



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

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## Committee against Torture

### List of issues prior to submission of the fifth periodic report of Cyprus\*

#### Specific information on the implementation of articles 1-16 of the Convention, including with regard to the Committee's previous recommendations

##### Article 2<sup>1</sup>

1. With reference to the Committee's previous concluding observations (see CAT/C/CYP/CO/4, para. 7)<sup>2</sup> and the information received from the State party in follow-up to the concluding observations,<sup>3</sup> please provide updated information on the measures taken to:

(a) Abolish article 30 of Law No. 163(I)/2005 on the Rights of Arrested and Detained Persons, prescribing criminal sanctions for persons who abuse the right to medical examination or treatment;

(b) Ensure that detained persons promptly undergo a routine and free-of-charge medical examination by qualified medical personnel and are afforded access to examination and treatment by an independent doctor on request, without conditioning such access on the permission of officials. Please specify the safeguards that exist to ensure that medical personnel report signs of torture or ill-treatment to the Attorney General's office in a systematic and confidential way. In addition, please indicate the measures taken to ensure the confidentiality of the medical records and to guarantee that the recording of medical

\* Adopted by the Committee at its fifty-seventh session (18 April-13 May 2016).

<sup>1</sup> The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee's general comment No. 2 (2007) on the implementation of article 2 by States parties, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent such ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also chapter V of the same general comment.

<sup>2</sup> Unless otherwise indicated, paragraph numbers in parentheses refer to the previous concluding observations adopted by the Committee.

<sup>3</sup> See CAT/C/CYP/CO/4/Add.1, paras. 4-13.



examinations in cases of physical injuries observed on admission or following a violent incident contain the doctor's observations as regards the consistency between the inmate's statement and the injuries observed. Please clarify whether detained persons are systematically handcuffed during medical examinations;

(c) Guarantee that all persons deprived of their liberty have access, in practice, to an ex officio lawyer as from the moment of deprivation of liberty and during interrogation by law enforcement officials;

(d) Reduce the period of time during which detainees are remanded in police custody, as recommended by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;

(e) Ensure the monitoring of compliance by all public officials with fundamental legal safeguards and guarantee that public officials who deny those safeguards to persons deprived of their liberty are disciplined. Please include information on the number of complaints lodged and cases initiated for failure to comply with fundamental legal safeguards and the outcome of those cases, including the penalties applied to officials and the compensation awarded to victims, during the period under review.

2. With reference to the Committee's previous concluding observations (para. 9), please provide the following information in relation to domestic and other gender-based violence for the period under review:

(a) Annual data, disaggregated according to the type of crime and the age and sex of the victim, on the number of victims of domestic and other gender-based violence, including the number of those who died as a result, the number of complaints lodged or allegations registered by the police, the number of such complaints that were investigated and led to prosecutions and convictions and the punishment imposed in those cases. Please indicate the number of protection orders granted compared with the number requested;<sup>4</sup>

(b) Updates on the means of redress provided to victims, including long-term medical and psychological assistance, legal aid, if any, social support schemes, the number of shelters and rape crisis centres and their occupancy rate,<sup>5</sup> the procedure to obtain compensation, the percentage of cases in which compensation was awarded and the average compensation granted. Please clarify if foreign victims of domestic violence have the right to a residence permit independent of the abusive spouse or employer;

(c) Updates on the measures taken to strengthen the prevention, investigation and punishment of all forms of domestic and other gender-based violence.<sup>6</sup> In that regard, please indicate the steps taken to implement the recommendations set out in the Ombudsman's report on domestic violence of 2013, particularly those regarding the definition of the term "violence", as recommended by the Human Rights Committee in the context of its recommendations on domestic violence.<sup>7</sup> Please also indicate the measures taken to provide the infrastructure necessary to support the victims beyond the police and to encourage reporting at any police station and outside police office hours. Please provide an update on the measures taken to increase interdepartmental action and cooperation (among the police, social welfare agencies and health services) in cases of domestic violence. Finally, indicate whether there is a methodology in the State party for assessing the effectiveness and impact of the various action plans and criminal justice responses in the area of domestic and other gender-based violence;

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<sup>4</sup> See CCPR/C/CYP/CO/4, para. 16.

