

Gender Equality and Anti-discrimination against Women – List of Issues

Submitted to the *Pre-Sessional Working Group for the 70th session of the CEDAW Committee on Cyprus*

Contributing Organisations:

AHDR

CCCI

KISA

MIGS

PEO

POGO

SEK

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Coordinated and Compiled by the Secretariat of the Cyprus Dialogue Forum

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List of Abbreviations

AHDR: Association for Historical Dialogue and Research
CCCI: Cyprus Chamber of Commerce and Industry
CDF: Cyprus Dialogue Forum
CEDAW: Convention on the Elimination of All Forms of Discrimination against Women
CoE: Council of Europe
CTP: Republican Turkish Party
CY: Cyprus
DEV-İŞ: Revolutionary Workers Trade Union
DP-UG: Democratic Party – National Powers
ECHR: European Convention of Human Rights
EU: European Union
FEMA: Feminist Atelier
FGM: Female Genital Mutation
GAT: Gender Advisory Team
GCC: Greek Cypriot Community
GMI: Guaranteed Minimum Income
HP: People’s Party
ILO: International Labour Organisation
KAYAD: Association of Women to Support Living
KISA: Action for Equality, Support, Antiracism
KTÖS: Cyprus Turkish Teachers' Trade Union
LTB: Nicosia Turkish Municipality
MAGEM: Famagusta Youth Center
MIGS: Mediterranean Institute of Gender Studies
NAP: National Action Plan
NGO: Non-Governmental Organisations
NMWR: National Machinery for Women's Rights
PEO: Pancyprian Federation of Labour
PLE: Public Legal Education
POGO: Pancyprian Federation of Women's Organisations
RoC: Republic of Cyprus
RRA: Refugee Rights Association
SEED: The Center for Sustainable Peace and Democratic Development
SEK: Cyprus Workers' Confederation
SMEs: Small and Medium Sized Enterprises
SORÖV: Foundation of Prevention of Social Risks
SPAVO: Association for the Prevention and Handling of Violence in the Family
STDs: Sexually Transmitted Diseases
SWS: Social Welfare Services
TCC: Turkish Cypriot Community
TCHRF: Turkish Cypriot Human Rights Foundation
TDP: Communal Democracy Party
TRNC: Turkish Republic of Northern Cyprus
UBP: National Unity Party
UNSCR: United Nations Security Council Resolution
VAW: Violence Against Women

Background on the Compilation of the Report

The present report is a response to the call by the Office of the High Commissioner for Human Rights for contributions of civil society organisations and human rights institutions on the list of issues to be adopted at the Pre-Sessional Working Group for the 70th session of the CEDAW Committee on Cyprus.

The report was compiled from the contributions of 19 organisations from the Greek Cypriot and Turkish Cypriot communities. The report does not intend to present a singular voice for organisations but rather to present the multiplicity of opinions and voices across the island. As such, the report presents the contributions of organisations as these were submitted to the Secretariat of the Cyprus Dialogue Forum. The individual contributions of organisations are also attachments to this report.

To enable organisations to contribute in the short time frame, the Secretariat of the Forum prepared a questionnaire with a list of questions within the framework of the Articles of the CEDAW Convention. In this process, 30 organisations were approached and 19 managed to submit their contributions. The details of the organisations can be found at the end of this document.

About the Cyprus Dialogue Forum:

The Cyprus Dialogue Forum is a non-formal dialogue space comprising of 104 organisations which include the political parties, trade unions, business/professional associations and civil society organisations from the Greek Cypriot and Turkish Cypriot communities. The Forum aims to support island's peace negotiations and act as an accompanying change mechanism for the peace process. The ownership of the Forum lies with its member organisations who define the agenda, the values and principles of dialogue, its outcomes and their dissemination. Within the Forum, work on Human Rights takes place within the Human Rights Task Group. Among the organisations that have contributed to this report, the majority are members of the Forum.

The Secretariat of the Cyprus Dialogue Forum provides support to the Forum and its stakeholders. Within this mandate, the Secretariat has coordinated and compiled the present report.

Section A: Greek Cypriot Community

1. Introduction

The Republic of Cyprus ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1985. The Optional Protocol of the Convention was ratified in 2002 and recognizes the authority of the CEDAW Committee as the monitoring body to receive and consider complaints from individuals or groups within its jurisdiction. Since the ratification of the Optional Protocol, the RoC has provided 8 periodic reports including the one submitted in 2017.

Section A under this report is compiled based on the contributions of stakeholders. It identifies the challenges (organised under each article of the CEDAW Convention) as expressed by stakeholders as well as their proposals, recommendations and suggestions.

2. Elimination of Legal & Real Discrimination

This section considers the assessment and proposals of stakeholders in relation to:

- (a) the legal framework prohibiting discrimination against women and guaranteeing equality between men and women.*
- (b) the effective implementation of the legislation,*
- (c) the access to mechanisms for seeking justice and the challenges faced in practice,*
- (d) the effectiveness of awareness raising among women (including vulnerable women groups)*
- (e) and the capacity and competence of the relevant law enforcement officers dealing with issues of violations of women's rights.*

[Contributions in this Section are provided by KISA, MIGS, SEK and SeeD]

2.1. Identification of Challenges

Legal Provisions & Effectiveness of Implementation:

KISA notes that the Constitution provides for the principle of equal treatment on the basis of, amongst other grounds, gender, in relation to the rights protected by the Constitution, which basically are the same as the rights provided in the European Convention of Human Rights. The legislation enacted to provide for equal treatment between men and women covers only certain areas, namely employment, equal pay, occupational social security schemes and provision of goods and services in accordance with EU directives. As a result, there is no legislation that reflects the definition of CEDAW and there is no legislation to prohibit gender discrimination in all areas of life as provided in CEDAW. Protection by law is therefore limited only to those areas. In addition, whether the definition of services entail also recreational activities, sports and all aspects of cultural life is questionable. Finally, the law makes no reference to other genders (that do not fall into the binary) or to gender identity.

SEK notes that among the challenges is that the legislation is not fully implemented due to the weakness of the institutions.

Mechanisms for Seeking Justice

According to KISA, women have access to extrajudicial and judicial mechanisms, but such access is hindered by the lack of adequate information on such mechanisms and how to access them and by the fact that legal aid provided to access judicial mechanisms is very restricted. This view is also shared by SeeD. SEK further notes that even though sufficient mechanisms exist as a result of the limitations of

institutions, women are reluctant to report any insistent of discrimination against them or to demand the full implementation of the law.

Extrajudicial mechanisms are basically the office of the Ombudspersons, acting in its capacity as the Antidiscrimination / Equality Body, and the labour inspectors of the Ministry of Labour, Welfare, and Social Insurance. Extrajudicial mechanisms do not have a mandate to examine complaints concerning gender discrimination in all areas of life. Their competencies are restricted to issues related to equal pay, employment and occupation, occupational social security schemes, and provision of services. In addition, the power of these bodies is not effective as they can only impose very low fines in the case of not compliance with their decisions [KISA].

SEK notes that court backlog contribute to the challenges faced in women seeking justice. KISA further notes that judicial protection is severely restricted by very long civil procedures that cannot provide immediate relief in the case of actions against discrimination provided by the above-mentioned laws. Judicial protection has a limited scope and legal aid is restricted only to the above-mentioned areas, granted by the Committee on Gender Equality in Employment and Occupation. Moreover, not many lawyers are trained to gender discrimination and the training of judges in gender discrimination issues is also limited if done at all.

Undocumented or with insecure resident status migrant women are afraid to seek justice in case of violation because they are subject to immigration control, administrative arrest and detention.

Policies To Create Awareness Among Women About Their Rights

KISA explains that policies on women's rights and gender discrimination are decided by the Council of Ministers. There is also the National Machinery for Women's Rights (Section 3 for more information), which acts as an advisory body to the Council of Ministers in relation to women's rights and relevant policies. However, KISA and SEED note that unfortunately there are not sufficient policies to create awareness amongst women of their rights and especially amongst vulnerable women, such as migrant/refugee women, who more often than not are excluded from the already limited policies decided as well as from relevant legislation on grounds of their nationality and/ or migration status. SEK also notes that while some policies exist for the general public, these are much less for migrants. KISA also notes that there are no awareness policies for trans persons, intersex persons, and persons whose gender identity does not fall within the binary, who are also affected by gender discrimination, either.

Capacity Of Law Enforcement Officers To Deal With Issues Of Violations Of Women's Rights

KISA notes that lawyers, judges and law enforcement officers are not sufficiently equipped to deal with issues of violations. Very few lawyers are specialising in gender equality whereas judges are not, as far as we know, trained specifically on gender equality issues. Police officers receive some training and the police has indeed improved in recent years on this subject, but there is still serious misconducts especially when it comes to migrant /refugee women and room for a lot of improvement.

2.2. Proposals & Recommendations

On Legal Provisions & Effectiveness of Implementation:

- KISA proposes that it is necessary to enact legislation to prohibit gender discrimination in all areas of life and to provide for the mechanisms women, trans persons, intersex persons, and persons whose gender identity does not fall within the binary should have in their disposal in challenging discrimination both in the public and in the private sector, in all areas of life. In addition, it is necessary to review all existing legislation and administrative or other practices so as to ensure that provisions that lead to gender discrimination are repealed/changed. This was never done holistically and horizontally across all legislation.

- SEK proposes that there is a need for strengthening of the Inspection Departments that monitor the implementation of the laws promoting equality (& prohibiting discrimination against women).
- SEK further proposes that more severe penalties should also be imposed in cases of violations.

On Mechanisms for Seeking Justice

- It is necessary that extrajudicial bodies have more powers in terms of effectively addressing discrimination for the benefit of women. [KISA]
- It is also necessary that the Legal Aid Law is reviewed, to allow for legal aid in all types of judicial procedures where gender discrimination is challenged and in all area of life. [KISA]
- There is a need for lawyers specialised in gender discrimination issues and relevant law.
- Judges should receive training on gender discrimination. [KISA]
- Awareness raising among women, trans persons, intersex persons, and persons whose gender identity does not fall within the binary on the existing extrajudicial and judicial mechanisms they have access to and on how to access them. [KISA]
- Create a firewall so that access to justice mechanism is clearly distinguished, separated from immigration control and administrative arrest and detention. [KISA]
- Full support via government funded institutions that provide women with legal counsel and education. [SEED]
- Women should be encouraged to make use of / direct complaints to these mechanisms. [SEK]
- Court proceedings should be accelerated. [SEK]

On Policies To Create Awareness Among Women About Their Rights

- Gender equality should be mainstreamed in all policies of the state and at all levels. This should include policies on migration and refugees and other vulnerable groups and should address multiple forms of discrimination against women. [KISA]
- There is a need for outreach programmes, appropriate education and a gender action plan that assists government authorities to provide policies to create awareness among women about their rights [SeeD].
- The government should fund awareness raising campaigns and NGOs to create awareness among women, trans persons, intersex persons, and persons whose gender identity does not fall within the binary of their rights [KISA]

On Capacity of Law Enforcement Officers to Deal with Issues of Violations of Women's Rights

- KISA and SeeD propose that lawyers, judges and law enforcement officers should be specifically trained on gender equality.

2. National Machinery

This section considers the assessment and proposals of stakeholders in relation to:

- (a) The establishment of the national machinery, its effectiveness and its main challenges*
- (b) The sufficiency and effectiveness of temporary special measures aimed at providing equality between men and women*
- (c) Measures in eliminating discrimination based on traditional gender roles and stereotypes*

*[Contributions in this Section are provided by **KISA & MIGS & Seed**]*

2.1. Identification of Challenges

National Machinery and its Effectiveness

In Cyprus, there is a national machinery, which acts as an advisory body to the Council of Ministers and which was established on the basis of a Council of Ministers decision in 1994 and not a law.

KISA notes that the national machinery is not particularly efficient and effective as it is not independent. It is basically supported by the Ministry of Justice and Public Order. It does not have its own budget and experts. SEK notes that part of the reason for its inefficiency is due to its limited resources. KISA further notes that it is merely a body in which various stakeholders participate and may express their views, but has not up to now produced any meaningful papers, reports or in fact guidance to the Council of Ministers for adopting policies on gender equality. Moreover, it makes no reference to refugee/ migrant women or to trans persons, intersex persons, and persons whose gender identity does not fall within the binary.

MIGS notes that no steps have been taken to strengthen the NMWR in line with the Committee's concluding comments of 2013. Although the structure has changed somewhat with the appointment of a Commissioner for Gender Equality, MIGS considers this development to be inadequate as the Commissioner does not have a clear mandate with executive powers, or sufficient human and financial resources.

Temporary Special Measures and Enabling Legislation

The RoC, as a member of the EU, has adopted laws and policies promoting gender equality to the extent mentioned above. KISA notes that the main problem is that such laws and policies lack a real political will for their effective implementation. As a result, what is happening in reality is only lip services to gender equality.

Measures To Eliminate Discrimination Based On Traditional Gender Roles And Stereotypes

Cypriot society is a deeply patriarchal society. According to KISA most migrants also come from deeply patriarchal societies. The role of the church in the Cypriot society is also dominant.

There are no structures for the daily care of children, the elderly, and other persons in need of care and no real integration measures for disabled people either. Thus, women are forced to take the role of careers and/or employ other women, migrant women, as domestic workers, to also assume this role, with a very low salary and in very exploitative conditions.

Vulnerable Groups of Women

Invisibility and exclusion of migrant and refugee women from almost all policies, actions, and plans of agencies and bodies tasked with combating gender inequality in Cyprus. These bodies and agencies include the following: The National Machinery for Women's Rights, the Commissioner for Gender Equality who presides the Machinery, the Gender Equality Committee in Employment and Vocational

Training, the Equality Body under the Office of the Commissioner for Administration and Human Rights, the Advisory Committee for the Prevention and Combating of Domestic Violence, the Multidisciplinary Committee for combating trafficking in Human Beings.

For example, in the National Action Plan for the Prevention and Combating of Domestic Violence, there is only one single reference to “foreign-speaking” women, indicating those married to Cypriots and/or other EU citizens. This excludes migrant women but especially one of the most vulnerable groups of working women, that of migrant domestic workers, many of whom are subjected to domestic violence, physical and psychological, including sexual assault, harassment and rape.

The invisibility and exclusion of migrant and refugee women is rooted in the migration model, policies, structures and administrative practices in place in Cyprus, largely intact since the advent of migration to the country in the early 1990s. This model prescribes a strict temporary residence and employment framework, which subjects migrants to unacceptable terms and conditions of work, exploitation and trafficking, with deprivation and flagrant violation of basic human and labour rights.

Gender Identity That Does Not Fall Within The Binary

Trans persons, intersex persons, and persons whose gender identity does not fall within the binary are also excluded from policies, actions, and plans of agencies and bodies tasked with combating gender inequality in Cyprus.

2.2. Proposals & Recommendations

On the National Machinery and its Effectiveness

- KISA suggests that the National Machinery needs to be strengthened to become a policy-making body instead of a solely advisory body.
- MIGS proposes that the Government should strengthen the National Machinery for Women’s Rights with financial and human resources with expertise in gender equality and women’s rights. This is echoed by KISA who suggest that the National Machinery needs to have its own and independent budget so as to be able to bring more expertise.
- The scope of the National Machinery needs to be broadened to include trans persons, intersex persons, and persons whose gender identity does not fall within the binary. [KISA]
- Develop an intersectional approach, focusing on most vulnerable groups amongst persons facing gender discrimination, such as migrant/ refugee/ trans/ disabled women. [KISA]
- The Government should also reconsider the establishment of a unified governmental body for the promotion of women’s rights, with the allocation of adequate human and financial resources. Such a body should have executive powers and a clear mandate for the promotion of women’s rights and gender equality policy in Cyprus. [MIGS]
- There is need for a National Action Plan addressing all aspects provided by CEDAW which is reflective of the EU Gender Action Plan. [SeeD]
- The National Machinery need to have sufficient resources and staff so that they can carry out ex-officio inspections. [SEK]

On Measures To Eliminate Discrimination Based On Traditional Gender Roles And Stereotypes

[provided by KISA]

- The state should work in becoming more secular in practice.
- The Ministry of Education and Culture should abandon texts and material strengthening traditional gender roles and stereotypes and adopt a curriculum and policies to promote gender equality and awareness raising on gender issues, such as sexism, gender identity, etc. It should also adopt a policy

of no tolerance when it comes to sexism and discrimination, especially when exercised by teachers and other school staff.

- The state must design and implement structures for childcare and the care of those who need care.
- The state must design and implement measures, policies, and structures to support the autonomy and integration of the disabled and elderly people.
- The media should adopt policies to tackle gender stereotypes and not reproduce them as they currently do.
- Drastic review of the migration model and system in place with the view to addressing the weaknesses and problems encountered, including the “temporary” residence and employment permit, on the basis of a human-rights approach.

On Vulnerable Groups of Women

- In order to address the exclusion of migrant and refugee women, one of the official public structures and bodies referred to in the previous column should take the initiative to develop a plan of action for the specific purpose of including migrant and refugee women in their policies, actions and measures. To effectively achieve this, there should be public consultation and cooperation with all concerned stakeholders, including gender equality bodies and NGOs. The direct engagement of organisations/ groups of migrant and refugee women in this process is of the utmost importance. The same should be done for trans persons, intersex persons, and persons whose gender identity does not fall within the binary.

3. Political Rights

This section considers the assessment and proposals of stakeholders in relation to:

- (a) The effectiveness of the legal provisions (where they exist) on prohibiting discrimination in political and public life on the basis of sex and in providing equal rights to women to stand for elections and hold public office*
- (b) The challenges women face in practice in equally participating in decision making structures*
- (c) The existence of special provisions to enable women’s participation in decision making and their effectiveness*

[Contributions in this Section are provided by MIGS, KISA, SeeD, SEK and GAT]

3.1. Identification of Challenges

Equal Opportunities For Women And Men To Stand For Elections, Hold Public Office & In Participation In Decision Making Structures

According to KISA, while there are no legal impediments in women participating equally in elections for public office, the prevailing patriarchal structures and attitudes are instrumental in preventing them from doing so. SEK notes that while women do have right to be represented equally in decision making structures though, in practice their participation is limited. KISA further notes that as no specific laws prohibit discrimination in political and public life, despite the fact that the Constitution provides for equal treatment, in amongst other, political rights, no measures can be taken in relation to discrimination in the political and public life. In addition, positive measures as such are seen with scepticism and/or are not understood as measures to facilitate equal treatment even by women themselves involved in politics.

MIGS notes that despite Cyprus’s legislative framework on equality between women and men, the fulfilment of women’s rights requires more than the removal of formal barriers and there remain political, socio-economic, and cultural barriers to the advancement of women in Cyprus. The most important barriers for the purposes of the incorporation of gender mainstreaming in policy processes are

political. As mentioned above, Cyprus does not have a long history of gender equality and there is no broad political agreement on gender equality policy. There is a lack of gender balance in almost all walks of life and thus masculine models throughout decision-making in all social and political structures and processes including government and political parties, parliament, judiciary, economy, and mass media as well as weak implementation and monitoring mechanisms.

