylum seekers were transferred to accommodation centres.
- Discrimination and violence against women and marginalized groups.

### NHRI's recommendations to national and regional authorities

- Combat discrimination and protect vulnerable groups and strengthen legal frameworks and enforcement mechanisms to combat gender-based violence, discrimination, and hate crimes against marginalized groups.
- Implement specialized training for law enforcement and judicial authorities on handling cases involving women, LGBTQ+ individuals, and other vulnerable populations and expand public awareness and education programs to promote human rights, inclusion, and equality across society.