<sup>5</sup> Ibid., para. 16.

<sup>6</sup> Ibid., para. 8.

<sup>7</sup> Ibid., para. 16.

(d) Updates on the steps taken to raise the awareness of and train law enforcement personnel, prosecutors and judges on the investigation of cases of domestic and gender-based violence, the prosecution of offenders and the creation of appropriate conditions for victims to report cases of such violence. Please provide information on the measures taken to train health professionals on the identification of incidents of violence, including psychological violence. Please also indicate the awareness-raising measures taken to fight gender stereotypes and domestic violence among the population at large.

3. With reference to the Committee's previous concluding observations (para. 10), please provide the following information in relation to trafficking in persons for the period under review:

(a) Annual statistical data, disaggregated by age, sex, country of origin and employment sector of the victim, on the number of victims of trafficking and the number of complaints lodged and reports registered by the police regarding this crime, the number of complaints that were investigated and led to prosecutions and convictions and the punishment imposed. Please indicate the number of officials investigated for alleged participation in trafficking and the measures adopted for combating corruption in this area;

(b) Updates on the means of redress provided to all victims of trafficking, including legal, medical and psychological assistance, the number of shelters and their occupancy rate, social support schemes, vocational training, information about victims' rights and the procedure for obtaining compensation, the percentage of cases in which compensation was awarded and the average compensation granted. Please specify if male victims and victims of trafficking for the purpose of labour exploitation can have access to these services. Please explain the efforts made to provide residence permits and protection against return to all victims and witnesses of trafficking, particularly when the person would be in danger of exploitation, ill-treatment or torture in his or her country of origin. In that regard, please indicate the percentage of victims of trafficking who were granted a residence permit irrespective of their wish to pursue a case against the traffickers or their recognition as victims by the Office of Combating Trafficking in Human Beings of the police. Please explain the remedies available to victims of trafficking to challenge the decision of the above-mentioned Office not to recognize them as victims;

(c) Measures taken to strengthen the prevention and investigation of trafficking and the punishment of offenders and to monitor the new visa regime to prevent its misuse by traffickers.<sup>8</sup> Please indicate whether a national referral mechanism has been set up, in compliance with directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims. Please also indicate if any research was conducted into the impact of national plans and criminal justice responses aimed at countering trafficking and, if so, please share the results;

(d) Measures taken to allow live-out arrangements to prevent torture and ill-treatment of migrant domestic workers;

(e) Steps taken to raise the awareness of and train front-line professionals in identifying victims of trafficking, particularly in domestic work, seasonal work in agriculture and animal farming. Please indicate the initiatives taken to train law enforcement personnel, prosecutors, judges and labour inspectors in investigating cases of trafficking, prosecuting and punishing those responsible, and assisting and protecting the victims.

4. In the light of the Human Rights Committee's concluding observations (see CCPR/C/CYP/CO/4, para. 5), please provide updated information on the measures taken to

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<sup>8</sup> See A/HRC/WG.6/18/CYP/3, para. 25.

provide the Office of the Commissioner of Administration (the Ombudsman) with the financial, technical and human resources necessary to fulfil its broad mandate on a fully independent basis, in particular its functions as national preventive mechanism.<sup>9</sup> Since section 5 of Law L.2 (III) of 2009 does not establish a system of unannounced visits to places of detention by the national preventive mechanism, please provide information on the measures envisaged to amend such provision and bring the relevant legislation in compliance with the Optional Protocol to the Convention.

5. Please update the Committee on the measures taken during the period under review to close the human rights protection gap resulting from the protracted conflict in both the northern and southern parts of the island.<sup>10</sup>

### Article 3

6. With regard to the Committee's previous concluding observations (para. 13), please indicate if the State party has amended section 19, paragraph 7, of the Refugee (Amending) Law No. 2 in order to protect from refoulement persons granted subsidiary protection status. Please clarify if beneficiaries of subsidiary protection are able to have their cases re-examined on account of a real risk of being subjected to torture in the country of destination before the subsidiary protection ceases.