According to MIGS, there has been an increase in women actively involved in politics in Cyprus, but progress has been slow and women are still severely underrepresented in Government. KISA also notes that women's representation in Cyprus in decision-making structures still very low. They report that with below 20% representation in the major elected structures, at national and local level, and below 10% of government ministers, Cyprus is below the average mark in regional and international indices. According to the latest report of the Council of Europe (Balanced Participation of Men and Women in Decision-Making – Analytical report – 2016 data), Cyprus is ranked 22nd among CoE member states.

KISA notes that participation in political and public life is even more challenging for migrant and refugee women who are excluded from the election process altogether. This is due to the very stringent and highly discriminatory citizenship legislation and policies, which deprive women (and all persons) originating from non-EU countries but living in the country for as long as 15 or 20 years of basic political rights, such as the right to vote.

Special Provisions

KISA notes that no special provisions exist and no positive measures are taken to that effect. SEK notes that with the exception from some private initiatives taken by various organisations there are no quota policies for the participation of women in political life. According to MIGS, Cyprus has been extremely reluctant to implement positive action measures such as quotas, even on a temporary basis as foreseen by the CEDAW Convention to accelerate de facto equality between women and men. The Cyprus Government does not support the adoption of quotas to address the gender imbalance on the boards of publicly listed companies, despite European level initiatives toward this end. In 2016, a bill was enacted regulating the quotas for the participation of women on the boards of semi-government organizations, to ensure that 30% of either sex will be represented on the Board of Directors, [an amendment of the Certain Legal Entities of Public Law (Appointment of the Board of Directors) Law, 1988 (L. 149/1988)]. The President of the Republic referred it to the Supreme Court on grounds of unconstitutionality and the Court unanimously ruled that the law violated the principle of equality as foreseen in the Constitution.

Vulnerable Groups of Women

Migrant women are entirely excluded from such policies and measures. Work done by KISA aims at promoting with awareness, networking and advocacy activities the inclusion and equal/active participation of migrant and refugee women in all spheres of life including the participation in decision making.

In addition to their invisibility and exclusion from gender equality policies, measures and actions, migrant and refugee women are also invisible and precluded from the political sphere as well. Furthermore, there are policies that specifically violate migrant women's political rights. For example, the employment contract of migrant domestic workers, the overwhelming majority of whom are women (over 96%), specifically prohibits their engagement, contribution or participation in any political action. Domestic workers are also excluded from trade unions.

Measures to Support Gender Identity that Does not Fall within the Binary

Moreover, there are no provisions or measures to support the participation of trans persons, intersex persons, and persons whose gender identity does not fall within the binary, who are also not represented at all in any public office/ elected bodies or political life in general.

Women in the Peace Process

According to GAT¹, women are under-represented (missing) from the official negotiation table despite the UNSCR Resolution 1325 recommendations to UN member-states which Cyprus has also endorsed. Both the Greek Cypriot and the Turkish Cypriot negotiating teams have ignored for many years the relevance of UNSCR 1325 as part of a pathway towards a sustainable and durable solution to the Cyprus Problem. While the term “gender” includes women, girls, men and boys, an adequate understanding of its impact in formal discussions and possible solutions to the Cyprus Problem amongst the members of the negotiating team is not fully appreciated. Thus, the context of the Cyprus peace negotiations lacks a gender perspective and thus fails to address gender equality issues in all the chapters under discussion, namely; governance, property, citizenship, economy and security. Women appointed in the working groups and the technical committees dealing with the talks are few. This also reflects the low participation of women in all other government institutions and decision-making bodies, only one-woman minister and only seven women in the Legislature.

3.2. Proposals & Recommendations

Equal Opportunities For Women And Men To Stand For Elections And Hold Public Office

- KISA and SeeD propose that the government should adopt quota policies and affirmative actions.
- There is a need to provide trainings on executive skills for women. [SeeD]

Vulnerable Groups of Women: *[proposals by KISA]*

- Migrant and refugee women, as well as trans persons, intersex persons, and persons whose gender identity does not fall within the binary, should be supported and empowered to form their own groups and self-organise in order to gain representation in public and political life.
- The employment contracts of domestic workers should change and more specifically, the clause prohibiting their engagement, contribution or participation in any political action must be immediately removed.
- Trade unions must include domestic workers.

On Participation in the Peace Process: *[proposals by GAT]*

- Raise awareness about UNSCR 1325 and related issues.
- Inclusion of women perspectives at the peace negotiation table. Women groups/NGOs/civil society should have more of a role to play in the political process and that more should be done/demanded in terms of communicating views, concerns and proposals to the negotiating team/leaders.
- The wide range of active women’s/feminist NGOs and initiatives can increase collaboration and develop networks to produce proposals and activities for gender equality in order to increase and improve participation to the peace process.
- If the talks produce an acceptable agreement that will be taken to referenda, there is endless potential for women collaborating within and between each community for the purpose of a desired solution.
- Resources need to be allocated to meet the humanitarian minimum standards in gender mainstreaming and this includes leadership training and promotion of women in leadership roles, provisions for a gender sensitive federal constitution, community programs in support of women and girls, and gender sensitive media campaigns/ education programs.

¹ White Book: Pathways towards sustainable peace Available at: <http://library.fes.de/pdf-files/bueros/zypern/13473.pdf>

4. Human Trafficking

This section considers the assessment and proposals of stakeholders in relation to:

- (a) The legal framework to prohibit the exploitation of prostituted women & the criminalisation of all forms of trafficking of women (both labour and sex trafficking)*
- (b) The efficacy of the legal framework to secure the above and the challenges regarding their implementation*
- (c) The existence of government led awareness campaigns against the trafficking of women and their effectiveness*
- (d) The provisions and mechanisms in the identification and protection of victims*
- (e) The efficacy of support and protection mechanisms for trafficking victims*

[Contributions in this Section are provided by KISA, MIGS, Wellspring Association, SeeD and STIGMA]

4.1. Identification of Challenges

Legal Framework and the Efficacy of Implementation

STIGMA, notes that the Legal Framework, Law (60) of 2014 is adequate and a good tool for suppressing actions relating to the trafficking of persons. A major challenge is the implementation of the Law. KISA shares the same view that the provisions of the law are sufficient as the law covers all forms of exploitation of victims of trafficking. The problem lies in the implementation of the law. Furthermore, KISA notes that implementation of the law is problematic as it is currently done in a manner that excludes many migrant women, and especially domestic workers, who are victims of trafficking in human beings, by reducing their exploitation to labour disputes. Similarly, Wellspring Association considers that the law does not manage to prohibit the exploitation of prostituted women.

KISA, MIGS and STIGMA consider that the present legal provisions sufficiently criminalize the relevant actions. KISA notes that the problem is the implementation of the law. There are not many convictions of traffickers and in particular not many convictions in relation to cases of labour trafficking. STIGMA notes that what requires improvement is the criminalization of the customer who buys services from victims of trafficking and sexual exploitation because, for the punishment of the client, the law requires the customer to reasonably assume that the service he uses or the victim's services are offenses provided for under the Law.

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

Awareness Campaigns

KISA notes that the last awareness activity/event against trafficking which was partly funded by the government, and more specifically by the Ministry of Interior, was a social media event on the occasion of the EU anti-trafficking day carried out by KISA together with Caritas CY, Mediterranean Institute of Gender Studies, and Cyprus Stop Trafficking, in 2016, under the title *Let's Help Bridge the Gap to*

Freedom.² Wellspring Association notes that more is needed on this front, as government funded awareness campaigns against women trafficking are not well-known outside government.

STIGMA notes that the National Plan for Gender Equality 2014-2017 and the National Action Plan Against Trafficking in Persons 2016-18 provide for awareness-raising actions at national level on the issue of trafficking in human beings and the sexual exploitation of women. Unfortunately, however, since 2007, limited to no campaigns or other actions have been undertaken to eliminate the stereotyped perceptions of our society.

Provisions and Mechanisms for Identifying and Protecting Human Trafficking Victims

KISA notes that the law provides for a national referral mechanism and the identification of victims by the Police. STIGMA notes however that there are no provisions within the law for the identification of victims. There are provisions in the legislation to protect victims, for example, Article 34 of Law 60 of 2014, but they are not implemented. According to Seed, the provisions in the legislation are not sufficient to protect victims and women do not have appropriate legal counsel and harmed more in practice. Adding to the above, MIGS further notes that although positive steps have been taken throughout the years, the protection of the victims remains a weak area in combating trafficking in persons in Cyprus. The adoption of the referral mechanism has meant that victims are more easily referred across the services that exercise competence on this issue, however, there is no evidence that the process uses a holistic, victim-centred approach, rendering the victims vulnerable and disempowered.

KISA notes that even though a national referral mechanism exists there are various shortcomings in its implementation as the Social Welfare Services do not implement their role in providing victims of trafficking with all the information they are supposed to under the law and basically victims are informed of their rights by the Police, which is also the identifying authority. In that respect, there is a conflict as the Police very often informs victims once they are identified and not before that, as potential victims of trafficking. In addition, victims of trafficking, if they are not recognised as such, they are not provided with information as to how they can challenge the decision not to recognise them, and even when identified they are not properly informed of all their rights. STIGMA notes that even though both the legal and the institutional framework are broadly adequate, the problem concerns all the services involved that do not implement it at all or implement the minimum. Wellspring Association notes that the protection of human trafficking victims after identification requires more resources.

According to KISA, the police are the only responsible authority/body for the identification of victims. This is problematic, mainly because usually persons, who have experienced/are experiencing trafficking, do not trust the police. The other main problem in identifying persons as victims of trafficking is that often the persons themselves cannot articulate their experiences in such a way to facilitate identification.

Although the law does not establish as a prerequisite for persons who have experienced/experience trafficking to testify in court in order to enjoy protection and support measures, in practice, the competent authorities (the police) ask from victims to consent to testify in court so that to be identified as victims of trafficking. In case they do not consent, they are not recognised as victims of trafficking and therefore, not only they are not granted any support or protection, but they are also subject to arrest, detention and deportation.³ As witnesses in criminal proceedings, persons who are identified as ‘victims of trafficking’ are needed to stay in Cyprus for a long time, since such criminal proceedings usually last many years. In the course of this period, persons who have been identified as victims of trafficking encounter several problems regarding access to their rights and especially access to adequate livelihoods (employment and state benefits) and health care.

² <https://kisa.org.cy/10412-2/>

³ KISA. *Alternative Report submitted to the UN Committee on the Elimination of Racial Discrimination (CERD)*. August 2013. http://kisa.org.cy/wp-content/uploads/2013/04/KISA-Alternative-Report-on-Cyprus_14925_E.pdf

Immediately after their court testimonies, the government asks victims to return to their countries of origin. Most of the times, victims are not informed of their right to compensation, which is provided in the law. Return is instrumental in preventing them from seeking compensation. Both in law and in practice even the temporary stay of the victims who do not cooperate with the police, after the reflection period, is not safeguarded. Yet, a victim of trafficking, regardless of their cooperation or not with the persecuting authorities, is still a victim and their rights are supposed to be protected by the international human rights law.

Usually, victims of trafficking are not adequately advised on how to deal court proceedings in which they must testify as witnesses against their traffickers, and are not informed at all of their right to apply for compensation as victims of trafficking. STIGMA further notes that in practice, trafficked persons choose to repatriate and not to take action in court as they are the only police witness against traffickers. As a result, court cases are lost due to lack of adequate evidence.

Efficacy of Mechanisms for Protection, Support and Rehabilitation of Trafficking Victims

Wellspring Association notes that although support mechanisms exist, this support is not well coordinated between different actors and takes time to start. In such cases, women struggle living on financial support.

STIGMA further notes that there is no special hotline for victims. This issue has been addressed by the Parliamentary Committee on Human Rights and Equality of Men and Women. Furthermore, since 2005, the drafting of regulations to operate shelters for victims of trafficking is pending. It should be taken into account that the only shelter STIGMA operated as an NGO from 2004 to 2008, did not receive any state funding. Today STIGMA is in a court dispute with the state following a recommendation by the Commissioner. Regarding the shelter of victims, this works without sufficiently trained officers. A permanent social worker is not permanently posted at the shelter and psychological support is provided only if asked for by the victim.

KISA notes that persons who have been identified as victims of trafficking encounter several problems regarding access to their rights and especially access to adequate livelihoods (employment and state benefits) and health care.⁴ The problems identified by KISA are the following:

- (a) *Employment*: Persons identified as victims of trafficking do not usually have any expertise/specialization and there are no training programs for them, in order to gain such expertise. In addition, the employment services of the Department of Labour consider migrants in general, including victims of trafficking, capable only for such employment and therefore, they refer them only to such employment. This results to their concentration in specific sectors (domestic work, entertainment, and farming and agriculture industry), where labour/sexual exploitation is frequent and thus, there is a high risk of re-victimization when they find employment. Moreover, salaries in those sectors are very low, having as a result for persons identified as victims of trafficking not to be able to have adequate livelihoods for themselves and their families.
- (b) *Guaranteed Minimum Income (GMI)*: Often, victims of trafficking, are not adequately informed of the relevant procedures. Furthermore, the application form and all documents relating to GMI are in Greek, which victims of trafficking more often than not do not speak. There are significant barriers caused by the communication failure between persons identified as victims of trafficking and the officers of GMI.

⁴ For more information on this, you can see:

Mapping Out the Situation of Labour Trafficking in Cyprus. https://kisa.org.cy/wp-content/uploads/2014/12/map_report.pdf

Further to the above, there are delays in examining applications for GMI and delays in paying GMI while in other cases there are interruption of GMI without (adequate) explanation.

- (c) *Shelter*: Recognised victims are entitled to appropriate and secure housing. The Law also provides for the possibility of the Social Welfare Services to run shelters for victims of trafficking. Yet, in fact, there is only one shelter run by the SWS, currently operating only for women victims of trafficking for sexual exploitation and several problems have been identified in relation to its administration.⁵
- (d) *Access to health care*: According to the law, victims of trafficking have full and free access to health care. Unfortunately, this right is restricted in practice by various factors. More specifically:
- Victims are often not adequately informed of their rights to health care and on how to apply for a health card.
 - Problems in accessing health services (most commonly, problems in relation to the behaviour of health professionals and/or administrative staff working at public health services, communication problems - lack of interpretation/translation services and lack of awareness regarding cultural differences).
 - Access to services/treatments that are not available at the public health services.
 - Lack of therapeutic programs to address trauma/post-traumatic stress disorders for persons, who have experienced trafficking.
- (e) Problems regarding resident permits: According to the law, victims of trafficking should have immediate access to all of their rights, including the right to a resident permit. In practice, resident permits take a long time until they are issued and this entails serious consequences for persons, including their quest for employment, as most employers ask migrant workers to prove that they have a valid residence permit in order to proceed with their employment. Moreover, victims of trafficking are asked to pay to apply/renew their resident permits as well as those of their family members.

Other Challenges faced by Trafficking Victims

Wellspring Association notes that racism and lack of awareness between different professional groups concerning trafficking victims still exists in Cyprus.

KISA notes that persons who have experienced/experience trafficking in Cyprus are typically migrant unskilled workers in the areas of: domestic work, farming/agriculture industry, sex industry, and entertainment. This is because of the very strict and discriminatory migration model Cyprus follows. More often than not, persons who have experienced/experience trafficking in domestic work and the sex industry are migrant women.

Since migrants do not have access to the public employment services, unless they are recognised as victims of trafficking and/or are granted international protection, they have to depend on private profit-making agencies and/or middle persons, who are very often involved in human trafficking and victimise them.

In Cyprus, the Refugee Law provides that the Asylum Service and all other competent authorities responsible for the implementation of the Law have the obligation to take into account the special situation and circumstances of vulnerable persons, such as, amongst others, persons who have been victims of torture, rape, or other serious forms of psychological, physical or sexual violence, wherein victims of trafficking fall. However, there are no implementing provisions of this general principle. In

⁵ For more information on this, you can see “3.4. Shelter for the Victims of Trafficking” in KISA. *Report submitted to the Council of Europe’s CPT - Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment*. January 2017. https://kisa.org.cy/wp-content/uploads/2017/04/KISA_CPT_Jan2017.pdf

practice, as there is no specific mechanism foreseen in the Law for assessing whether asylum applicants are applicants with special needs, the majority of such cases are detected during the interview in the administrative procedure. This interview may only take place after an average of one to two years after the claim has been introduced, which prevents victims from early access to support services.

Asylum seekers have considerably less rights than victims of human trafficking. Consequently, victims of trafficking seeking asylum have great difficulty in claiming their rights as victims of trafficking as the authorities often treat them as asylum seekers and not as victims of trafficking in relation to their social rights, such as accessing state benefits for example.

To KISA's experience, victims of trafficking and especially women, have reported bad and even violent experiences with the Police while being interviewed for the purposes of identification as victims of trafficking. During some interviews KISA conducted with victims of trafficking, one of them (a woman) reported that the police officer was shouting at her and hitting her hand on the table during the interview with the police. She also reported that she had so much stress in these interviews that she believes the reason she had to give birth earlier than her due date was such stress. Some, including an unaccompanied minor, reported that the police officers conducting their interviews repeatedly told them they do not believe them. Almost all of them reported that it was obvious during their interviews at the Asylum Service that the Police had informed the Asylum Service in detail about their cases and their interviews without their consent. One of them reported that the interview she had at the Asylum Service was identical to those conducted by the Police, increasing her trauma as she had to revisit such traumatic memories repeatedly and without the support of a psychologist or other professional.⁶

MIGS also notes that another issue of major concern would be that of trafficking in women for the purposes of labour exploitation and particularly domestic work. *[Inputs from KISA on the challenges and exploitation of domestic workers can be found in section 7]* Although domestic workers play a crucial role in society, due to the isolated and unregulated setting of their work, they are especially vulnerable to abuse, violence and exploitation. Migrant domestic workers mostly live in the private households of their employers and many report physical, psychological and sexual abuse and exploitative work conditions. They are often overworked and underpaid, have their personal documents such as passports and travel documents confiscated, report restrictions in freedom of movement, and have their pay withheld in order to pay off "debts" related to their recruitment and transportation. Such exploitation is highly under-reported and authorities do not necessarily recognize and identify cases of trafficking. It is also important to note that private households are protected by household asylum and labour inspectors are therefore not able to inspect the working conditions of domestic workers. Another major issue of concern is that private employment agencies, most often used by employers to employ domestic workers, are not regulated and are reportedly involved in trafficking networks.