7. Please provide information on the measures taken to:

(a) Ensure that asylum seekers have sufficient time to fully indicate the reasons for their application and substantiate their claims;

(b) Ensure that a complete review of prior asylum decisions takes place in instances in which new evidence is provided;

(c) Ensure that the assessment of a well-founded fear of being subjected to torture in the country of destination takes into account previous experience of persecution or serious harm, and not only whether protection against widespread and generalized violence in the country is provided.

8. Please provide annual statistical data for the period under review, disaggregated by the sex, country of origin and age of the person concerned, on:

(a) The number of asylum applications registered and the number of applications processed;

(b) The number of applications for asylum, refugee status or subsidiary protection that were granted, indicating, when applicable, the number of cases in which protection was granted in application of the principle of non-refoulement;

(c) The number of persons extradited, expelled or returned and the countries to which they were extradited, expelled or returned;

(d) The number of appeals made against expulsion or extradition decisions on the basis that applicants might be in danger of being subjected to torture in their countries of destination, and the results of those appeals.

9. With reference to the Committee's previous concluding observations (para. 14), please clarify if the State party amended the Refugee Law and the Law on Provision of Legal Aid in order to eliminate the restrictive criteria for applying for legal aid to challenge deportation and detention orders and to ensure that all persons seeking asylum in the State party enjoy all procedural guarantees, including access to independent, free-of-charge and

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<sup>9</sup> Ibid., paras. 4-6.

<sup>10</sup> See CCPR/C/CYP/Q/4, para. 2.

qualified legal assistance and interpreters during the entire asylum procedure, including the appeals procedure.<sup>11</sup> Please clarify whether undocumented immigrants have access to free-of-charge legal assistance to challenge the lawfulness and duration of their deportation and detention orders.

10. With reference to the Committee's previous concluding observations (para. 12), please clarify whether there is an effective judicial remedy to challenge the deportation of asylum applicants and other undocumented immigrants with automatic suspensive effect of the deportation.<sup>12</sup> Please clarify whether an administrative court has been set up, as announced previously by the State party, with the competence to look into the merits of appeals filed by rejected asylum seekers. If it has, please indicate how the independence of that court from the executive is guaranteed.

11. With regard to the Committee's previous concluding observations (para. 11) and the information received from the State party in follow-up to the concluding observations,<sup>13</sup> please provide information on the measures taken to:

(a) Set up a more effective mechanism for the early identification of victims of torture and trafficking among asylum applicants.<sup>14</sup> In that regard, please indicate the number of torture and trafficking victims identified among asylum seekers in relation to the total number of asylum seekers in the period under review;

(b) Provide for a thorough medical and psychological or psychiatric examination of potential torture victims when signs of torture or trauma have been detected during personal interviews of asylum seekers or undocumented migrants. Please indicate whether such examination is carried out in accordance with the procedures set out in the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol) by trained independent health experts, with the support of professional interpreters;

(c) Provide immediate rehabilitation and priority access to the asylum determination procedure to identified victims of torture.

#### **Articles 5-9**

12. Since the State party's previous report was considered by the Committee, please indicate whether the State party has rejected, for any reason, the request of a State for the extradition of an individual suspected of having committed torture and whether it has started prosecution proceedings against such an individual as a result. If so, please provide information on the status and outcome of such proceedings.

#### **Article 10**

13. With reference to the Committee's previous concluding observations (paras. 11 (c) and 20) and the information received from the State party in follow-up to the concluding observations,<sup>15</sup> please provide information on the instruction provided for law enforcement personnel at all levels, State security organs, prison staff, immigration officials, judges, prosecutors, medical personnel dealing with detainees, forensic doctors and any other State agents involved in holding persons in custody, interrogation or treatment of any individual under any form of detention or imprisonment, including the overall size of the target group and the percentage of those trained, as well as the periodicity of the training, with respect to:

<sup>11</sup> See A/HRC/WG.6/18/CYP/3, paras. 28 and 65.

<sup>12</sup> *M.A. v. Cyprus*, judgment of the European Court of Human Rights of 23 July 2013.

<sup>13</sup> See CAT/C/CYP/CO/4/Add.1, paras. 14-17.

<sup>14</sup> *Ibid.*, para. 17.

<sup>15</sup> See CAT/C/CYP/CO/4/Add.1, paras. 5 and 12.