⁶ More information on problems and difficulties faced by victims of trafficking and the relevant framework, you can see: *Comments and Observations for the forthcoming 52nd session of the UN Committee against Torture (28 Apr 2014 - 23 May 2014)*. https://kisa.org.cy/wp-content/uploads/2014/05/CAT_KISA_Report_Only_KISA_Comments.pdf

International Convention on the Elimination of All Forms of Racial Discrimination, Country: CYPRUS, ALTERNATIVE REPORT, Submission of KISA – Action for Equality, Support, Antiracism. https://kisa.org.cy/wp-content/uploads/2013/04/KISA-Alternative-Report-on-Cyprus_14925_E.pdf

KISA & Cyprus Stop Trafficking Report – Universal Periodic Review of the Human Rights Council: Report on Cyprus. <https://kisa.org.cy/20-06-2013-kisa-cyprus-stop-trafficking-report-universal-periodic-review-of-the-human-rights-council-report-on-cyprus/>

CEDAW Convention on the Elimination of All Forms of Discrimination against Women. SHADOW REPORT – CYPRUS 2012. https://kisa.org.cy/wp-content/uploads/2014/04/KISA_CEDAW_Shadow_Report_Cyprus.pdf

The Position of Migrant Women in Cyprus. https://kisa.org.cy/wp-content/uploads/2014/04/The_Position_of_Migrant_Women_in_Cyprus_September_2009.pdf

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

4.2. Proposals & Recommendations

On the Legal Framework and the Efficacy of Implementation

- KISA proposes that there needs to be a political decision to implement the law and its provisions in favor of identifying victims of human trafficking and not of reducing the percentages of persons recognized as victims of human trafficking. STIGMA shares the same view that political will is needed from the Directors of the Ministries involved.
- KISA further suggest that the police as well as public officers – especially of the Department of Labour, the Social Welfare Services, the Asylum Service, and the Civil Registry and Migration Department, as well as medical staff, must be trained to recognize trafficking indicators and how to proceed when they believe somebody may be a victim of human trafficking.
- Similarly, STIGMA suggest that education and awareness raising is needed among all governmental services which under the Law are involved in the issue of the trafficking of persons in Cyprus (Social Welfare Services, Judicial Chamber, Police, Legal Service, Asylum Service and others).
- STIGMA further proposes the Amendment of Article 17 of the Law to explicitly provide for the prohibition of the purchase of sexual services by a victim of trafficking in persons, regardless of the client's knowledge or case.
- MIGS advises the need for the primary responsibility for the coordination of anti-trafficking actions be transferred from the Ministry of Interior to the Ministry of Justice and Public Order. 10 years ago, there was an understandable misattribution of responsibility regarding trafficking, as the latter was considered to be a migration issue. However, given our subsequent accumulation of experience and expertise in this matter, we can assert that the issue is deeply gendered and has far more to do with justice and human rights, and should therefore be rightfully brought under the remit of the Ministry of Justice and Public Order.

On Awareness Campaigns

- Wellspring Association propose that more public campaigns are needed, targeted especially to youth
- KISA suggest that the government needs to fund NGOs for long term campaigns with sustainable goals in the area.
- Campaigns must be addressed not only to the general public. The government must do/ fund campaigns addressing specifically workers who are most vulnerable to trafficking, such as migrants and especially domestic workers and workers in the agriculture/ farming industry. [KISA]. STIGMA shares the same view of the need to inform vulnerable groups, such as immigrant women, domestic workers, etc., about available services and NGOs that can help them. This information should be made available at all entrances such as airports, ports and roadblocks. There need to be signed cooperation protocols between involved government agencies and NGOs .
- Also, the government must do/fund campaigns addressing specifically professionals who are likely to come across victims of trafficking, such as health professionals, labour inspectors, public officers – especially of the Department of Labour, the Social Welfare Services, the Asylum Service, and the Civil Registry and Migration Department. [KISA]
- Campaigns must be carried out in a way that does not reinforce or normalise violence and/ or gender stereotypes, such as vivid depictions of abused women/children etc.[KISA]
- STIGMA similarly notes that there is a need for political will to finance and implement campaigns aimed at raising public awareness of the issue of trafficking in human beings and the sexual exploitation of women as well as the change of stereotypical perceptions.

On the Provisions and Mechanisms for Identifying and Protecting Human Trafficking Victims

- Wellspring Association suggests that there needs to be more effective planning, communication and adequate resources allocated towards the support and protection of human trafficking victims.
- STIGMA suggests that a special hotline is required for the identification of victims.
- Organized action needs to be taken by the police to identify victims. [STIGMA]
- STIGMA also proposes that there is a need for setting up of the relevant shelter operating regulations. Ensuring the presence of a permanent social worker as well as a psychologist in the victims' shelter. Ensuring the Organized and thorough care and protection of the victim up to his/her repatriation.
- The Social Welfare Services must comply with their role in providing victims of trafficking with all the information they are supposed to under the law. Similarly, the Social Welfare Services must better assume their role to provide for the needs of victims of trafficking. [KISA]
- Wellspring Association suggest that systematic campaigns are needed for different professional groups most potentially meeting victims of trafficking.
- SeeD added that specialized training is needed for the police anti-trafficking unit including best practices for interviewing trafficking victims. Similarly, KISA proposes that proper training/guidance of frontline staff in recognising indicators of trafficking and vulnerability in general. More specifically the police as well as public officers – especially of the Department of Labour, the Social Welfare Services, the Asylum Service, and the Civil Registry and Migration Department, as well as medical staff, must be trained to recognize *trafficking indicators* and how to proceed when they believe somebody may be a victim of human trafficking. They must further be trained on trafficking, the rights of trafficking victims, and how to treat victims of trafficking with empathy.
- MIGS echoes the proposal that front-line officers (entry points) should receive better training on the issue so they can be proactive in recognising and dealing appropriately with the victims.
- Ensure professional translation services are available during victim interviews. [SeeD]
- Taking a holistic approach in protecting the victims of trafficking also helps in the prosecution of traffickers or employers as well as the final users of victims of trafficking (the demand side).
- MIGS notes that prosecution is important. This aspect is highlighted in a number of reports such as the Trafficking in Persons Report of the US State Department or the Report drafted by the Group of Experts of Trafficking in Human Beings of the Council of Europe. The main issues MIGS highlights is the need for judges and prosecutors to receive training on the issue of trafficking in persons, as well as reducing overall delays in the justice system.

On the Efficacy of Mechanisms for Protection, Support and Rehabilitation of Trafficking Victims

According to KISA the following are important in supporting trafficking victims:

- The state should provide victims access to vocational training and facilitate their access to education.
- GMI must be easily accessible to victims of trafficking. For example, all application forms and relevant material must be translated so that victims can access it and victims must be able to contact their GMI officer and be provided with interpretation services if needed.
- Victims must be provided with interpretation/ translation services if needed in every service/ authority/ office.
- Victims must be granted access to services/ treatments that are not available at the public health services, including specialised therapeutic programs to address trauma/ post-traumatic stress disorders.
- Sex workers must be granted access to their working rights as well as to alternatives, in case they want to change employment sector.
- Migrants should have access to public employment services.
- Victims of trafficking who have been recognised as such and they have also applied for asylum should be granted access to their rights, including GMI, as victims of trafficking.

On Prevention of the Exploitation of Victims of Human Trafficking

- The government must design and adopt a new migration policy having human rights and the rights of vulnerable groups in its centre. [KISA]
- MIGS suggests that more actions should be designed in relation to prevention, especially regarding demand and supply. These could take the form of educational or awareness-raising activities in Cyprus but also in the countries of origin of the trafficked persons. This could be done through bilateral agreements between Cyprus and the countries of origin.
- With regards the demand side of trafficking and more specifically with the demand side of trafficking (the users/clients), although Cyprus has criminalised the use of any services from victims of trafficking provided that the user can reasonably assume that s(he) is using victims of trafficking, MIGS is calling for the amendment of the specific article since the reasonable assumption cannot be proven in court. It is with no surprise that since 2014, the specific article was never been activated.
- Both KISA and MIGS stress that the government must improve its cooperation with NGOs.
- Building on the above point, MIGS further notes that the protocols of collaboration between NGOs and the state have yet to be drafted. This is an urgent issue that needs to be addressed so that there is clarity in the roles and responsibilities facilitating both state and civil society to more adequately offer support to the victims. As an illustration of the limited effectiveness of NAPs that lack a foundation of strategic thinking, MIGS draws attention to the fact that 3 out of the 4 NGOs tasked with collaborating on the appointed multidisciplinary group (including MIGS) quit before making any discernible impact. The set up was simply unsustainable due to the power imbalance experienced among the partners. MIGS recommends that, in order to stay on a path fostering positive outcomes in combating trafficking in persons, the relationship between the government and the NGOs should be placed on an equal footing, all the while crucially prioritizing and strengthening the position of the victims of trafficking.
- SeeD proposes that the efforts need to be increased to investigate potential labour trafficking cases among domestic workers and individuals in agriculture.
- SEK notes that more frequent and more effective inspections are needed.

5. Right to Education

This section considers the assessment and proposals of stakeholders in relation to:

- (a) The legal framework to prohibit discrimination in education based on sex*
- (b) Equal conditions in education and equal access to education among girls and boys*
- (c) Gender mainstreaming in education and Policies aimed at eliminating gender stereotypes and traditional gender roles in education*
- (d) Women's academic and professional choices and advancement*
- (e) Efforts to remove economic, linguistic and cultural barriers in education faced by girls*

[Contributions in this Section are provided by AHDR, KISA, MIGS POGO]

5.1. Identification of Challenges

Equal Conditions and Access to Education

POGO considers that women and girls both have equal conditions and equal access to education at all levels. They note however that access to education is restricted for women who are mothers or responsible for the care of the elderly. In these cases, care for dependents reduces their time and there

is not always adequate state support (a small number of community / public kindergartens and nursing homes).

Similarly, AHDR considers that although in theory women and girls have equal access to education, series of challenges relating to the expectations of the household, the society and the educational system impede the full development of women and girls through schooling. Gender stereotyping and marginalization of women through education leads, unfortunately, to their disempowerment when the time comes for them to pursue further studies or follow a specific professional path. Current curricula and educational practices as well as the way women are represented in media (informal education) leads to inequality in education, the workplace and the society in general.

According to MIGS, although equal access to education for boys and girls has largely been achieved in Cyprus, women are still severely underrepresented in scientific research centres and educational decision-making. This reveals the continuing need to combat gender stereotypes that still greatly influences women's access to decision-making. While women represent the majority of teaching personnel in pre-primary, primary and secondary education, in tertiary education the majority of teaching personnel are men (59.1% men and 40.9% women). Furthermore, in all educational levels, in 2009/2010 the majority of headmaster/headmistress positions are held by men. In scientific research, women are underrepresented in all fields and particularly in natural sciences, engineering and technology, the medical and agricultural sciences. While 51% of university degree holders and 40% of post-graduate degree holders are women, this number is reduced to 28% among PhD holders.

KISA notes there is no legal framework which provides for equal treatment in relation to access to education as well as the conditions and content of education. In addition, the laws relating to the education do not regulate the content of education as this is decided by the Ministry of Education through the analytical programs which do not form part of any law. In general, secondary education and college/university attainment of Cypriot men and women has risen continuously over the last decade.

In relation to access to sexual education, KISA notes that various programs and policies of the Ministry of Education include access to sexual education, but these do not necessarily address gender equality and gender aspects. This is a very controversial matter as the Church, which has been allowed by all subsequent governments to have a dominant role and say in the education system, resists sexual education in schools and is trying to undermine any effort in providing such education.

Access to Education for Vulnerable Groups and Policies to Remove Economic, Linguistic and Cultural Barriers Faced by Girls of Different Ethnicities

POGO notes that efforts are being made to remove the obstacles faced by girls from different nationalities (without this implying that girls and boys of different nationalities are treated differently within the education system). They consider that satisfactory changes have been made in recent years, but there are still challenges and issues that need to be addressed.

KISA notes that, there is no available data, which can inform us about the equal education of especially migrant women in Cyprus. Differences exist even between migrant and refugee girls and women. There is for example the Refugee Law of Cyprus, 2000, Section 9H, which provides the free access of asylum-seeking children to the public elementary and secondary education system under the same conditions as nationals. In practice, it is almost impossible for migrants and refugees to access colleges/universities and this affects the access of migrant/ refugee girls/ women/ trans persons, intersex persons, and persons whose gender identity does not fall within the binary to education.

KISA notes that gender inequalities are manifested in the education sector and perpetuated through educational structures and processes. The Ministry of Education and Culture does not have a good system in order to support migrants' and refugees' integration. For the time being, there are no adequate and efficient educational programmes offered for the integration of migrant students (especially in secondary education). There are not programmes in all schools to prepare the new migrant students to

learn the language and also the rest of the students to accept the “newcomers” from different cultural backgrounds. Some language programmes are available, but only to very few schools. As a result, not all migrant students can access them. Also, because of this, migrant students are referred to specific schools, which does not help their integration.

Especially in the case of unaccompanied minors, they are registered in special classes, which is attended only by unaccompanied minors, of different ages and educational background/ level, in specific schools. This in turn, has a negative impact on their learning process, they cannot move forward to the next level, and contributes to their marginalisation and stigmatisation. In addition, their registration to school is a long-delayed process and as a result, they are often completely excluded from attending school as they often reach 18 before they are registered. Until recently, refugee unaccompanied girls in Larnaca were registered at technical schools and refugee unaccompanied boys in high-schools without having been given a choice regarding their preferences.

KISA notes that migrant students often lack information concerning their rights within the educational system. Formal education is usually not adapted to their needs and this prevents their integration. An important issue to be considered is the provision of public legal education and its role for migrants and refugees. PLE is very important because it provides persons and especially members of vulnerable groups such as women, trans persons, intersex persons, and persons whose gender identity does not fall within the binary the knowledge and means to protect themselves and to argue their rights by law. This can be even more important for migrant/ refugee women, trans persons, intersex persons, and persons whose gender identity does not fall within the binary.

Furthermore, KISA notes that according to the law, migrants and refugees are not eligible to receive student grants. Student grants are only given to Cypriot citizens and EU nationals. By not having access to student grants, it becomes even more difficult to migrant/ refugee children to access university/ college.

Gender Mainstreaming in Education

On gender mainstreaming in Education, POGO notes that with educational reform, efforts have been made in recent years to mainstream gender into education, notably through the assessment of curricula using gender and criteria which were developed by the Pedagogical Institute of Cyprus. Teachers are also briefed and educated at all levels on these issues, as well as NGO efforts to develop programs aimed at combating gender stereotypes in education. In practice, however, it appears that these policies do not lead to the elimination of stereotypes, since many of the stereotypical perceptions of the role of the two genders continues to be reproduced through the education system, such as gender segregation in professions and the choice of similar directions by the students, the lack of proper sex education, the role of religion in education, etc.

Research carried out by the Mediterranean Institute of Gender Studies (MIGS) (2008, 2011) among adolescents showed that there is a high tolerance for gender based violence, and that this is directly linked to negative gender stereotypes and discriminatory attitudes towards women. Despite the importance of creating strategic approach to adolescents and young adults on the prevention of gender-based violence and the promotion of gender equality, this dimension has largely been ignored by those involved in policy formulation and implementation in relation to education.

MIGS notes that despite a major educational reform that included the revision of the school curricula at all levels, there are still substantial gaps in the inclusion of issues such as sex education, gender roles, and gender relations. This contributes to maintaining the patriarchal character of Cypriot society in which there is still prejudice against open discussion of issues concerning matters such as gender and sexual orientation. Although, some progress has been made in terms of eliminating gender stereotypes in the curricula and the inclusion of gender equality issues in health education, this fell short of the hopes of civil society activists that lobbied for the inclusion of comprehensive sex education at all levels. Furthermore, the educational reform does not include awareness raising activities to combat gender

stereotypes at all levels of the educational system. Such activities are largely carried out by NGOs in a limited number of schools due to limited resources and funding.

Referring more specifically to history education, AHDR notes that the national history discourses that are central in Cyprus's educational system systematically exclude women's history and do not yet use gender as a tool for historical analysis. However, recent efforts to shed light on such absences and silences in research must be noted. In history teaching, even though women have not been completely omitted from historical narratives, for the most part women and activities associated with them were either deemed not central, irrelevant and not worthy of historical attention, or narrated from a male point of view. Knowledge in textbooks across the divide in Cyprus needs to be approved by government and educational authorities. Since textbooks are by default powerful cultural, ideological and political tools, when these are presented to learners, the sub-text influences the understanding of the social and historical roles of women and men. Since curricula and educational policies are unquestionable and most teachers (who lack capacity building on gender in history teaching) consider them historically truthful and, as a result, this has an effect on the attitude of the learners. This androcentric view of History leads to the perpetuation and legitimization of the status quo.

AHDR further notes that Cyprus history education curricula for both communities were developed in a context that was extremely focused on the 'national issue'; i.e., the efforts to solve the Cyprus Issue. This has contributed to the side-lining of many other problematic areas of the society that need equal attention, such as gender inequality and racism, among others. This overwhelming attention to the 'national issue' – similar in both the Greek Cypriot and the Turkish Cypriot contexts – has meant that civil society movements and groups are a late development within Cyprus. This has also meant that critical voices directed towards overarching national narratives, including patriarchy, have only been a relatively recent phenomenon on the island. Cypriot society remains highly patriarchal to this day, with women being largely absent from decision-making centres and socio-political positions, while gender discrimination and bullying continues within Cypriot schools (Christou and Kapsou 2015; Christou 2013). At the same time, violence against women remains a phenomenon on the rise; particularly problematic aspects of it include domestic violence, the high rate in the trafficking of women for sexual exploitation, as well as the exploitation of female foreign workers.

Women's Academic and Professional Choices & Advancement In The Context Of Traditional Gender And Family Roles

POGO notes that traditional gender and family roles also affect how women choose their academic and professional careers, since these stereotypical perceptions impose on women the responsibility for domestic work and child upbringing, thus increasing the obligation among women to choose between career or family. Many women choose their future profession based on primarily the criterion of working hours, and this too often excludes from their choices the jobs that require or are thought to burden the program of an employee who wants to balance career and family. SEK notes that although traditional family roles do continue to influence the professional choices and advancement of women, this is less in recent years with women being trained in professions previously considered to be male dominated.

Similarly, AHDR notes that within the education sector, women teachers are usually positioned within the school system based on their expected gender roles and cultural gender stereotypes limiting their opportunities to take on leadership positions within education. This is something which originates from patriarchal representations of women in media, education and the society at large. Family are part of this process and inhibit the full development of women at the academic sector as well as in other professional sectors.