- (a) The provisions of the Convention;
- (b) The guidelines used to detect signs of torture and ill-treatment in accordance with international standards, such as those outlined in the Istanbul Protocol;
- (c) Non-coercive investigatory and restraint techniques, as well as the principle of the use of force as a last resort;
- (d) Issues related to violence against foreign nationals, as well as against persons because of their sexual orientation or gender;
- (e) Identification and referral of victims of trafficking, torture and sexual violence among asylum seekers.

14. Please indicate whether the State party has developed specific methodologies to evaluate the effectiveness and impact of such training on the prevention and absolute prohibition of torture.

#### **Article 11**

15. With reference to the previous concluding observations (para. 15), please provide for the period under review:

(a) Statistical data, disaggregated by ethnicity and national origin, on the number of pretrial detainees in relation to the total number of persons deprived of their liberty in criminal proceedings, the occupancy rate of all places of detention and the average and maximum duration of pretrial detention;

(b) Information on the measures taken to reduce the use of pretrial detention and enhance the use of alternative measures. Please also indicate the measures taken to enhance the use of non-custodial measures, such as parole, as an alternative to imprisonment. In that regard, please provide statistical data on the percentage of cases in which alternatives to detention and non-custodial measures have been applied;

(c) Information on the measures taken to replace the over-controlling approach in the prison system with a human rights-based approach, as announced by the President of Cyprus and mentioned by the State delegation during the previous dialogue. In that regard, please provide information on the procedures in place for carrying out cell searches and indicate whether prison officers always wear means of identification during these searches.

16. With reference to the previous concluding observations (para. 15 (b)), please provide annual statistical data for the period under review, disaggregated by the place of deprivation of liberty and the victims' sex, age and ethnic origin, on: (a) the number of deaths in custody, indicating the cause of death; and (b) the number of persons injured as a result of violence or the excessive use of restrictive measures inside places of detention, indicating whether the perpetrator was a State official or a fellow detainee. Please also provide detailed information on the outcome of investigations into such deaths or injuries, including penalties imposed on the perpetrators of torture, ill-treatment or negligence that caused the death or the injuries.

17. With reference to the previous concluding observations (para. 15 (c)), please clarify if the Prison Law and Regulations have been amended to prohibit the use of solitary confinement on juveniles, on persons with psychosocial disabilities, as a provisional or informal disciplinary measure without procedure and as a sequential disciplinary sentence. Please also clarify the maximum time during which restraints and solitary confinement can be imposed, whether their use is recorded and what alternative measures are in place as measures of control, both in prisons and immigration detention centres. Please also clarify the procedure and conditions for imposing such measures and provide annual statistical data for the period under review on the number of detained persons placed in solitary

confinement and the maximum and average duration of solitary confinement. Please also clarify the safeguards applied to inmates in disciplinary procedures.

18. With reference to the previous concluding observations (para. 16), please indicate the measures taken to ensure that asylum seekers are not detained under the Aliens and Immigration Law during the whole status determination procedure, including during the judicial review of their cases.<sup>16</sup> In addition, please clarify whether asylum seekers to be transferred to another State member of the European Union under the Dublin system may challenge their detention, or the decision to transfer them to another State member of the European Union.<sup>17</sup> Please indicate the measures that the State party has taken to ensure that under the Dublin system the destination country offers sufficient guarantees in the application of its asylum policy to prevent the person concerned from being removed to his or her country of origin without an assessment of the risks faced.<sup>18</sup> Please provide annual data for the period under review on: (a) the percentage of asylum seekers per year that have been detained, on which legal basis and the average duration of their detention; and (b) the percentage of cases in which alternatives to detention have been applied.