5.2. Proposals & Recommendations

On Equal Conditions in Education

- AHDR proposes that Gender, as a tool of historical analysis should be introduced in History Teaching and Learning so as to: shed new light in History; serve as a facilitator to bridge the gap between democratic curriculum imperatives and praxis within schools; deconstruct patriarchal or hegemonic power relations embedded in school history; and provide new perspectives to old questions. This approach should be promoted through policy recommendations, in-service training of teachers and production of relevant educational material. Reconceptualization of the roles and activities of women in history will occur through the recognition of the fact that women are marginalized in school History; the active involvement of academic historians, textbook producers, curriculum developers, educators, learners, and the society in this process; a more complete representation of women in history; and a shift in the language used in textbooks (the narrative should not be presented through an exclusively male perspective). The aforementioned process requires an effective involvement of students and educators as agents of change at all stages of the educational process.
- AHDR similarly proposes that a series of measures related to shift in policies and educational directives need to take place by including all stakeholders in this process (educational authorities, teacher trade unions, chambers of commerce, teachers, students, students' associations, parents' associations, NGOs etc.). A public consultation process will reveal the need for a paradigm shift and will pave the way for a participatory and democratic redesign of measures and priorities that will eventually tackle with the challenges faced by women and girls and pave the way for a holistic understanding of equal opportunities.
- POGO proposes that there needs to be an increase of public and community childcare facilities as well as nursing homes through financial support from the state.
- KISA proposes that sexual education must be under the curriculum of the Ministry of Education and Culture and concern all levels of education. Gender identity and consent must be part of sexual education.
- The government should safeguard, through its laws and policies, the right of migrant/ refugee girls/ women/ trans persons, intersex persons, and persons whose gender identity does not fall within the binary to education. [KISA]
- The government must facilitate the access to education for migrant/ refugee girls/ women/ trans persons, intersex persons, and persons whose gender identity does not fall within the binary, focusing on their specific needs and adopting quota policies. [KISA]
- The Ministry of Education and Culture must develop and implement an all-inclusive plan for the integration of migrant students taking into consideration their specific needs and involving them actively in this process. Integration programmes must be available in every school. [KISA]
- KISA proposes that there is a need to change the law to make students grants available to migrant and refugee students.
- The government should fund PLE programmes. [KISA]

On Gender Mainstreaming in Education

- AHDR proposes that teachers should ensure that history teaching and other school subjects assume a critical, empathetic, and multi-perspectival approach and not simply a cultural focus. All stereotyping and discrimination and their intersections (gender, sexuality, ethnicity, class, religion) should be explicitly identified and critically challenged. History teaching in Cyprus is in need of deep structural change in order to be inclusive of women and other groups that have been largely left out of its curriculum.
- AHDR further proposes that women's presence must be mainstreamed throughout the textbooks, as their sporadic or compartmentalised mention within the textbooks presents them as an addition to the major historical narrative and not as active participants within it. In this way, the learner can

become aware that women had, and continue to have, equal importance in society by occupying an equal place in their representation within school textbooks and the learning process in general.

- A comprehensive understanding of human rights which will run through the educational system needs to be put in place in order to promote an interconnectedness of gender inequalities, social injustice and racism. These phenomena require a holistic approach that will address the root causes and assist stakeholders in designing appropriate strategies and promote educational and social change. [AHDR]
- POGO suggests that there needs to be better and more effective teacher information on gender mainstreaming in all subjects and directions.
- MIGS notes that there is evidence of increasing efforts to address gender segregation in educational choices as well as negative gender stereotypes through the provision of training workshops for teachers and the implementation of awareness raising activities for both teachers and students. However, such workshops must be provided on a systematic basis and become mandatory for teachers at all educational levels. Furthermore, more human and financial resources are needed to fully implement awareness raising activities across the educational system and both in urban and rural areas.
- POGO proposes that it is important to update and implement programs aimed at encouraging students to choose vocational guidance without taking into account the stereotypical gender segregation of professions.
- This needs to also include the distribution of equal roles to both sexes with regard to in-school and extra-curricular activities of students. [POGO]
- KISA notes that it is of paramount importance for both educators and students be trained in gender equality.

On Women's Academic And Professional Choices & Advancement In The Context Of Traditional Gender And Family Roles

- POGO suggests that based on existing policies, it is very difficult for a woman to choose a profession that will take time away from the upbringing of children and domestic work. This is taking into account that the mentality is still maintained that women have the exclusive responsibility for taking care of children and of domestic work is maintained. The state needs to develop policies both within education and within the family, so as not to prevent a woman from choosing the profession that really interests her. More specifically to develop and implement (a) more effective information for teachers, parents and students, (b) support to the family where both parents work and (c) promote a spirit of co-operation between couples with regards to house work and child upbringing.
- AHDR proposes that addressing gender issues and gender inequality are central in strengthening inclusive education for all children and young people. From the onset, gender stereotyping and gender discrimination should be identified, challenged and eliminated from school life through appropriately designed pedagogies and curricula. In addition, the full participation of girls and women in all forms of public and professional life should be promoted to demonstrate not only equality, but to acknowledge that their full participation can contribute to an enriched learning environment and society⁷.
- AHDR further proposed that research has identified the need for in-service and future teachers to be offered training in order to identify and manage their own pre-suppositions and stereotypical views (related to ethnicity, gender, religion, appearance, sexuality etc.) of groups and children, either present in their classrooms or in the wider society.
- Women need to be presented in active roles as well as in a diversity of professions and occupations, as is the case with men, in order to resist monolithic, passive or romanticised versions of women characters. [AHDR]

⁷ Please find more information and suggestions/policy recommendations in AHDR's publications:

- 1) [How to introduce gender in history teaching](#)
- 2) [Policy Paper: Rethinking Education in Cyprus](#)

- Women need to remain visible within the textbooks by not being hidden under grammatically masculinised categories. [AHDR]

6. Economic Rights and Employment

This section considers the assessment and proposals of stakeholders in relation to:

- (a) The legal framework to prohibit discrimination in employment, to ensure equal rights to same employment opportunities, equal pay, equal rights to benefits (maternity leave, social security and paid leave)*
- (b) What challenges do women face in practice in access to employment*
- (c) The wage gap and the challenges faced by women*
- (d) The ability of women in practice to benefit from social security benefits, paid leave, maternity leave etc and the challenges faced*
- (e) The efficacy of measures to reconcile work and family life and responsibilities*
- (f) The presence of social services and structures that directly or indirectly support men and women in employment*

[Contributions in this Section are provided by CCCI, KISA, PEO, POGO and SEK]

6.1. Identification of Challenges

All contributing stakeholders agree that the legal framework and its provisions provides a good basis on prohibiting discrimination in employment on the base of sex and in ensuring a legal base for equal rights to women and men in terms of pay and benefits in employment.

Equal Access to Employment:

All stakeholders agree that although in theory women have equal access to employment under the law, in practice women face many challenges.

CCCI notes that women have equal access to employment in theory but one needs to take into consideration gender segregation that still exists in a number of professions.

PEO notes that despite the legal framework, women face many challenges such as access to traditionally male dominated professions, to irregular working hours, to lack of sufficient infrastructure and child care programs that can support working parents to be able to reconcile work with family and social life. Therefore in practice women do not have equal access to employment. POGO agrees that based on their family status and social class, women in practice do not have equal access to employment opportunities. A woman who is responsible for the care of dependents is often forced into work with low incomes and part-time / flexible working hours. Furthermore, women from the lowest economic classes do not have the same opportunities for education, training and development in their working environment.

KISA notes that unequal access to employment opportunities/ labour market among women can in be attributed to a large extend on the social stereotypes and prejudices that want women to focus on their families rather than their careers. It is also a social stereotype that women's place in the labour market is in caring professions rather than any other kind of job. Regarding migrant women in particular, KISA further notes that discrimination is not only social, but also institutional as, according to laws and policies, migrants from third countries are allowed to work only in the agriculture/ farming industry and as domestic workers. The overwhelming majority of migrant women in Cyprus are domestic workers as

this is the only job they have access to. Both domestic work and the agriculture/ farming industry are unskilled professions with very low salaries and very exploitative conditions.

Wage Gap

All stakeholders agree that even though the legal framework ensures the right to equal pay for work of equal value among men and women, a wage gap still prevails. According to CCCI and PEO the wage gap is estimated at 14-15%, while as KISA notes that the gender wage gap in the private sector is 23.4⁸ (Eurostat). Furthermore, the gender pension gap in Cyprus is 48.8%⁹, with the “mean women’s pensions insufficient to take a single person out of poverty.”¹⁰

POGO notes the wage gap shows with no significant decline in recent years, mainly because of the trends where many women are under-employed or working in lower income jobs. There is also a very low number of women in senior and managerial positions.

PEO notes that among the challenges faced in relation to equal pay is direct or indirect discrimination in wage setting particularly in the private sector, and also in sectors with low-skilled jobs and professions mainly covered by women (horizontal and vertical occupational segregation)

KISA notes that the wage gap is much worse for migrant women in Cyprus. Although there are no statistics, it is enough to consider that although the minimum monthly salary upon recruitment is €870, and the minimum monthly salary after six months of employment at the same employer is €924,¹¹ the net monthly salary of a domestic worker is set to €309.¹² At the same time, the net monthly salary of unskilled workers in the agriculture/ farming industry, who are typically migrant men, is “not lower than €390,”¹³ which is much lower than the minimum wage, but considerably higher than the salaries of domestic workers, who are almost exclusively migrant women.

Moreover, domestic workers are typically expected to work overtimes as they live in the house of their employer and they usually have to take care children/ the elderly/ other individuals who need continuous care and they are usually not paid any overtimes.

Equal Rights In Employment In Relation To Social Security, Paid Leave, Occupational Health And Protection

All stakeholders agree that the legal provisions ensure equal rights of women in employment in relation to social security, paid leave, occupational health and protection. However in practice, there are discrepancies between effective implementation of the legislation and the equal rights enjoyed by vulnerable groups of women.

POGO specifically notes that in workplaces covered by collective agreements and in public organizations, equal rights are guaranteed. Where individual contracts exist, it is the duty of the Ministry of Labour to check and impose penalties on employers who do not fulfil their obligations under the law. For example, over the last five years there has been an increase in complaints about dismissals of

⁸ Eurostat. *Gender pay gap statistics*. March 2017. http://ec.europa.eu/eurostat/statistics-explained/index.php/Gender_pay_gap_statistics

⁹ Sarah Gordon. *EU gender gap on pensions twice as big as pay divide: Women receive, on average, 40% less than men, raising the risk of poverty in retirement*. 6/6/2017. Financial Times. <https://www.ft.com/content/9aecd2a-49f6-11e7-a3f4-c742b9791d43>

¹⁰ European Commission. *The Gender Gap in Pensions in the EU*. 2013. http://ec.europa.eu/justice/gender-equality/files/documents/130530_pensions_en.pdf

¹¹ WageIndicator.org: <https://wageindicator.org/main/salary/minimum-wage/cyprus/cyprus-minimum-wage-faq>

¹² Civil Registry and Migration Department:

<http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/5314ED0D3F68CA9EC2257D2C003A4DC2?OpenDocument>

¹³ *Συλλογική Σύμβαση που καλύπτει τους Όρους Εργοδότησης Προσωπικού στους Τομείς Γεωργίας και Κτηνοτροφίας (Collective Agreement covering the Employment Conditions of Staff in the Sectors of the Agriculture and Farming)*. <https://kisa.org.cy/wp-content/uploads/2016/01/SIMVASI-GEORGIAS-KTINOTROFIAS-2014-2015.pdf>

pregnant women and workers after the end of maternity leave. PEO similarly notes that discrimination against women and other workers can be reduced if there is a political will from the competent authorities to implement the legislation effectively and if the relevant mechanisms work effectively to ensure their practical implementation.

Such benefits are not however enjoyed by specific groups of vulnerable women. KISA notes that in their overwhelming majority, migrant women cannot benefit from equal rights in employment in relation to social security, paid leave, occupational health and protection. Although they pay contributions to the social insurance scheme, they are excluded from the most important benefits of the social insurance scheme. More specifically, they are not entitled to unemployment benefit or to pension.

Moreover, although they are entitled to paid leave, including sick leave, maternity leave, and holidays, migrant women often do not have access to it, as they are either not informed of their rights or they are afraid to claim it. Their resident and work permits depend upon their employers and therefore, they are afraid that if the employer does not want to grant them such paid leave, they may fire them and consequently, they will lose their legal resident status and risk arrest, detention, and deportation.

KISA notes that domestic workers have less public holidays than any other group of employees (9 days per year, as opposed to the usual 15 or 16 days) and are not entitled to any overtime pay, at least according to their employment contract, which has been approved by the competent Ministerial Committee indicating the de facto systemic discrimination against them. Regarding occupational health and protection, domestic workers cannot really enjoy it, as they are obliged to work and live in the house of their employer, which is considered a private sphere and labour inspectors do not carry out inspections there. In KISA's experience, in the case of a working accident, employers usually do not report it and very often, they fire domestic workers if they are severely injured and cannot continue to work or have to be on a sick leave for a long period of time. In such cases, domestic workers usually do not know their rights or do not know how to claim their rights. Even in the event they submit a labour complaint, unfortunately very often the authorities do not grant them their rights and ask them to leave from Cyprus.

Right To Maternity Leave And The Ability To Exercise The Right Without Losing Or Fear Of Losing Positions, Jobs, Seniority

Stakeholders agree that the right to maternity leave is legally enforceable. PEO notes that through its many years of implementation, improvements have been made to significantly reduce redundancies resulting from the exercise of the right to maternity leave. POGO notes however, that in practice, women face difficulties when returning to work. There is a lot of uncertainty about keeping their position on their return to work, and also changing duties and losing their seniority.

The right to maternity leave is more problematic for vulnerable groups of women. KISA notes that it is very rarely that migrant women and especially domestic workers can use their right to maternity leave or parental leave. Most of them they are not informed of such a right and therefore, they never claim it. Very often, they consider that they are obliged to leave their jobs when they get pregnant and therefore, they either leave their jobs on their own or accept the employer's decision to fire them, as they do not know that the law protects any woman from being fired for being pregnant. Sometimes they take unpaid leave when are pregnant/ deliver without knowing they are entitled to paid maternity leave. In KISA's experience, even when they report being illegally fired for being pregnant, migrant women are not granted their rights. The Department of Labour does not take any measures against the employer and it is often that after such a complaint, the Civil Registry and Migration Department also asks them to leave from Cyprus. Unfortunately, when getting pregnant, migrant women not only do not enjoy their right to maternity leave, but they also risk being fired, losing their legal resident status, and being arrested, detained and deported.

KISA has also received reports by migrant women who had been forced to an abortion by their employer or/ and who have been forced by their employer to sign a declaration that "they will not get pregnant for as long as they work for them."

Measures in Reconciling work and Family life & Supporting Social Services and Structures

CCCI notes that among the measures stipulated by law to reconcile work and family life is parental leave. PEO notes that the adoption of the paternal leave (even though it is only for a 2 week period) is a positive step, but notes however that as parental leave is unpaid, it does not really serve the working parents or fulfils the purpose it was voted for. CCCI, also adds that a number of companies have additional facilities/schemes for their employees, e.g. flexible working.

PEO notes that although some measures exist, these are not sufficient to address the challenges of the modern family and the different types of households. More substantially there is an overall ineffectiveness/inefficiency of state family policy, and each family is left to deal with this issue on its own and in its economic potential to have a quality of services and life.

CCCI note that the main challenge women are facing is reconciling child care and career advancement. Similarly POGO note that for the reconciliation of work and family life, state support is needed in terms of care for dependents through childcare facilities and nursing homes. In recent years, in the context of austerity, the government has shut down a large number of child care and nursing homes operating at the Community level. However, the reduction in state sponsorship in the Community Welfare Councils has forced the closure or reduced operation of these important services.

POGO also notes that social and cultural norms contribute to women's difficulties in harmonizing work and family life as in Cypriot society the stereotypical perception that domestic work is the exclusive responsibility of women is still prevalent.

KISA notes that whereas there are measures to protect families in Cyprus, as well as measures and discussions to protect women with families, all such measures exclude migrant women and their families and all such discussions lack migrant women's representation, ignoring the specific issues that concern migrant women and their families.

Social Services and Structures

In relation to social services and structures that directly or indirectly support women and men in employment, stakeholders note a number of challenges. POGO notes that social services and structures have declined to a large extent over the last 5 years, in the context of austerity and the effort to reduce public spending. Support for the low strata is virtually nil, and the new Minimum Guaranteed Income bonus policy does not seem to solve the enormous problems faced by families such as single parents and other vulnerable population groups. PEO further notes that there is insufficient provision of social services and welfare to cover all the ages of dependent persons

In relation to vulnerable groups of women, KISA notes that apart from the private sector, the only childcare services available are organised by some municipalities and they are not accessible to undocumented migrants. Such services are free of charge only for certain periods of time that a municipality may implement an EU project and only for specific categories, namely single-parent families and migrant families who have resident permits. Fees are usually high for migrants to pay when such programmes are not available. Moreover, the vast majority of migrants is not informed of such services.

KISA notes that access to support services and schemes is not benefiting women of migrant backgrounds. Migrant women face challenges in (a) access to child benefit which guaranteed only for Cypriot/EU citizens, although the application form mentions that “any family, which has their usual residence, at least for the last three years, in the territory under the effective control of the Republic of Cyprus” (in practice, asylum seekers and undocumented migrants are excluded); (b) access to single-parent benefits which is provided only to Cypriot/ EU citizens; (c) access to Guaranteed Minimum Income which is provided only to Cypriot/ EU citizens, persons with international protection and

recognised victims of trafficking, excluding any other migrant. Furthermore, there is no special health protection provided during pregnancy and migrant women do not even have access to the public health care system (more under section Health and Safety).

Other Challenges faced by Vulnerable Groups of Women in Employment

MIGS notes that most migrant workers are employed in private households as domestic workers, almost all of which are women. In fact, according to national social insurance statistics, in 2013 over 30,000 documented female migrant domestic workers were employed in this sector (consequently, this figure does not represent the large number of undocumented workers who are informally employed without social insurance coverage). The staggering number of domestic workers in Cyprus attests to the resistance of Greek Cypriot society to changing traditional gender roles. It also demonstrates the need in Cyprus for more concrete measures and policies for the creation of quality and accessible child care and elderly care systems. Further, migrant women are at a high risk of social exclusion and poverty. Female migrant domestic workers are also a high risk of sexual harassment and abuse.

KISA notes that although employment contracts are under the competency of the Ministry of Labour, Insurance and Welfare, the employment contracts of domestic workers are the only employment contracts under the Ministry of Interior and more specifically the Civil Registry and Migration Department. As a result, the working rights of domestic workers are not safeguarded and their work is not recognised as such. As a matter of fact, the employment contracts of domestic workers contain many exploitative terms and render them vulnerable to exploitation and abuse.^{14 15}

Migrant women from third countries have no access to the public employment services, unless they are refugees and/ or recognised victims of trafficking. The system of recruitment of third country employees is operated and controlled by private agencies. Such agencies offer low quality services and are often responsible for violations of migrant workers' rights and in some cases, even for trafficking in human beings.

When a migrant worker, for any reason, stops to work as specified in their work permit, their resident permit is automatically revoked. The worker can submit a complaint for labour dispute. The Department of Labour Relations will then call both the employee and the employer at a hearing. From KISA's experience, such hearings are highly problematic, as they are carried out in Greek without any interpretation, and the officers, who conduct them (staff of the Labour Relations Department, who are not specifically trained) usually, take the side of employers. After such a hearing, if the two parties do not reach an agreement, the Department of Labour Relations prepares a report and forwards it with the complaint to the Labour Disputes Committee (under the Civil Registry and Migration Department). In a lot of cases, migrant workers, even after they had been unlawfully fired by their employer, or they were forced to leave their job because of the terrible working and living conditions, are not given permission to change employer, and are ordered to leave Cyprus otherwise they will be deported. It is worth to note that this procedure is not regulated by law or regulations, it is not transparent, and applies only to migrant workers, including domestic workers and all migrant women.

6.2. Proposals & Recommendations

¹⁴ Ministry of Interior, Civil Registry and Migration Department. *Contract of employment*. [http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/5314ED0D3F68CA9EC2257D2C003A4DC2/\\$file/DOMESTIC%20WORKER%20ContractOfEmploymentEN.pdf](http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/5314ED0D3F68CA9EC2257D2C003A4DC2/$file/DOMESTIC%20WORKER%20ContractOfEmploymentEN.pdf)

¹⁵ KISA. International Convention on the Elimination of All Forms of Racial Discrimination: Cyprus. Alternative Report. 9/8/2013. https://kisa.org.cy/wp-content/uploads/2013/04/KISA-Alternative-Report-on-Cyprus_14925_E.pdf

On Equal Access to Employment

- PEO proposes that there is a need for better career/professional orientation without stereotypes and perceptions about the role of women and the professions they can choose.
- More needs to be done in creating work environments free of discrimination and harassment. [PEO]
- SEK notes that more policies for the reconciliation of professional and working life need to be promoted.
- POGO suggests that there is a need to invest in information to Employers' and promotion of good practices for equal treatment of men and women at work.
- The state needs to become more socially responsible with targeted policies that support women's employment and promote political equality. [PEO]
- POGO and PEO, proposes that the state needs to support to families with the development of public/community childcare facilities and develop satisfactory programs and infrastructures for the caring of children and other dependents.
- CCCI suggests that there is a need to educate society with the view of changing the relevant culture. This they note is not an easy task and not a quick fix either.
- Similarly, KISA proposes that the government must adopt policies to tackle gender stereotypes and prejudices. They also propose that the government must adopt gender-mainstreaming policies and make it compulsory for private companies to also adopt mainstreaming measures.
- KISA further proposes that migrant women need to be allowed equal access to the labour market.

On Wage Gap

Towards the elimination of the wage gap, stakeholders propose the following:

- KISA suggests that the government must adopt policies to tackle both the gender wage gap and gender pension gap.
- SEK notes that there needs to be further promotion of the legislation, more assertive demand from social partners for the better implementation of the legislation.
- CCCI suggests that there needs to be stricter enforcement of the relevant legislation.
- PEO argues for collective agreements with regulated employment conditions, pay scales and job descriptions.
- There need to be an increase in the minimum wage covering professions which are covered for by about 80% women. [PEO]
- Similarly, KISA proposes that the government must increase the wages of domestic workers raising them at least to the same level as minimum salary. Furthermore, there is a need to adopt policies and laws to ensure that employers of domestic workers pay them their overtimes.
- PEO proposes further proposes that measures need to be taken, mainly by the competent ministry, to deal effectively with the *causes of wage gap*, such as stopping the exploitation of female labour as cheap labour by employers, and to stop promoting flexible forms of employment as a solution to the reconciliation of women with the social roles she adopts. There is a need to monitoring and implementation mechanisms of relevant legislation as well as indicators (of impact) following the implementation of measures to eliminate the causes of wage gap.
- POGO suggest that the need for promoting and encouraging non-segregation of gender-based professions and selection of non-stereotyped "female" professions by school students.
- There is a need for the promotion of policies and good practices for women in leading and senior positions in organizations and companies. [POGO]

On Equal Rights In Employment In Relation To Social Security, Paid Leave, Occupational Health And Protection

- PEO suggests that there is a need to first understand the causes of inequality and discrimination that prevent women from enjoying the rights that are enshrined in the different legislations (even within

women and civil society stakeholders working on the issue) and there needs to be a synergic effort among such stakeholders to address these.

- POGO suggest that there needs to be stricter controls on contracts signed.
- Furthermore, they suggest that more severe penalties are needed for employers who violate the legislation.
- On vulnerable groups of women, KISA proposes that the government must grant migrant women, including domestic workers, access all benefits of the social insurance scheme, including unemployment benefit and pension.
- Migrant women must be allowed to transfer their social insurance contributions to another country if they wish so. For this purpose, the Republic of Cyprus must make collateral agreements especially with the countries that most migrant women are citizens of. [KISA]
- POGO suggests that more needs to be done in informing employees about their rights. KISA further proposes that government must take measures to inform migrant women of their rights under the social insurance scheme, including the right to maternity leave and paid leave in general. The Department of Labour must inform migrant women of their rights in case of a working accident and make sure they have access to such rights.
- Labour inspectors must carry out inspections in the houses domestic workers work and live. [KISA]

On The Right To Maternity Leave And The Ability To Exercise The Right Without Losing Or Fear Of Losing Positions, Jobs, Seniority

- PEO suggests that in order to ensure the right to maternity leave without redundancies or discrimination against pregnant women, working women need to be aware of the law so as to be able to promptly proceed to the process of resolving the problem in case of violation. Similarly POGO suggests that more effective employer information on workers' rights, as well as good practices for maintaining jobs for women returning after maternity leave in the workplace are needed.
- KISA adds to the above, that there needs to be an emphasis on information to migrant women by the Department of Labour of their rights in case of pregnancy and guarantee such rights for them
- Furthermore, there needs to be quick investigation of complaints and court proceedings and *preventative* penalties imposed on offenders. [PEO]
- More attention and support needs to be given to for private-sector working women that do not belong to a union and to migrant women [PEO]. Similarly KISA, proposes that the Department of Labour must protect migrant women from being fired for being pregnant, reinforcing the relevant law, which is its responsibility.

Reconciling Work and Family Life

- PEO suggests that there needs to be more state and community care facilities for children and the elderly. State and community care facilities for children and the elderly are reducing, leading families to private options that create significant restrictions to an important number of families with children. Similarly, POGO notes the need for greater and more substantial support to the Community Welfare Councils for running childcare and elderly care programs. They emphasise the need for re-opening of all closed kindergarten and nursing homes and their development according to the needs of the population at local and regional level.
- CCCI recognising that among the challenges women are facing is reconciling child care and career advancement, they also note that more affordable child care facilities and options should become available.
- CCCI also notes that social and cultural norms influence reconciliation of work and family life and note that there is a need for a change of culture in relation to the sharing of domestic and family responsibilities.
- Similarly, POGO suggests that more information campaigns through education, SMEs and other organized bodies are needed to eliminate stereotypes about gender roles in family and work.

- KISA notes that the government must include migrants and especially migrant women, in all measures/plans to reconcile work and family life.

On Social Services and Infrastructures

- There is a national mechanism for family and demographic policy and a national action plan for equality. The current actions/measures proposed are largely limited to low cost actions and there is a lack of monitoring of the effectiveness of these measures. There needs to be a change in the philosophy of such measures (moving away from the current philosophy of what is based on low costs for the state as much as possible). This significantly restricts the development of an integrated support policy for working family and by extension working women. [PEO]
- Development of a special financial support plan for low-paid young couples and unemployed couples who intend to set up a family providing rent subsidies, purchase of household appliances, etc. which do not qualify for the Minimum Guaranteed Income. [POGO]
- Housing programs aimed primarily at supporting young couples. [POGO]
- Change in the income criteria for granting child benefits and student grants to take into account the number of dependent children. [POGO]
- Revision of the Minimum Guaranteed Income Law. [POGO]
- KISA proposes that for vulnerable groups of women the government must provide for childcare services free of charge or in low cost and provide access to migrant families, including undocumented migrant families, to them. [KISA]
- Municipalities that carry our childcare services must open them to undocumented migrants and inform migrants in general of such services. [KISA]
- The government must provide migrants access to GMI, child benefit and single-parent benefit and facilitate such access instead of hindering it with provisions that migrants cannot fulfil. [KISA]
- The government must inform migrants of their right to parental leave and ensure their access to it.
- The government must design and adopt a policy for special health protection during pregnancy and provide migrant women access to it. [KISA]
- The Ministry of Health must provide to all migrant women access to public health care free of charge, especially for antenatal/postnatal care. [KISA]

On Other Challenges for Women in Employment

PEO notes that the financial crisis has plagued discrimination and inequalities not only for the women population and women workers, but also for all workers, with the result that the objective of equality, family prosperity and work have taken a hit. At the same time, politics through a neoliberal vision cannot respond to the contemporary, complex and very difficult social problems that each family has to deal with, and also each woman

KISA makes the following proposals for the protection of vulnerable groups of women in employment:

- The Republic of Cyprus must design and adopt a new migration system on a human-rights approach, reflecting European and international human rights law and policies. The new framework has to be gender mainstreamed.
- Migrant women need to gain awareness of their rights and the rights of their families and how to claim them.
- The government must move the employment contracts of domestic workers under the Ministry of Labour, Insurance and Welfare and change them to protect the rights of domestic workers, remove all exploitative and discriminatory terms, and improve the working conditions.
- The government must take real measures to combating sexual harassment, abuse and violence in the workplace, taking into special consideration the needs of migrant domestic workers.
- Abolish the present system that ties domestic workers to their employers and renders them dependent upon them.

- The government must design, through dialogue and consultation and with the active involvement of NGOs working in the field and representatives of associations or informal groups of domestic workers, and adopt a new policy for migrant domestic workers
- Enable migrant women access to the public employment services.

7. Health and Safety

This section considers the assessment and proposals of stakeholders in relation to:

- The legal framework to prohibit the discrimination against women in the field of healthcare*
- Equality between men and women in access to quality healthcare services and the challenges faced*
- Equality in access to quality healthcare services for Vulnerable Groups of Women*

[Contributions in this Section on Health and Safety are provided by MIGS, SEK and KISA]

7.1. Identification of Challenges

Challenges in Equal Access to Health Care

Both KISA and MIGS note in Cyprus there is a strong lack of choice, accessibility and affordability of contraception for all women, especially young girls and vulnerable groups, migrants and domestic workers. The contraceptive methods available in Cyprus are limited to the male condom, few brands of combined oral contraceptives, the Intra-Uterine Device (IUD), and hormonal Intra-Uterine Systems (IUS). These are not available in state hospitals but only through private clinics, pharmacies at market prices. Diaphragms, injectable hormonal contraception, mini-pills, femidoms, and other modern contraceptive options are not available in Cyprus. This scarcity of options provided regarding sexual protection and contraception is likely to affect the prevention of sexually transmitted illness and unwanted pregnancy prevention, and have adverse effects on quality of life for many women and girls.

KISA further notes that there is no framework for the access of trans/ intersex/ gender non-conforming persons to health services specific to them. Their access depends on health practitioners and not on state policies.

Both KISA and MIGs also consider the rights of women to abortion in Cyprus. MIGS notes women in Cyprus do not have access to safe and legal abortion services. The abortion law in Cyprus is permissive and restrictive at the same time, stating that abortion is prohibited except for cases in which at least two medical doctors agree that continuation of the pregnancy would constitute a serious physiological or emotional hazard to the mother or child, including fetal malformation. Thus the law does not recognize women's right to free choice. The law also permits abortion in cases of rape, provided that a certificate from the appropriate police authority is presented along with a medical report, stating that the pregnancy was a result of rape and its continuance would seriously harm the social status of the pregnant woman, or her family, or both. Abortion services are not provided at the state hospitals. The only viable option for obtaining abortion services is through the private sector at a relatively high market price. In addition no proper pre- and post- abortion counselling services are currently available, either in the public or private sector.

Despite the above, abortions are carried out routinely in private clinics (at a considerable cost), although no data is available on abortion rates or on the experiences of women seeking or carrying abortions. Recently a woman and her doctor were arrested for carrying out an abortion in a private clinic. This is the first time that the law on abortion has been put into force. The women in question is now facing criminal charges and if convicted could face 14 years in prison.

KISA further notes that this situation is even more problematic for vulnerable groups of women. KISA has dealt with cases of migrant women who wanted to have abortion (including a victim of trafficking and an unaccompanied minor) and they were refused by public hospitals and the Social Welfare Services. They were forced to carry on with their pregnancies, although they had made it clear they did not want to. At least in public hospitals, women cannot access sterilisation if they do not have the written consent of their husbands, even when sterilisation is recommended to them for health reasons.

Further to the above issues, SEK notes that discrimination against women is also evident in private insurance services/industry. Some insurance companies' regulations consider that a wife can be a dependent person on her husband's insurance policy, however they do not accept the husband to be considered the dependent on his wife's insurance policy.

Vulnerable Groups of Women

KISA notes that for migrant and refugee women, only recognised victims of trafficking and persons on international protection enjoy access to public health services. Yet, even for them access to health care is problematic, especially in relation to linguistic barriers as translation/ interpretation is not available in public health care.

Migrant women are obliged to have private accident and health insurance, the cost of which is divided equally between them and their employers. Such plans are very basic and they typically do not cover gynaecological examinations, antenatal and postnatal care.

In addition, many employers violate the prescribed minimum standards and they do not renew the medical insurance after the first year of employment. Moreover, when domestic workers get sick, often their employers, instead of seeking proper medical advice, give them pain-killers or any kind of medicine without a prescription. Very often, in cases requiring expensive medical treatment, employers refuse to pay the expenses. In essence, medical care for domestic workers is from inadequate to non-existent.

7.2. Proposals & Recommendations

On Addressing Challenges in Equal Access to Health Care

- Abortion must be legalised and access to it must be facilitated, especially for vulnerable groups, such as migrant/ refugee women, trans/ intersex/ gender non-conforming persons. [KISA]
- Contraception must be available in public health services. [KISA]
- Any decision concerning a woman's body, including sterilisation, must be her own. [KISA]
- The government must design and adopt a framework for the access of trans/ intersex/ gender non-conforming persons to health services specific to them. [KISA]
- Access to information and support regarding all the above. [KISA]
- SEK notes that there needs to be an improvement in the legal framework.

On Vulnerable Groups of Women

- The government must provide migrant women and their children access to free public health care. [KISA]

8. Family and Marriage

This section considers the assessment and proposals of stakeholders in relation to:

- (d) The presence of legal framework to prohibit discrimination against women in all matters related to marriage, including freedom of choice of spouse; the provision of equal rights and responsibilities to women and men entering marriage, during marriage and at its dissolution; equal rights to the care, custody and control of their children; equal rights in aspects of ownership, acquisition management, administration, enjoyment and disposition of property; the protection of women in de-facto unions.*
- (e) The efficacy of the legal framework to secure the above and the challenges faced by women in all matters related to marriage.*

*[Contributions in this Section are provided by **KISA**]*

8.1. Identification of Challenges

Efficacy Of Laws To Prohibit Discrimination Against Women In All Matters Related To Marriage

The State recognizes civil marriages between any persons regardless of ethnicity or religious affiliation as a rule between persons who attain the age of 18. Civil marriages however are allowed from the age of 16 with the consent of the parents if there are serious reasons and if the parents do not consent or there are no parents the court can give permission for the marriage of persons at the age of 16. The constitution provides and recognizes also religious marriages of Greek Orthodox, Muslims and the other religious marriages of the religious groups recognized in Cyprus i.e. Maronites, Armenians and Latins provided however that they are citizens of the Republic belonging to either one of the two dominant communities or a recognized religious group. As a result, religious marriage of other communities or of migrants, depending on their religious affiliation are not recognized by the state. This creates a gap in the protection of women from discrimination as there is no law regulating this matter.

Vulnerable Groups of Women

Whereas there are some measures to protect families in Cyprus, as well as measures and discussions to protect women with families, all such measures exclude migrant women and their families and all such discussions lack migrant women's representation, ignoring the specific issues that concern migrant women and their families.

In general, migrant women with families in Cyprus have no access to certain social rights, such as: state benefits; access to health care (available to migrant women and their children, only if they have an international protection status or/ and victims of trafficking identified by the police; access to the labour market (no access for undocumented migrants and restricted access for the rest of migrants; access to education (especially after the age of 15 years old).

- (a) Undocumented Migrant Families:** The fact that they are actually deprived of any rights, leads undocumented migrant families to precarity. In risk of arrest/ detention/ deportation and of abuse/ human rights violations as they cannot claim their rights. If they report violence/ discrimination against them, they risk arrest/ detention/ deportation for being undocumented.
- (b) Families That Have Been Forcibly Separated:** Such families are families that are forced to separation after the arrest/ detention/ deportation of a member. Typically, the member arrested/ detained/ deported is the adult man of the family. This functions as a pressure mechanism for the whole family to cooperate for their deportation as women are left alone with their children and no financial resources.
- (c) Migrant Women, Who Have Families with Cypriot/ EU Citizens:** Many migrant women live in Cyprus with their Cypriot or EU spouses and/ or children. Migrants who are members of the

family of a Cypriot/ EU citizen are entitled to a temporary resident permit. This temporary resident permit is issued either as a work permit or with a “visitor” status and it gives no access to social, economic, or political rights. In order to get such a resident permit, migrant women are asked to meet several discriminatory criteria, such as submitting first an employment contract (to get a work permit) and a declaration by their husbands assuming responsibility for their living, medical, and deportation expenses. This is highly problematic, as it endorses a relationship of dependency and often, men, who are Cypriot/EU citizens, take advantage of this prerequisite, to keep migrant women in an inferior position, oppressing and abusing them. KISA has received several reports by migrant women who lost their legal resident status because their husbands refused or could not assume responsibility for their financial expenses and/ or informed the authorities “they do not want them anymore.”

They are also excluded from state benefits (such as Guaranteed Minimum Income and single-parent benefit) and public health care, even when their children are Cypriot/EU citizens.

- (d) **Single Parent Families:** Recognising the difficulties single-parent families face and in an attempt to support them, the government has decided special measures, such as the single-parent benefit, the access in which is guaranteed only if the parent, who is responsible of the child is a Cypriot/EU citizen and has court orders regarding divorce and/or the care of the child. The same requirement holds for all measures taken by the government to support single-parent families.
- (e) **Children with Migratory Background:** Children of migrant women often experience discrimination and/or violence: racist bullying at school; discrimination within the extended family (especially in the case the father of the child is a Cypriot citizen); difficulties in accessing various social rights services, and goods. Migrant children often experience conditions of poverty and/ or feel underprivileged when they compare themselves to their Cypriot mates.
- (f) **Birth certificates:** Authorities are not allowed to ask for a resident permit as a prerequisite to issue a birth certificate. Yet, many migrant women do not know that and they are often afraid to contact the relevant authorities as they are afraid they will risk arrest/detention/deportation if they do so while undocumented. There are also many cases that the authorities refuse to issue birth certificates, because the parent(s) do not have the relevant document issued by the hospital, or they do not have any official document to verify their identity.
- (g) **Family Court:** It has become very difficult for migrant women and especially undocumented migrant women to access the Family Court. In KISA’s experience, the Family Court rejects the legal aid applications of undocumented migrant women with the excuse that “they do not have a resident permit.” It is also often to reject legal aid applications of migrant women who have a resident permit with the excuse that “they have financial resources on their own” even when they are domestic workers for example with a monthly salary of €309¹⁶ or students that their families pay for the expenses of their studies in Cyprus. As a result, it is very difficult for migrant women to access the family court to apply for a divorce or for the care/ custody of their children or for alimony or for any other family matter.

This situation often leads migrant women to be entrapped in abusive relationships, or/ and suffer severe exploitative conditions.

8.2. Proposals & Recommendations

¹⁶ Civil Registry and Migration Department:

<http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/5314ED0D3F68CA9EC2257D2C003A4DC2?OpenDocument>

On The Efficacy Of Laws To Prohibit Discrimination Against Women In All Matters Related To Marriage

- Cyprus should modernise its laws on religious marriage to reflect the realities of the various religious communities and affiliations in the country in order to address also possible discrimination against women relating to marriage.