19. With reference to the previous concluding observations (para. 17) and the information received from the State party in follow-up to the concluding observations,<sup>19</sup> please clarify the measures taken to repeal the penal provisions criminalizing irregular entry and/or stay.<sup>20</sup> Please also indicate the measures taken to list in the normative framework alternative measures to administrative detention, such as the submission of financial guarantee, travel documents or presentation at the police station.<sup>21</sup> Please also clarify whether the State party has set up guidelines to examine the necessity and proportionality of imposing administrative detention in each case and ensuring that undocumented migrants are detained only as a measure of last resort, after alternative measures have been duly examined and exhausted, and for as short a period as possible. In that regard, please explain the necessity of detaining persons, such as Syrian nationals, who cannot be deported to their country of origin in the short term.<sup>22</sup> Please also provide annual data for the period under review on: (a) the percentage of cases in which alternatives to administrative detention have been applied in practice, as compared with the percentage of cases in which detention was imposed; (b) the average duration of administrative detention of undocumented immigrants; and (c) the percentage of cases in which undocumented migrants have been repeatedly detained for periods longer than 18 months. Please indicate the measures taken to ensure that the release letters provided to undocumented immigrants provide for a temporary residence permit pending the regularization of their status. Please also explain the measures taken to guarantee a prompt and thorough judicial review of decisions to deprive an individual of his or her liberty on the grounds of migration status, as established by the European Court of Human Rights in *M.A. v. Cyprus*.<sup>23</sup>

20. In the light of the previous concluding observations (para. 19) and the information received from the State party in follow-up to the concluding observations,<sup>24</sup> Please indicate the measures taken to ensure, in practice, that unaccompanied children and families with children are not detained under aliens legislation or, if they are, that that is done only as a

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<sup>16</sup> See A/HRC/WG.6/18/CYP/3, paras. 62-64.

<sup>17</sup> *Sharifi and Others v. Italy and Greece*, European Court of Human Rights, chamber judgment of 21 October 2014.

<sup>18</sup> *Ibid.*

<sup>19</sup> See CAT/C/CYP/CO/4/Add.1, paras. 18-25.

<sup>20</sup> See A/HRC/WG.6/18/CYP/3, para. 58.

<sup>21</sup> See CAT/C/CYP/CO/4/Add.1, para. 21.

<sup>22</sup> See A/HRC/WG.6/18/CYP/3, para. 19.

<sup>23</sup> *M.A. v. Cyprus*, judgment of the European Court of Human Rights of 23 July 2013.

<sup>24</sup> See CAT/C/CYP/CO/4/Add.1, paras. 26-30.

measure of last resort, taking into account the best interests of the child as a primary consideration, after alternatives to detention have been duly examined and exhausted, and for as short a period as possible.<sup>25</sup> Please indicate whether the asylum claims of unaccompanied children will be considered in the State party irrespective of whether the child has applied previously in another European State.<sup>26</sup> Please clarify if children over the age of 8 can still be forcibly separated from their parents.<sup>27</sup> In addition, please explain the conditions under which families with children and unaccompanied minors are detained, the type of establishment<sup>28</sup> and regime applied. Please also indicate the additional safeguards that apply when an unaccompanied minor is detained, such as assignment of a guardian and free access to legal assistance. In that regard, please provide annual data for the period under review on: (a) the percentage of unaccompanied children and families with children who have been detained, specifying the percentage of those who have been detained in police stations and prisons and the percentage of those who have been detained in homes operated by the Social Services Department; (b) the percentage of cases in which alternatives to detention have been applied; and (c) the average duration of such detentions.

21. With reference to the previous concluding observations (para. 18), please provide information for the period under review on the number of complaints filed with the complaints committee of Menoyia detention centre or with the Independent Authority for the Investigation of Complaints against the police regarding allegations of ill-treatment by police inside the centre. Please indicate the number of investigations initiated as a result of those complaints, the number of complaints dismissed, the number of complaints that led to prosecutions and convictions and the penal and disciplinary sanctions that were applied, including the length of prison sentences. Please clarify whether the allegations of ill-treatment and of use of tear gas against immigrants and asylum seekers held at Menoyia in 2013 have been investigated, and provide information on the outcome of the investigations.<sup>29</sup> Please also provide information on the annual occupancy rate of Menoyia detention centre, indicating the number of persons in each cell.<sup>30</sup>

22. In the light of the Human Rights Committee's concluding observations,<sup>31</sup> please provide information on the measures taken to ensure that juveniles in conflict with the law are tried before a specialized court for juveniles. Please indicate the measures taken to promote the use of alternative measures to detention for children in conflict with the law and to ensure that the deprivation of liberty of any child below the age of 18 years is used as a measure of last resort, when other alternative measures have been exhausted and for the shortest possible time.