On Vulnerable Groups of Women

- The specific needs and issues of migrant women and their families have to be included in the general effort of protecting families and this should happen with migrant women's active participation and representation.
- The government must allow migrant families access to health care, GMI, single-parent benefit, child benefit and any other benefit granted to families.
- The government must facilitate and ensure the access of migrants above the age of 15 to education, including undocumented migrants.
- The government must allow migrants equal access to the employment.
- The government must design and implement a plan to regularise undocumented migrants who are long-term in Cyprus and/ or cannot return to their countries of origin.
- Undocumented migrants must be protected from arrest/ detention/deportation when they report violence against them/ violations of their rights.
- The government must change its policy for the resident permits of family members of Cypriot/ EU citizens, grant them long-term or permanent resident permits without requiring their spouses' consent.
- The government must take measures to raise awareness among migrant women for their rights and the rights of their families and how to claim them.
- The Family Court must enable migrant women's access to it by granting them legal aid when necessary, without asking them for a resident permit and taking into account that if they have low financial resources they cannot hire a lawyer on their own.

9. Violence Against Women

This section considers the assessment and proposals of stakeholders in relation to:

- (a) *The efficacy of the legal framework to prevent violence against women*
- (b) *The criminalisation of violence against women*
- (c) *The effectiveness of investigations, persecutions and convictions in cases of domestic violence*
- (d) *The adequacy of support and assistance mechanism for women victims of violence*
- (e) *The effectiveness of policies and awareness campaigns to prevent violence against women*
- (f) *The capacity of relevant institutions and officers to deal with cases of violence against women*
- (g) *The remedies provided in the case of violence against women*

[Contributions in this Section are provided by **KISA, SPAVO, MIGS**]

9.1. Identification of Challenges

Provisions to Prevent Violence Against Women

According to SPAVO, most forms of physical and psychological violence are penalized in Cyprus: forced marriage and female genital mutation (FGM), sexual violence and rape are criminalized under various provisions of the Penal Code. Cyprus has signed and ratified the Council of Europe Convention for the Prevention and Combating of Violence against Women and Domestic Violence and a comprehensive bill to implement the Convention is currently being drafted as well as a bill criminalizing harassment and stalking. Domestic violence is currently criminalized under the Violence in the Family (Prevention and Protection of Victims) Laws 2000 and 2004. CEDAWC.

SPAVO and KISA raise concerns however there is no comprehensive law developed specifically for combatting *violence against women* (VAW) in Cyprus. MIGS notes that Cyprus has a comprehensive legislative framework to combat *family violence*, and has adopted a National Action Plan for the Prevention and Combating of Violence in the Family (2010-2013) and a new action plan has been recently adopted by the Council of Ministers.

SPAVO and MIGS note that both the Domestic Violence Law and the National Action Plan in Cyprus are gender neutral and this lack of gender perspective evidently extends to service provision in general. More specifically certain forms of violence against women in some cases remain un-penalized and unmonitored (e.g. economic violence). MIGS also notes that although the National Action Plan recognizes that violence disproportionately affects women and is perpetrated by men, it does not fully incorporate a gender perspective due to the fact that the Family Violence law is gender neutral.

Furthermore, no specific budget has been allocated for the implementation of the NAP.

SPAVO further notes that there is a lack of a national database and the only data available are those collected by the Cyprus Police and the Association for the Prevention and Handling of Violence in the Family (SPAVO). MIGS echoes the above point and calls for the need for comprehensive data collection on all forms of violence against women disaggregated by sex and age of victim and perpetrator, type of violence, relationship between victim and perpetrator.

KISA notes that one of the most serious problems migrant women experience is that of violence against them, either physical or psychological, with most worrying those of sexual harassment, abuse and rape. This violence usually happens in their workplace and it is not reported. The worker is finally forced to abandon her employment and consequently, automatically loses her migration status and is considered undocumented, suffering all the consequences if she does not file a complaint within 15 days to the authorities and this is something that these women often don't know. The majority of these women work as domestic workers and it is evident that most of the above violations and abuses are the direct result of the legal vacuum surrounding domestic work as an occupation. It is either not recognized and therefore not protected at all by employment legislation. The adoption of the Convention on Domestic Work by the ILO has brought hope and expectations to domestic workers. The Cyprus Government

voted in favor of the Convention. Despite the vulnerable position of migrants and especially migrant women, they are excluded almost entirely from all support measures and mechanisms. In most cases when domestic workers report cases of violence against them, the authorities treat them under the provisions of the General Penal Code rather than under the Domestic Violence legislation. So it is obvious that even there are laws which try to protect the migrant women, they are not strong enough and it's necessary for the government to fill this gap.

FGM and other harmful traditional practices such as honor related violence and forced marriage are not framed as issues in Cyprus, despite an increasing migrant population in Cyprus, and there is a lack of data on specific forms of harmful traditional practices¹⁷. In an environment where cultural difference is stigmatized and patriarchal regimes still affect the everyday life of women and men, issues affecting primarily women and girls, such as HRV and FM, remain silenced by migrant women for fear of being further marginalized. In fact, no research or data exists on gender based violence within ethnic minority and migrant communities in Cyprus and thus it is not possible to make any assumptions as to its prevalence.

Support and Assistance Mechanisms

SPAVO notes that not enough specialized services exist throughout the island. Domestic violence services, are offered by one NGO, the Association for the Prevention and Handling of Violence in the Family (SPAVO). SPAVO runs the national domestic violence helpline 1440 (which is free of charge) with support in English and Greek, two women's shelters and counselling services in Nicosia and Paphos). The shelters are accessible 24 hours and are free of charge. These services are partially funded by the state.

SPAVO, MIGS and KISA note that the services offered SPAVO are limited only to victims of domestic violence and not to any woman victim of violence. They note that there is a lack of specialised services for victims of rape and sexual abuse and insufficient coordination and collaboration between the services for the better protection and support of victims.

KISA further notes that, where shelters exist these are not accessible to undocumented migrants or asylum-seeking women victims of domestic violence.

Effectiveness of Investigations, persecutions and convictions in cases of domestic violence

SPAVO notes that there is a high number of reported domestic violence cases which never reach the court and are either suspended or dropped. Furthermore, Cyprus has one of the lowest conviction rates in Europe and the penalties imposed on the perpetrators are minimal and non-deterrent. MIGS notes that sexual violence is mentioned in Cyprus only within the context of sexual abuse of children, or of trafficking for sexual exploitation. Thus, it is not surprising that conviction rates in Cyprus are among the lowest in Europe, despite increasing reporting rates.

Access to justice for victims of domestic violence is challenging. According to SPAVO, when a woman applies for free legal aid, the process is time consuming, she is faced with unjustifiable delays and stereotypes by the unspecialised service providers. Similarly, lawyers and judges lack the necessary training on violence against women and the needs and rights of the victims thus often re-victimise women.

¹⁷ Mediterranean Institute of Gender Studies (2012), Flying Team Against Violence: Combating Honour Related Violence and Forced Marriages, Cyprus Report http://www.medinstgenderstudies.org/wp-content/uploads/HRV_Research_Report_Book2.pdf

KISA notes that that systemic problems persist in relation to access to complaint mechanisms of women in general, to proper investigations and effective prosecutions in particular on cases of domestic violence especially of migrant women are not effective at all. In reality, when domestic workers (included migrant women) report cases of violence against them, the authorities treat them under the provisions of the General Penal Code rather than under the Domestic Violence legislation. As a specialized law, Domestic Violence legislation provides for much more effective protection of victims and stricter punishment for perpetrators of such violence. Despite repeated calls by KISA, the authorities continue to use the General Penal Code when they have reports of violence by domestic workers. The only times they activate the Domestic Violence law is when domestic workers are accused of violence against their employers or members of the employer's family. Another serious fact is that there have been cases of secondary victimization of migrant women by police. They face violence to withdraw their complaints. In these cases was actively assisting perpetrators by threatening for example the migrant women with deportation if they insisted to file a complaint against their abusive partner. That is a serious result of the legal vacuum.

Policies and Awareness Campaigns to Prevent Violence Against Women

SPAVO notes that during the last years, increasing efforts have been made to raise awareness on violence against women and domestic violence by Cyprus authorities and NGOs alike. KISA notes that Cyprus took part in the Council of Europe Campaign to Combat Violence against Women, including Domestic Violence (2006-2008), and domestic violence against women was a government priority during Cyprus's EU Presidency in 2012. A recent campaign was implemented by the Commissioner for Administration and Human Rights in cooperation with the Advisory Committee for the Prevention and Combating of Violence in the Family, and the Mediterranean Institute of Gender Studies and co-financed by the European Union. MIGS notes however that more needs to be done as awareness raising campaigns and/or other prevention programs on sexual violence are not implemented at any level.

Both SPAVO and KISA note however, that although these are important steps in raising awareness migrant women and women with different ethnicities are not targeted in these campaigns. Such women often do not have access to services or lack adequate specialised support due to cultural, economic and other barriers.

Capacity Of Relevant Institutions & Officers To Deal With Cases Of Violence Against Women

State services for the support and protection of victims of domestic violence are inadequate in responding to the victim's needs. There is a deep gap in experience, professional and specialized staff, and interagency cooperation is weak. On the capacity for relevant institutions and officers, SPAVO notes that front line professionals (Police, Social Welfare Services, and Health Services) do not receive systematic training and often lack the ability to offer adequate support and protection. This view is also shared by MIGS who note also the high mobility rate among front line service workers. This is particularly true of the Social Welfare Services who are primarily responsible for all aspects of victim support and assistance. Both, SPAVO and MIGS note that the procedures that are followed in the cases of abused women are exposing the victims and consequently discouraging them for making a statement or denouncing the incident. Often professionals have stereotypical attitudes hence often leading to a secondary traumatising of the victims.

Training is offered by NGOs, the Advisory Committee for the Prevention and Combating of Violence in the Family, and the Commission for Administration and Human Rights. However, these programmes are not implemented on a systematic basis. KISA notes that this is usually due to lack of resources and as well as the absence of a political will to formally integrate VAW in professional training.

Another challenge concerns the lack of specific training of judges on violence against women and needs and rights of victims can lead to secondary victimization of women victims of VAW. The judiciary is generally unwilling to collaborate with gender experts and accepting specialized professional training on VAW and gender equality. [KISA]

Although issues such as gender equality, gender-based violence and the right to personal integrity are included to some extent in the health education school curriculum of the Ministry of Education, comprehensive sexual education at all education levels is still lacking. Prevention programmes are implemented by NGOs such as the Cyprus Family Planning Association.

Remedies Provided In Cases Of Violations

According to SPAVO, for several years, targeted policies to combat different forms of violence against women were developed: a National Action Plan for the Prevention and Combating of Violence in the Family was implemented during the period 2010-2013 and a new one has been prepared for the period 2017-2019 by the Advisory Committee for the Prevention and Combating of Violence in the Family (approved on 25th May 2017). Violence against women is also included in the current National Action Plan on Equality between Men and Women (2014-2017), including domestic violence, sexual harassment, and trafficking in women. However, SPAVO notes that NAP lacks specific indicators, as well as timelines and dedicated budgets.

Female victims of crime with limited economic resources have access to free legal aid in Cyprus, and the aid is provided by registered private lawyers. However, the process is time consuming and they are faced with unjustifiable delays [SPAVO].

SPAVO further notes that although Cyprus has transposed Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, implementing national legislation in April 2016 (19), which ensures that women victims of gender based violence receive specialised support services, there is no evidence that the law is being implemented. KISA raises similar concerns that the only remedies available to women victims of violence are the judicial procedures either of a criminal nature or of a civil nature to seek compensation for the crime committed against them either from the perpetrator and/or the state in case of a failure of the state to properly handle the case and investigate, prosecute and convict in the context of human rights violations. The problem in criminal procedures is that the woman, as the victim does not have any particular and separate stance, despite recent legislation regulating the rights of victims in criminal proceedings on the basis of an EU directive and their rights as victims are not respected and protected by the authorities. In addition civil lawsuits against the perpetrator is not covered by the legal aid law whereas many victims are not aware of their right to file a lawsuit against either the perpetrator or the state.

KISA further notes that migrant women and especially undocumented migrant women are even more vulnerable as victims of violence as they have no access to justice at all. Undocumented migrant women are afraid to report violence to the police in fear of deportation whereas even documented migrant women, very often are afraid to report as they are afraid that this could have consequences to their residence status.

9.2. Proposals & Recommendations

[recommendations below provided by SPAVO]

On the Provisions to Prevent Violence Against Women

- The government is already in the process of re-evaluating the existing laws and preparation of a bill to criminalize violence against women. A bill to criminalize Harassment and Stalking is already prepared and submitted in the Parliament.
- A gender perspective is needed to be applied to the legal framework and all service provision, aiming to protect and empower women and children.
- The development of a national database would help in recording domestic violence incidents and improving our insight to the phenomenon, as well as the identification of high risk groups, the

development of intervention programs as well as enabling the monitoring and evaluation of the effectiveness of preventive and intervention measures.

On Support and Assistance Mechanisms

- Services should be available to other parts of Cyprus.
- Specialized services for victims of rape and sexual abuse are needed, such as a help line, counseling centers, etc.
- A diversity of services is essential in meeting the needs and better supporting all groups of women.
- Efforts have been made to improve awareness and coordination of different actors about domestic violence with the preparation of a Manual of Interdepartmental Procedures. This Manual provides a framework for multi-agency cooperation and coordination and is addressed to the Social Welfare Services, the Police, the Health Services, the Educational Services, the Law Office of the Republic and relevant NGOs. The Advisory Committee for the Prevention and Combating of Violence in the Family created a new Manual for cases involving children as victims, and another one is currently being prepared for women victims of Violence.

On the Effectiveness of Investigations, Persecutions and Convictions in Cases of Domestic Violence

- Legal sanctions should be strictly implemented in cases of male violence against women.
- Judges that grant unfair reductions to perpetrators of male violence against women should be punished.
- Immediate access to legal aid should be available to women victims of domestic violence and protection orders where necessary.
- Systematic training of lawyers and judges on VAW.

On Policies and Awareness Campaigns to Prevent Violence Against Women

- More public awareness raising campaigns are needed.
- Awareness Campaigns specifically designed to target groups of migrant women and women with different ethnicities are needed.
- Informative materials should be offered in other languages as well.
- Primary prevention of violence against women could be targeted through the educational system, since it is one of the primary transmitters of traditional cultural and social norms that are conducive to violence against women.

On The Capacity Of Relevant Institutions & Officers To Deal With Cases Of Violence Against Women

- Systematic training of the professionals is necessary and VAW should be integrated in their professional training.

On Remedies Provided in Cases of Violations

- The Republic of Cyprus has signed and as of 14th July 2017 ratified the Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence, and have proceeded with a series of measures and actions in order to be able to implement the provisions of the Convention.
- There is a need to strengthen and support multi-agency and multidisciplinary co-operation involving all relevant stakeholders including women's organizations and NGOs.
- Ensure appropriate and sustainable funding for the implementation of policies against gender-based violence and the operation of services.
- Ensure immediate access to free legal aid and the issue of protection measures.

- Monitoring of the implementation of the Directive 2012/29/EU is needed. The public should have access and knowledge to their rights.

Section B: Turkish Cypriot Community

1. Introduction

The Greek Cypriot and Turkish Cypriot communities have been living separately on the island for many years. Following the period of 1963 to 1974 which was marked by intercommunal violence and isolation of the communities, the 1974 events led to the complete geographic separation of the two communities with the Greek Cypriot Community living in the southern part of the island and the Turkish Cypriot Community living in the northern part of the island. This has led to the current status-quo with two different and separate systems of governance operating on the island. In the south, the Republic of Cyprus established in 1960 and recognised as the legitimate authority by international actors (except Turkey) and in the north, Turkish Republic of Northern Cyprus established in 1983 considered as a breakaway pseudo state by international actors and recognised only by Turkey.

Under these conditions, international treaties and legal frameworks ratified by the parliament in the north are done so unilaterally and therefore are not recognised by the relevant international actors. As such, international agreements ratified by the authorities in the north cannot be monitored by the relevant international stakeholders. This makes the role of the wider civil society ever more important to ensure and monitor the implementation of such frameworks. Although international actors may not directly be able to provide recommendations to the administration in the north, they have an important role to play to support and empower wider civil society stakeholders in addressing and improving conditions for, in this case, gender equality. The following report aims to provide the legal provisions on gender equality and anti-discrimination towards women as well as the status of their implementation in the north through the accounts of relevant civil society stakeholders.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) has been ratified in March 1996 and provides the legal base and obligations on which authorities need to take appropriate measures to eliminate discrimination against women and ensure equality between men and women. There has not been an accession to the Optional Protocol of the Convention on the Elimination of All Forms of Discrimination against Women that recognises the competence of the CEDAW Committee as the monitoring body to receive and consider complaints from individuals or groups within its jurisdiction.

Additional to CEDAW, other international and regional human rights treaties ratified unilaterally are the following:

- **Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Ratification:2011)**
- **Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention) (Ratification:2011)**
- **International Covenant on Civil and Political Rights (Ratification:2004)**
- **International Covenant on Economic, Social and Cultural Rights (Ratification:2004)**
- **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ratification:2004)**
- **Convention on the Rights of the Child (Ratification:1996)**
- **C100 - Equal Remuneration Convention (No. 100) (Ratification: 1993)**
- **European Convention on Human Rights and the Protocol No.1 (Ratification: 1962 by the Republic of Cyprus)**

2. Elimination of Legal & Real Discrimination

a. Legal Provisions

In the Turkish Cypriot Community, equality before law is provided both through the ratified international and regional treaties and local human rights framework. According to Article 90(5) of the Constitution, the International Treaties ratified by the Turkish Cypriot Parliament become part of the domestic legislation. Although these treaties are ratified unilaterally, they still provide a significant framework on which to protect human rights and improve conditions.

Constitution

According to Article 8 of the Constitution;

- 1) Every person shall be equal before the Constitution without any discrimination. No privileges shall be granted to any individual, family, group or class.
- 2) The organs and the administrative authorities of the State are under an obligation to act in conformity with the principle of equality before the law and not to make any discrimination in their actions.
- 3) The benefits acquired or to be acquired by persons who are economically weak, by virtue of the Constitution and the laws, cannot be eliminated by putting forward this Article.

This article provides the principle of equality before the law nevertheless, it fails to introduce a provision that covers discrimination based on sex and does not explicitly recognize the duty of the authorities to eliminate discrimination against women and ensure non-discrimination based on sex. On the other hand, the constitution defines family and the foundation of society (article 35) and references to motherhood which reinforces discriminatory gender stereotypes.

Family Law

The Family Law passed in 2015 overruled the old Turkish Family Law (1998) and resulted in better provisions for equality between sexes in relation to family roles and to prevent violence against women. The new family law recognises the right of women to at least one third (1/3) of all material possessions earned after marriage; and women can keep their maiden names and determine their own and their children's family names after marriage.