23. With regard to persons placed in psychiatric institutions, please provide the following information:

(a) The measures taken to ensure, in law and in practice, the right of patients to be heard by a judge at all court hearings prior to any decision concerning their involuntary psychiatric placement or the renewal thereof;

(b) The measures taken to ensure the right of patients to obtain legal assistance in proceedings regarding involuntary placement in an institution;

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<sup>25</sup> See A/HRC/WG.6/18/CYP/3, para. 61.

<sup>26</sup> *M.A. and Others v. Secretary of State for the Home Department*, judgment of the European Union Court of Justice of 6 June 2013.

<sup>27</sup> See CAT/C/CYP/CO/4/Add.1, para. 27.

<sup>28</sup> *Mubilanzila Mayeka and Kaniti Mitunga v. Belgium*, judgment of the European Court of Human Rights of 12 October 2006.

<sup>29</sup> See CCPR/C/CYP/CO/4, para. 12.

<sup>30</sup> See A/HRC/WG.6/18/CYP/3, para. 20.

<sup>31</sup> See CCPR/C/CYP/CO/4, para. 20.



(c) The number of persons held in psychiatric institutions involuntarily and the various means of challenging such detention initially and periodically. Please indicate how many complaints challenging the legality of the detention have been lodged during the period under review and the results thereof;

(d) The measures taken to develop community-based or alternative social-care services for persons with psychosocial disabilities;

(e) Measures taken to design a detailed policy on the recourse to seclusion or other means of restraint. Please indicate the regime applicable and the maximum time during which isolation and restraints can be used.

### Articles 12-13

24. In the light of the Committee's previous concluding observations (para. 8), please provide annual statistical data from 2014 onwards, disaggregated by crime and the nationality, age and sex of the victim, on: (a) the number of complaints filed and police reports initiated relating to torture, as well as the number of such complaints related to ill-treatment, attempted commission of, or complicity or participation in, such acts, and killings or excessive use of force allegedly committed by or with the acquiescence or consent of law enforcement, security, military or prison personnel; (b) the number of investigations initiated as a result of those complaints and by which authority; (c) the number of complaints dismissed; (d) the number of complaints that led to prosecutions; (e) the number of complaints that led to convictions; and (f) the penal and disciplinary sanctions that were applied to guilty public officials, including the length of prison sentences. Please also specify: (a) the number of ex officio investigations into cases of torture and ill-treatment and the number of ex officio prosecutions per year; and (b) the number of cases of torture or ill-treatment reported by doctors following medical examinations of detainees and the outcome of those cases.

25. With reference to the Committee's previous concluding observations (para. 8), please explain:

(a) How the independence of the Independent Authority for the Investigation of Allegations and Complaints against the police is guaranteed so that there is no hierarchical or institutional link between the alleged perpetrators and the investigators. Please also provide information on whether the Attorney General is always informed of the opening and closing of investigations by the Authority;

(b) How the independence of the disciplinary bodies, such as the Police Professional Standards, Audit and Inspection Directory,<sup>32</sup> is guaranteed during disciplinary investigations involving police and prison staff so that there is no hierarchical or institutional link between the suspected perpetrators and the investigators. Please provide information on whether the Attorney General is always informed of the opening and closing of disciplinary investigations by disciplinary bodies regarding cases of torture or ill-treatment, or if the Attorney General is informed only when the disciplinary body considers that the facts warrant a criminal investigation;

(c) The impact that the Chief of Police's circular letters<sup>33</sup> and the Attorney General's instructions,<sup>34</sup> as well as any other measure that may have been adopted in the meantime to that effect, have had on the reinforcement of the legal supervision and control of the police investigations related to torture and ill-treatment by the Attorney General;

<sup>32</sup> See CAT/CYP/CO/4/Add.1, para. 7.

<sup>33</sup> Ibid., para. 8.

<sup>34</sup> Ibid., para. 9.

(d) The measures taken to ensure that all suspects in prima facie cases of torture and ill-treatment are always suspended or reassigned during the investigation.

26. With reference to the Committee's previous concluding observations (para. 8), please provide information on measures taken to:

(a) Raise the awareness of detainees, including in immigration detention centres, about the possibility of and procedure for filing a complaint of alleged torture or ill-treatment by State officials, and to publicize such information widely, including by displaying it in all places of detention;

(b) Guarantee the confidentiality of complaints and the protection of complainants, including reporting officers, against intimidation and reprisals as a consequence of their complaints;

(c) Ensure that the complaints received are formally answered and investigations are initiated whenever there are allegations of torture, ill-treatment or poor detention conditions. Please clarify whether a complainant is always informed of the outcome of his or her complaint, including if he or she has been released from a detention facility.

#### **Article 14**

27. In the light of the Committee's previous concluding observations (para. 22) and paragraph 46 of the Committee's general comment No. 3 (2012) on the implementation of article 14 by States parties, please provide information with regard to measures for ensuring reparation to victims of torture and ill-treatment, specifically:

(a) The measures taken to review the existing procedures for seeking reparation in order to ensure that they are accessible to all victims of torture and ill-treatment;

(b) The redress and compensation measures ordered by the courts since the consideration of the State party's previous report. That information should include the number of requests for compensation made, the number granted and the amounts ordered and actually provided in each case;

(c) The kind of rehabilitation programmes provided to victims, whether they include medical and psychological assistance and the annual resources allocated for that purpose for the period under review;

(d) The measures taken to provide other forms of redress (restitution, satisfaction, including restoration of dignity and reputation, and guarantees of non-repetition) to victims of torture and ill-treatment, and how many of those measures have actually been granted to victims of torture and ill-treatment for the period under review;

(e) The protective measures available to victims of torture or ill-treatment and to members of their families, indicating the number of those measures that have been made available to victims of torture compared with the number of requests made. Please also state whether victims of torture have access to free legal aid.

28. With reference to the Committee's previous concluding observations (para. 21) and those of the Human Rights Committee,<sup>35</sup> please provide statistical data, disaggregated by the ethnicity of the victim, on the number of investigations initiated into cases of persons reported missing as a result of the intercommunal fighting that occurred in 1963 and 1964 and of the events of July 1974 and afterwards, indicating the outcome of those investigations. Please provide information on the measures taken to ensure that the relatives

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<sup>35</sup> See CCPR/C/CYP/CO/4, para. 10.

of missing persons identified by the bi-communal Committee on Missing Persons in Cyprus receive appropriate redress, including:

(a) The means for their psychological rehabilitation, compensation and satisfaction;

(b) The means to ensure their right to know the truth on the circumstances of the disappearance; to be informed on the progress and results of the investigations and to participate in their proceedings, including by challenging the acts or omissions of the investigating authorities in court.

#### **Article 16**

29. In the light of the Human Rights Committee's concluding observations,<sup>36</sup> please provide information on: (a) the steps taken to prevent violence based on discrimination against persons of foreign origin and Turkish Cypriots;<sup>37</sup> and (b) the number of complaints and police reports, investigations, prosecutions, convictions and punishments handed down for such crimes during the period under review, broken down by type of offence and investigating authority, and the reparations provided to victims. Please also provide information on the measures taken to prevent attacks and reprisals against human rights defenders. In that respect, and in relation to the Committee's letters to the State party dated 5 June and 26 November 2014, please provide information on the measures taken to implement articles 13 and 16 of the Convention so as to ensure that the Executive Director of the non-governmental organization called Action for Support, Equality and Antiracism, Doros Polykarpou, is not subjected to reprisals.<sup>38</sup>

#### **General information on other measures and developments relating to the implementation of the Convention in the State party**

30. Please provide information on any other relevant legislative, administrative, judicial or other measures taken since the consideration of the State party's previous report to implement the provisions of the Convention or the Committee's recommendations, including institutional developments, plans or programmes. Please indicate the resources allocated and statistical data. Please also provide any other information that the State party considers relevant.

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<sup>36</sup> Ibid., para. 7.

<sup>37</sup> See A/HRC/28/20, para. 27, and A/HRC/WG.6/18/CYP/3, paras. 7 and 10-11. See also *Cyprus v. Turkey*, judgment of the European Court of Human Rights of 12 May 2014, para. 57.

<sup>38</sup> See A/HRC/28/63/Add.1, paras. 388-389.