The abovementioned law, recognises the right of spouses to have the option of selecting the family name if they jointly agree on which family name they would use (article 34). Before the amendment, the law stipulated that in the case where spouses could not reach an agreement to use one of the spouse's surnames, the husband's name became the family name and the wife could use her maiden name in addition to the family name. According to the new amendments, spouses will have the right to use their maiden names as their surname or to select one of the spouses' surname as the family name. Moreover, children have the choice to either use the family name decided by their parents or to use both spouses' maiden names together. Children also have the right to decide to use one of the surnames as a family name when they become 18 years old. When considering the importance of the surname in the development of social, professional or cultural relationships in the traditional, patriarchal family structures that exist in the TCC, the amendments in the family law are considered an improvement. However, in practice, women still face difficulties when choosing to use their maiden family name due to the traditional cultural norms.

More information about family law is elaborated under *Section IV: Violence Against Women*.

Employment Laws

Within the context of the EU harmonisation of the TCC, two important laws have been drafted to prevent discrimination in the labour market in 2015. These however, have still not passed through the Parliament;

- Draft Law on Anti- Discrimination and Equality
- Draft Law on the Implementation of Equal Treatment and Opportunities for Women and Men in Employment and in Provision of Goods and Services Principle & Occupational Issues.

The draft law *on Anti- Discrimination and Equality* underlines that “all persons have rights arising from the implementation of the principle of equal treatment and the principle of prohibition of discrimination”. The purpose of the draft law is defined as follows: "The objective of this Law is to ensure anti-discrimination and the implementation of the principle of equal treatment in terms of employment, recruitment, ending labour relations, promotions, access to vocational training and working conditions including salary, freelance working, access to goods and services; in issues related with disabilities, age and sexual orientation".

The draft law also has provisions on the discrimination in workplace related organizations by stating: “treating a person in a less favourable way based on his/her race or ethnicity, religion or belief, disability, age and sexual orientation in terms of participation and membership, including the opportunities and advantages provided in workplace related organizations such as trade unions and/or professional organizations, is considered as discrimination."

The purpose of the draft law on The Implementation of Equal Treatment and Opportunities for Women and Men in Employment and in Provision of Goods and Services; and Occupational Issues is defined as follows: "The objective is to ensure the implementation of the principle of equal treatment to women and men in terms of employment, recruitment, ending labour relations, promotions, access to vocational training, working conditions, including salary, freelance working and access to goods and services". These two legislations are providing many positive elements within the scope of anti-discrimination and equal treatment in basis of sex however, Turkish Cypriot authorities failed to pass these draft laws from the Parliament.

More information about employment laws are elaborated under *Section 9: Employment and Economic Life*.

Access to Courts

The recent data recording women's access to the courts is provided by Honourable Fatma Şenol for the years between 1983-2007¹⁸ (see Table 1).

	Percentage of cases where the plaintiff /appellant is female	Percentage of cases where the defendant/ appealed against female	Percentage of cases where both the plaintiff and defendant are females
Civil cases in the Court of Appeal	6.25%	9.95%	2.84%
Cases in the Constitutional Court	8.49%	1.42%	1.89%
Criminal Cases in the Court of Appeal	4.29%	1.07%	none
Family Cases in the Court of Appeal	39.58%	50%	2.08%
Cases in the Supreme Administrative Court	15.9%	none	none

According to the analysis of the judge, the reason behind these figures is “from my own observations, if there is a matter which affects a family and this matter should be taken to the court, the person who applies to the court is usually the husband. Women seem not to prefer going to the court, because a woman going to the court, giving evidence in the court, discussing the matter before the court or even arguing the matter with the other party is regarded negatively by the society. Most probably, lack of confidence, the way of life and women still being under the influence of male domination and norms in the society we live in prevents them from appealing to the court”.¹⁹ The other potential reasons behind this could be:

- Lack of knowledge about their rights thus not being aware that their rights are being violated,
- Costly expenses and the lengthy legal proceedings,
- Lack of gender perspective and awareness among lawyers, judges and law enforcement officers to deal with issues of violence and discrimination against women,
- Psycho-social barriers based on cultural codes and fear of social stigmatization.

b. Policies, Mechanisms and Awareness Raising

There are no appropriate policies employed by the Turkish Cypriot authorities to prevent discrimination against women or the establishment of mechanisms to raise awareness of women on non-discrimination and equality principles. There have been efforts to establish the Gender Equality Department which is designed to be the primary body where research, policies and awareness raising mechanisms for women would be designed and supported from, however, although the legal provisions to establish such a department has been drafted and submitted, the approval of the department is still pending. *The Gender Equality Department will be investigated more in the next section (Section 3: National Machinery).*

There are some special measures such as introducing quotas for women in elections (*will be investigated in detail under Section 6: Political and Public Life*) and providing financial support to the employers to increase women's participation in the labour market (*will be investigated in detail under Section 9: Employment and Economic Life*).

Ombudsperson is the highest administrative body responsible of monitoring implementation and prevention of human rights violations in the northern part of Cyprus. Ombudsperson has the duty to

¹⁸ Information is provided by Faika Deniz Pasha, Women's Human Rights in North Cyprus, Turkish Cypriot Human Rights Foundation Publications No.5,2012 http://www.ktihv.org/raporlar/kuzey_k%C4%B1br%C4%B1sta_kadinin_insan_haklari.pdf, accessed date: 27.04.2017. which based on a panel presentation of Honourable Fatma Şenol (March 2008) at Access to Justice for Women Members of Indigenous, Rural and Religious Communities, International Association of Women Judges, 9th Biennial International Conferences, Panama, page.4

¹⁹ Ibid, page 99.

inspect, warn and guide, however s/he has no power of enforcement. In case of human rights violations, the Ombudsperson warns or exposes the issue. However, this can only happen upon a complaint and entails no enforcement power.

With amendments in the criminal code, family law and the ratification of the Istanbul Convention the awareness among the Turkish Cypriot authorities and the society has increased on issues of women's rights and equality. However, it should be noted that the authorities are failing to provide training and raising the awareness within administrative authorities such as the police department and judicial bodies who are at the first line of action in dealing with the violation of rights and cases of discrimination. On the other hand, some civil society organisations in the field (like Queer Cyprus unspoken project, Women's Human Rights in Cyprus Program organized by FEMA... etc.) are providing awareness raising campaigns on gender equality and women's rights.

Stakeholder Inputs

This section considers the assessment and proposals of stakeholders in relation to:

- (f) the legal framework prohibiting discrimination against women and guaranteeing equality between men and women.*
- (g) the effective implementation of the legislation,*
- (h) the access to mechanisms for seeking justice and the challenges faced in practice,*
- (i) the effectiveness of awareness raising among women (including vulnerable women groups)*
- (j) and the capacity and competence of the relevant law enforcement officers dealing with issues of violations of women's rights.*

2.1. Identification of Challenges

[Contributions in this Section are provided by the Refugee Rights Association (RRA), Queer Cyprus, MAGEM, CTP-Women, TDP-Youth and Seed]

Legal Provisions & Effectiveness of Implementation

According to the responses by the stakeholders, the Turkish Cypriot constitution and other legislations on equality do not affirmatively guarantee the equality of women and men. Although the legal framework includes provisions to prohibit discrimination on the basis of sex by government authorities and institutions, it fails to prohibit discrimination by private individuals and institutions. According to the stakeholder inputs, the most significant challenge in the Turkish Cypriot Community is the implementation of the existing international and local legal framework. Although improvements have been made to the legal framework especially with the ratification of CEDAW and the Istanbul Convention (even though unilaterally ratified), Turkish Cypriot authorities fail to implement their responsibilities under the international and regional instruments. According to RRA, refugee women are among the most vulnerable groups who are directly influenced from this situation.

Mechanisms for Seeking Justice

Although there is legal equality for all in accessing justice, in practice women do not have equal access to justice. Access to justice is hindered by (a) the lack of adequate information on these mechanisms and how to access them and (b) by the fact that legal aid is very restricted. According to RRA, access to justice is especially challenging for vulnerable groups of women such as refugee women. Access to justice for refugee women is particularly restricted as the Police do not have professional interpreters or interpretation in courts for languages other than English. Furthermore, such women also face challenges because of the discriminatory attitudes of the Police. Furthermore, access to justice for LBT Women is also limited because of the fear of stigmatisation in the community.

Policies To Create Awareness Among Women About Their Rights

In TCC, there is no policy to create awareness on women's rights. Awareness campaigns are predominantly run by civil society organisations. Although there is some improvement in the legal framework to provide a basis for the equal rights of women, the patriarchal norms and structures still remain dominant within the TCC. According to Queer Cyprus, LBT Women fear about the social and economic costs of coming out of the closet as they experience significant discrimination. What is more, is that there is a lack of institutional awareness (including homophobia and transphobia) within the TC authorities. There is no mechanisms and institutions to respond to the needs (such as shelter) of LBT women survivors of violence.

Capacity of Law Enforcement Officers to Deal with Issues of Violations of Women's Rights

In the Turkish Cypriot Community, one of the main challenges regards the monitoring of the implementation as well as the enforcement of the law in cases of violations against women. Lawyers, judges and law enforcement officers are not sufficiently equipped to deal with issues of violations. According to stakeholders, a very few lawyers and judges with the judicial system possess gender awareness. There is no special training or awareness raising programs by the authorities in supporting lawyers, judges and law enforcement officers to develop a gender perspective. The lack of training especially for the police officers creates challenges in practice, as even in cases of domestic violence these are brushed off as private matters of the family. There is a lack of a gender perspective within the Police, there are no specialised units dedicated for this and in most cases officers lack the knowledge of how to act when a violation against a woman takes place, especially in the cases of violence.

2.2. Proposals and Recommendations

On Legal Provisions & Effectiveness of Implementation

- The mechanisms under the Gender Equality Department that are provided by law but are not yet in operation need to be established immediately.
- The legal framework needs to be amended to clearly include equality provisions and guarantees for women.
- On the rights of refugee women, there is a need to amend domestic laws to be amended in line with international standards and responsibilities, especially the rule on non-refoulement, and an effective asylum system to be introduced.
- Crimes like rape and sexual assault must be prohibited.
-

On Mechanisms for Seeking Justice

- Legal aid needs to be introduced
- In order to provide equal access to refugee women, interpretation in various other languages, especially French, Arabic and Russian to be available in courts and police stations.
- Special units on gender equality within the police forces need to be established.
- Protection and assistance mechanisms need to be established (e.g. women shelters) that every women can easily access.

On Policies To Create Awareness Among Women About Their Rights

- There is a need for outreach programmes, appropriate education and a gender action plan that assists government authorities to provide policies to create awareness among women about their rights.
- Steps need to be taken to raise awareness about women's rights, especially about migrant women, women with different ethnicities and LBT women, amongst general population.
- In general, there are no policies on refugees and asylum seekers. Even though women are among the most vulnerable victims of wars, Turkish Cypriot authorities have failed to establish a policy for these vulnerable groups of women. There is a need for a policy to protect the rights of refugee women and provide assistance and protection.
- For LBT Women steps need to be taken to raise awareness amongst civil servants including social workers, health care professionals, the police and the judiciary
- A shelter for LBT women survivors of violence needs to be set up and legal aid mechanisms need to be put in place.
- In service trainings need to be introduced for civil servants to create consciousness and develop the tools and knowledge of how to approach and deal with violation of women's rights cases.

On Capacity of Law Enforcement Officers to Deal with Issues of Violations of Women's Rights

- In house trainings should be introduced aiming at lawyers, judges, public prosecutors and the law enforcement authorities on human rights of women, refugees and LBT women.

3. National Machinery

In the Article 3 of the CEDAW convention it is stated that “the state parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men”. Turkish Cypriot authorities have adopted a law to establish a **Department on Gender Equality** in November 2014 but no further step was taken for its establishment since its enactment. Due to the political status-quo and unrecognised status of the Turkish Cypriot authorities there is no international monitoring and pressure to influence authorities to take immediate action to establish the department as a national machinery for women's rights.

The law outlines the following duties of the department: in relation to the implementation and monitoring of policies to prevent discrimination against women;

- “to work to alleviate inequalities that individuals experience based on their sex, gender identity or sexual orientation, to prevent gender-based discrimination that individuals face concerning access to opportunities and resources and use of resources; and ensure gender equality.”
- “to engage in education, research, planning, project development and implementation aiming at women's improvement at all walks of life especially in health, education, culture, work life and social security as well as increasing their participation in decision-making...”
- “to establish and coordinate structures and mechanism such as information centres, women shelter, help desk and a unit to prevent violence against women”
- “to coordinate the work of identifying gender-based discrimination, the protection and development of women's human rights and social status, the identification of local policies and strategies for making individuals effective in all areas of social life, implementing and monitoring policies and strategies”.

Moreover, based on the law of establishment, the Department on Gender Equality has a duty to undertake research and planning to strengthen and ensure that the gender which suffers from inequalities to participate in social, economic and political life in an equal manner will be supported. The Department is also responsible to develop measures and policies to increase women participation in decision-making processes.

Stakeholder Inputs

This section considers the assessment and proposals of stakeholders in relation to:

- (a) national machinery,*
- (b) the legal framework enabling special temporary measures and effective implementation of the legislation,*
- (c) elimination of traditional gender roles and stereotypes*

3.1. Identification of Challenges

[Contributions in this Section are provided by Refugee Rights Association (RRA), Queer Cyprus, MAGEM, CTP-Women, TDP-Youth]

National Machinery

Although the law exists concerning the establishment of Gender Equality Department which is designed to act as the national machinery based on CEDAW provisions, Turkish Cypriot authorities lack the political will to take action on the departments establishment as well as on its associated mechanisms.

Legal Framework Enabling Special Temporary Measures

Although the legislation is improved towards the provision of equal rights for women and men, the legal framework is still not sufficient to prevent discrimination against women. Even though Turkish Cypriot authorities have ratified the CEDAW convention (unilaterally), there is lack of implementation and political will to provide special measures to prevent discrimination against women. The delay in the establishment of the Gender Equality Department is one of the main obstacle in enabling special measures.

Elimination of Traditional Gender Roles and Stereotypes

There is no specific policy employed by the Turkish Cypriot authorities to eliminate traditional gender roles and stereotypes. In address this issue, a gender mainstreaming and equality perspective needs to be introduced in education. Even after the revision of textbooks, traditional gender roles still persist in the curriculum and school books (especially those of primary school). Towards that end, traditional gender roles and stereotypical elements needs to be removed from curriculum.

To support a social and cultural change that challenges traditional gender roles and stereotypes, civil society organisations working in the field (women organisation, LBT organisation... etc.) need to be supported.

3.2. Proposals and Recommendations

- The Gender Equality Committee needs to be established and start working immediately
- There is need for a National Action Plan addressing all aspects provided by CEDAW which is reflective of the EU Gender Action Plan.
- A gender perspective needs to be developed in education. The education system needs to be shaped to a system which promotes gender equality.
- The elimination of gender stereotypes in the curriculum is very important.
- There is a need for support to the civil society organisations working on women's human rights
- In service trainings for civil servants on gender equality.
- The Social Services Department needs to become more professional and needs to employ a more contemporary mind-set on women's human rights.

4. Violence Against Women

Violence against women constitutes a violation of fundamental rights of women including the right to life; right to health; right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment; right to equal protection according to humanitarian norms in time of international or internal armed conflict; right to liberty and security of person; right to equal protection under the law; right to equality in the family; right to just and favourable conditions of work.

Turkish Cypriot authorities have responsibilities to implement and monitor legislation that prevent all forms of violence against women and impose sanctions to the persecutor based on the international treaties and conventions they are part of.

The Criminal Code is the legal code in TCC that have provisions to criminalise violence against women. The outdated Criminal Code which was drafted in 1962 has been amended in 2014, which can be considered as more progressive by using gender sensitive language and by explicitly criminalizing violence against women.

The Criminal Code before the amendment of 2014, was regulating offences such as rape, sexual assault, compulsory marriage, forced prostitution under section of “**offences against morality**” which did not address violence against women specifically. The language of the law reaffirmed the patriarchal norms and hindered equality. The amendments in 2014 aimed at progressing the law to more adequately address the gender equality and protection against violence. The changes in the amended law redefine such offences as “sexual offences” (cinsel nitelikli suçlar in Turkish), expand the definition of sexual assault²⁰ to include sexual assault within marriage and define consent. The penalty for committing the offence of sexual assault is imprisonment for life. The new definition of sexual assault, greatly improves previous legal provisions (where sexual assault was defined as “rape or attempt to this action only against a woman”) as it no longer concentrates on only one sex and criminalizes sexual assault against men as well.

The amended criminal code greatly improves the definition of **consent** (previously conceptualised as proof of resistance) to the following; “the freedom and ability of a person to choose/allow any act directed to him/her”. Under the new law women are not expected to do anything more than saying “no” to mean that they don't have consent.

²⁰ Sexual assault is prohibited with article 144 of the current criminal code which states that “if any person without the consent of another person penetrates his penis into the vagina, the anus or the mouth of a person; or if any person put any part of his/her body or any object into the vagina or anus of a person without his/her consent is subjected to a severe crime process called "sexual assault".

The amended criminal code also criminalizes sexual harassment (article 151) and sexual assault (article 152) against someone's spouse, partner, ex-spouse or ex-partner. By this, any kind of sexual assault and sexual action including physical touch without consent between spouses, partners, ex-spouses or ex-partners are criminalised.

Sexual conduct with minors are elaborated in articles 153 and 154. According to the amended criminal code, any person inflicting sexual assault against a child under the age of 16 is guilty of a felony that is liable for imprisonment for life. No official data is kept by the Turkish Cypriot authorities to indicate cases of sexual assault and rape.

a. Domestic Violence

The amendments to the Family Law in 2015 improved the protection of women against domestic violence. The Article 36 (1) of the Family law - *Restraining Order* - "Regardless of whether couples are married or living in the same household, if the couples amongst themselves, or towards any other family member inflicts:

- i. any physical damage or attempt to;
- ii. sexual assault, sexual harassment, rape or other sexual attacks, or attempts to;
- iii. physical, economic, psychological violence, or suppression ...",

The victim may get a restraining order by applying to the Court through a unilateral petition or can request from the Gender Equality Department to apply for the restraining order on her/his behalf.

Previously, there were no legal provisions to criminalise sexual assault and rape within marriages but recent amendments provide a basis for women and/or men to request protection through restraining orders in case of above mentioned actions.

In general, there is no sufficient **assistance and protection** for women victims in the northern part of Cyprus. Currently the sole women shelter is operated in Nicosia by LTB. There used to be a shelter operated under the Foundation of Prevention of Social Risks (SORÖV) in Nicosia without substantive government support and provided minimal assistance with the limited resources of the organisation. The shelter was closed in July 2016 by the Turkish Cypriot authorities. After the closure of the shelter, LTB started an initiative to open a woman shelter to assist and protect the victims of domestic violence. LTB also activated hot lines for social services and complaints on domestic violence in November 2016. Although these actions contributed towards assisting and protecting the victims of domestic violence, the capacity of this shelter is limited. There are no women shelters supported by the Turkish Cypriot authorities and no official action plan by the administrative authorities to prevent domestic violence. The law that specifically defines the role and duties of the Gender Equality Department has not passed through the Parliament. The department's roles as defined by the law entails, monitoring the implementation of an action plan to prevent all kinds of violations against women. However, as the law has not passed through the Parliament thus the Gender Equality Department is not operational, the areas covered under the law are void. Additionally, the existing social notion that family is part of a private life, leads to hide domestic violence cases especially by the law enforcement officers.

According to research provided by KAYAD (2010), public awareness on domestic violence is limited.²¹ Although, physical violence is perceived as domestic, psychological violence is not perceived as 'violence'. According to a study, most of the women in northern part of Cyprus think violence perpetrated by men upon women within a marriage is wrong however, most of the women do not consider a slap in a marriage as violence.²²

²¹Woman's Profile in Northern Cyprus, KAYAD, 2010, available at: <http://www.kayadcommunitycenter.com/KadinProfili.pdf>, last accessed: 29.10.2017

²² Ibid, page.16-17

Stakeholder Inputs

This section considers the assessment and proposals of stakeholders in relation to:

- (a) the legal framework preventing violence against women,*
- (b) support and assistance mechanism for victims of violence,*
- (c) effectiveness of the investigation, persecution and conviction in cases of violence against women and the remedies provided*
- (d) policies and awareness-raising on violence against women,*
- (k) and the capacity and competence of the relevant officers (police, health care professionals, social service officers) dealing with issues of violence against women*

4.1. Identification of Challenges

[Contributions in this Section are provided by Refugee Rights Association (RRA), Queer Cyprus, MAGEM and CTP-Women]

Legal Provisions & Effectiveness of Implementation:

Although certain positive changes have made on the legislation, the legal provisions are still not sufficient to prevent violence against women.

Support and Assistance Mechanisms for Victims of Violence

There is only one women shelter available to women victims of violence established by the Nicosia Turkish Municipality. The shelter is not fully functional and is only able to provide basic assistance due to the lack of financial support from the authorities. No other shelter is available in any other districts. According, the Queer Cyprus, no shelter is available for LBT women.

Policies and Awareness-Raising on Violence Against Women

There are no policies and awareness-raising actions at the administrative level in the Turkish Cypriot Community. Awareness raising campaigns taking place are developed and carried out by civil society organisations only.

Capacity of the Relevant Institutions Dealing with Issues of Violence Against Women

The relevant officers such as police, health care professionals and social service officers are not sufficiently equipped to deal with issues of violence against women. There is still an understanding that violence against women to be a private matter and hesitate to intervene unless grave harm is inflicted. Administrative authorities and officers are completely ignorant about same sex relationships. Because same sex partnerships are not recognised, and are frowned upon in the society, violence that occurs within such partnerships are unlikely to be reported to authorities as individuals fear they might be further victimised by homophobic and transphobic attitudes of the authorities. Furthermore, as restraining orders are issued by courts within the course of divorce cases, people in same sex relationships cannot benefit.

4.2. Proposals and Recommendations

- A special law is needed that regulates provisions against violence against women
- There is a need for the establishment of a unit that works on the prevention of violence and discrimination against women
- Need for the establishment of women shelters in each district to enable access of all women. Both government and civil society organisations should take responsibility on this
- Need for the establishment of a unit under the police department which is trained and specialized to deal with victims of violence against women
- The authorities should engage in awareness campaigns to prevent violence against women
- Authorities need to strengthen the sanctions imposed on those who inflict violence against women
- Police and healthcare professionals should be knowledgeable and appropriately equipped to deal with cases of violence against women.

5. Women Victims of Human Trafficking, Exploitation and Prostitution of Women

In the northern part of Cyprus, there is no legislation that specifically prohibits human trafficking. The Turkish Cypriot authorities do not have and do not develop mechanisms to identify victims or develop mechanisms to provide assistance and services for the victims. Additionally, there are no measures taken to eliminate trafficking efforts by the government. There is no training given to the police officers to identify human trafficking victims or how to act accordingly in such situations.

The northern part of Cyprus is a destination for women trafficking especially from Eastern and Central Asia, Eastern Europe and Africa. Women from these countries are being subjected to forced prostitution in night clubs that are licenced and regulated by the Turkish Cypriot authorities. According to the report provided by “Youthopia”, foreign students are also vulnerable to trafficking for the purposes of sexual exploitation and debt bondage.²³

Engaging in prostitution is not defined as crime in the Criminal code, however, the code criminalizes the solicitation for prostitution. There is no existing framework on the rights and responsibilities of the sex workers. The existence of the problem is widely denied by Turkish Cypriot authorities due to the high tax revenues obtained from the night club owners. According to the annual Trafficking in Person’s Report of the US Department of State, government annually collects between 20-30 million Turkish liras in taxes from night clubs.²⁴ The law on the Nightclubs and Similar Places of Entertainment (2000) allows women to be employed as hostesses and barmaids however, it is widely known and acknowledged that women are employed for the purposes of commercial sex. Even though, Turkish Cypriot authorities are giving work permits for the women to work as hostesses and barmaids, the authorities also oblige these women to have routine gynaecological checks at the state hospital for sexually transmitted diseases (STDs).²⁵

There are approximately 42 night clubs or similar entertainment places active in the northern part of Cyprus and authorities issue six-month work permits (hostess and barmaid) for 1,314 individuals working in these places during the reporting process of US Department of State.²⁶ The previous work

²³ Human Trafficking in the Northern Part of Cyprus, Youthopia Human Rights Reports, page.11, May 2017, available at: http://www.youthopia.org/wp-content/uploads/2017/06/Magem_HumanTrafficking_Updated.pdf , last accessed: 30.10.2017

²⁴ Trafficking in Person’s Report of the US Department of State, 2017, page.148, available at: <https://www.state.gov/j/tip/rls/tiprpt/>, last accessed: 30.10.2017

²⁵ 7/2000, Night Clubs and Similar Entertainment Places Law 15(6), Article 15(6)

²⁶ Trafficking in Person’s Report of the US Department of State, 2017, page.148, available at: <https://www.state.gov/j/tip/rls/tiprpt/>, last accessed: 30.10.2017

permit holders in this line of work were predominantly from Moldova, Ukraine, while the current work permit holders are from Morocco, Russia, Belarus, Kazakhstan, Kenya, Kyrgyzstan, Paraguay and Uzbekistan.

In addition to the above conditions, in the northern part of Cyprus, many men and women are subjects of labour trafficking although there are legal provisions and ratified ILO conventions. Forced labour predominantly exists in following sectors; construction, agriculture, domestic work (cleaning and care services) and service sector (restaurants).

Stakeholder Inputs

This section considers the assessment and proposals of stakeholders in relation to:

- (a) the legal framework preventing human trafficking, its implementation and effectiveness*
- (b) policies and awareness campaign on trafficking in women*
- (c) support and assistance mechanisms for the protection of human trafficking victims*

5.1. Identification of Challenges

[Contributions in this Section are provided by Refugee Rights Association (RRA), Queer Cyprus, TDP-Youth, SeeD and CTP-Women]

Legal Provisions & Effectiveness of Implementation

Although the laws seek to prohibit trafficking of women in the northern part of Cyprus, they are not sufficient to prevent women trafficking or impose preventative/sufficient sanctions. There are no provisions in the criminal code to prevent exploitation of sex workers and to prevent women trafficking. Although, the existence of sex work in night clubs who employ women as hostesses or barmaids is widely known, women who do this work register to get work permits from the Turkish Cypriot authorities and cannot benefit from any kind of rights and benefits provided under the employment laws (like social security...etc.). Such women lack the necessary protections necessary for sex work as this is not formally acknowledged as their profession. Protection of women victims of trafficking is enabled by the lack of anti-trafficking legislation. When complaints are submitted to the police department regarding trafficking related offences, the necessary steps are not taken for investigations into night clubs about traffickers/trafficking. Moreover, there is an official protection of the night club industry and therefore a victim of trafficking is sent to her country of origin prior to termination of her contract and the case is closed.

Policies and Awareness-Raising on Women Trafficking

There are no policies employed by the Turkish Cypriot authorities on women trafficking and no awareness campaigning is provided. There is no recognition of the problem among the TC authorities. Moreover, the authorities prefer to 'hide/omit to acknowledge' the existence of trafficking in women as this has a direct connection to the financial benefits received get as taxes from night club owners.

Support and Assistance Mechanism for Human Trafficking Victims

Because of the lack of legal provisions that define and prevent human trafficking and lack of recognition of the problem by the authorities, there is no identification and protection mechanisms for human trafficking victims. Moreover, there is no shelter available to support and provide assistance to women trafficking victims.

5.2. Proposals and Recommendations

- Anti-trafficking legislation needs to be introduced.
- Sex work should not be criminalized anymore. However, there is a need for strong legislation that prevents exploitation of sex workers and women trafficking to accompany it.
- Women shelters need to be established to provide assistance and protection for women trafficking victims.
- Increase efforts to investigate potential labour trafficking cases among domestic workers and individuals in agriculture.
- Effective inspection mechanisms need to be enforced to allow for the prevention of such criminal acts.
- Fund specialized training for the police department including best practices for interviewing trafficking victims.
- Ensure professional translation services are available during victim interviews.
- Awareness raising efforts needed on trafficking and victim identification among police and migration authorities and provide training on victim identification, particularly for forced labour.

6. Political & Public Life

The right to vote, to elect and to be elected in public bodies, to participate in the formulation of government policies, or to represent the government at international level do not bare any legal barriers in the northern part of Cyprus neither for men nor for women. However, the numerical data shows that in practice women are not able to use these rights equally with men.

Research tabled below shows us that the political representation of women in political institutions are far from being equal. The numbers show a great disparity between men and women who hold elected office. Furthermore, although the number of female and male public officers are almost the same, there are fewer women holding high level offices within the public administration when compared to men. Based on the figures in 2016 there is an evident progress in the women representation within the judicial system. The number of women judges in 2011 constituted to 48.48% and in 2016 the percentage increased to 51.5% where the 17 out of 33 judges were women. In 2017, the number of women judges increased to 23 out of 35 (65.7%). On the other hand, women judges reach equal representation at the Supreme Court level in 2017 while it was 37.5% (3 women judges out of 8) in 2016 and 12.5% (1 out of 8) in 2011.

Table 1: Political Representation of Women (2017)

	Men	Women	Women Representation (%)
Parliament (2017)	46	4	8.00%
Cabinet (2017)	11	0	0 %
Mayor (2017)	28	0	0 %
Local Council Member (2017)	209	63	23.16 %
Chief Alderman (Muhtar) (2017)	230	7	2.95 %
Civil Servants (2009)²⁷	2776	2775	49.99 %
Civil Servants that are in chief administrator and above positions (2009)²⁸	214	126	37.06 %
Judges (2017)	12	23	65.7 %
Judges in Supreme Court (2017)	4	4	50.00 %

In 2015, the law on political parties were amended by the Turkish Cypriot authorities. These amendments included special measures to increase women participation in political life. According to the amended legislation political parties cannot make discrimination based on gender and gender identity while reviewing membership applications (article 3). Moreover, the law obliges political parties to have 30% gender quota for their candidate lists both for parliamentary and local elections (article 27(2) and 28(2)).²⁹

Nevertheless, the numerical data gathered in October 2017 indicates that women are not equally represented in the political processes and decision-making mechanisms within the political parties. There is not a single political party that has or has ever had a women party leader in the northern part of Cyprus. Women are mostly organised under the women branches of the political parties that mostly do not participate into or have little influence in decision-making processes (except YKP-FEM who are quite active in the field of gender equality). It can also be seen that most of the political parties except for CTP, TDP and HP fail to take affirmative measures to overcome this problem.

²⁷ The recent data on the statistics of civil servants is provided in 2009, by Women's Human Rights in North Cyprus, No.5,2012

²⁸ Ibid.

²⁹ Political Parties Law No: 49/2015

Table 2: Representation of Women in Political Parties (October 2017)

Political Party	Endorsement of Gender Equality in Party Constitution	Composition of Executive Body
CTP (Republican Turkish Party)	<i>Article 13:</i> The heads of women and youth branches are neutral members of the central executive board. <i>Article 49:</i> The delegation lists and election lists of all bodies formed within the party through elections (except for Women’s Organisation) needs to compass at least one member or 40% of the members from each sex. <i>Article 58 (b):</i> In parliamentary elections candidate lists of all regions need to compass 40% from each sex.	8 Men 5 Women
DP-UG (Democrat Party- National Powers)	None	8 Men 3 Women
UBP (National Unity Party)	None	13 Men 0 Women
TDP (Communal Democracy Party)	<i>Article 3(b):</i> The delegation list and election lists for all bodies formed within the party through elections needs to compass at least 30% men and 30% women	8 Men 3 Women
KSP (Cyprus Socialist Party)	None	
YKP (New Cyprus Party)	None	6 Men 0 Women
BKP (United Cyprus Party)	None	7 Men 0 Women
HP (People’s Party)	Article 59 and 60: Articles indicates that there is 30% gender quota in parliamentary and local elections accordance with article 27(2) and 28(2) of the political parties’ law.	6 Men 5 Women

According to the research conducted by KAYAD (2010) the majority of the women in the northern part of Cyprus identified themselves with the attributed traditional gender roles and did not question the socially imposed mentality that “public sphere belongs to men and private sphere belongs to women”.³⁰ According to the research, %88 of the sample agree with the statement that, “woman needs to be a good mother and a wife before everything else”³¹ and do not problematize the phenomenon of under representation of women in the higher and influential positions of political, economic and social life.

Cypriot women are under represented at the negotiation processes which traditionally were led by the two leaders of the communities (two men, since 1968). Current peace negotiations lack a gender perspective. A bi-communal Technical Committee on Gender Equality was established in August 2015³² based on the understanding of UNSC resolution 1325, to add gender perspective into the negotiation process however, it failed to provide impact on the negotiation table in practice like most of the technical committees. Moreover, current negotiation process fails to address gender equality issue under discussions related to the negotiation chapters on governance & power sharing, citizenship, security, property, economy and European Union matters.

³⁰ Woman’s Profile in Northern Cyprus, KAYAD page 12, 2010, available at: <http://www.kayadcommunitycenter.com/KadinProfili.pdf>, last accessed: 29.10.2017

³¹ Woman’s Profile in Northern Cyprus, KAYAD page 12, 2010, available at: <http://www.kayadcommunitycenter.com/KadinProfili.pdf>, last accessed: 29.10.2017

³² According to the data provided by the Turkish Cypriot Leadership office.

Stakeholder Inputs

This section considers the assessment and proposals of stakeholders in relation to:

- (a) the legal framework preventing discrimination in political and public life on the basis of sex and equal access in practice*
- (b) women representation in decision-making*
- (c) special provisions to increase women participation into political life*

6.1. Identification of Challenges

[Contributions in this Section are provided by Refugee Rights Association (RRA), Queer Cyprus, TDP-Youth, MAGEM, SeeD, GAT and CTP-Women]

Legal Provisions and Equal Access

Although, there is no legal barrier for women to exercise their equal rights in political and public life, the patriarchal norms which defines the roles for women limits women access to the decision-making mechanisms. Moreover, LBT women face problems in exercise their political rights.

Women Representation in Decision Making

Women are not equally represented in decision making processes. The male dominated system in the Cyprus negotiation process and in all other decision-making structures limits women participation.

LBT women are not represented at all in decision making mechanisms. There are no equal opportunities for LBT women as they are stigmatised and marginalised and the specific problems they face are considered to be of non-political nature. As LBT women face significant problems in accessing employment, this also reflects on their financial ability to be able to participate in elections. Furthermore, the main bodies and leading cadres of mainstream political parties are largely heterosexual and male dominated; the cultural and social structure of the gender order affects the self-esteem of LBT women.

Special Measures to Increase Women Participation into Political Life

The recent political parties law provides for 30% women quota in the ballots for both local and parliamentary elections and some political parties started to embed this within their statutes. Nevertheless, the traditional gender roles attributed to women are still influential in the perceptions of Turkish Cypriot Community. No measure exists to improve the representation of LBT women in the political arena.

6.2. Proposals and Recommendations

- Temporary special measures need to be extended
- The government should adopt affirmative actions and provide trainings on executive skills for women.
- Policies and actions to eliminate traditional gender roles are need (especially within the family and education system)
- The Gender Equality Committee needs to be established and start working immediately
- Promotion of co-presidency in the political parties to increase women perception and representation at the highest level of decision-making.

On Participation in the Peace Process [proposals by GAT]

- Raise awareness about UNSCR 1325 and related issues.
- Inclusion of women perspectives at the pace negotiation table. Women groups/NGOs/civil society should have more of a role to play in the political process and that more should be done/demanded in terms of communicating views, concerns and proposals to the negotiating team/leaders.
- The wide range of active women's/feminist NGOs and initiatives can increase collaboration and develop networks to produce proposals and activities for gender equality in order to increase and improve participation to the peace process.
- If the talks produce an acceptable agreement that will be taken to referenda, there is endless potential for women collaborating within and between each community for the purpose of a desired solution.
- Resources need to be allocated to meet the humanitarian minimum standards in gender mainstreaming and this includes leadership training and promotion of women in leadership roles, provisions for a gender sensitive federal constitution, community programs in support of women and girls, and gender sensitive media campaigns/ education programs.

7. Representation at International Level

Turkish Republic of Northern Cyprus was established in 1983 and is considered as a breakaway pseudo state by international actors and is recognised only by Turkey. The official embassy of the TRNC is only in Turkey, as Turkey is the only country recognising TRNC. There are de facto consulates and appointed representatives to various other countries which is provided in the following table.

Table 3: Women representation in international level

City / Country	Ambassador / Representative
1. Ankara, Turkey	Male
2. Istanbul, Turkey	Male
3. Mersin, Turkey	Female
4. Izmir, Turkey	Female
5. Gaziantep, Turkey	Male
6. Antalya, Turkey	Male
7. Trabzon, Turkey	Female
8. London, UK	Female
9. Brussels, Belgium	Female
10. Berlin, Germany	Male
11. Rome, Italy	Male
12. Geneva, Switzerland	Female
13. Stockholm, Sweden	Male
14. Budapest, Hungary	Female
15. Strasbourg, France	Female
16. Helsinki, Finland	Male
17. Washington, USA	Male
18. New York, USA	Male
19. Islamabad, Pakistan	Male
20. Abu-Dhabi, United Arab Emirates	Female
21. Baku, Azerbaijan	Female
22. Manama, Bahrain	Male
23. Doha, Qatar	Male
24. Bishkek, Kyrgyzstan	Male
25. Kuwait, Kuwait	Male
26. Muscat, Amman	Female

In October 2017, 42% of the ambassadors /representatives are women (11 women and 15 men). According to the previous research women’s international representation in 2011 was 30% (only 6 women were holding representative positions).

8. Right to Education

According to the constitution “every child, irrespective of sex, shall have the right to compulsory education until the age of fifteen and to free education until the age of eighteen”. Although, the right to education is safeguarded, research shows that women illiteracy level is three times more than the illiteracy amongst men in 2010. According to the data in 2010, number of illiterate women is 5,022 which constitutes 4,74% to the total numbers of females.³³ Recently there is not much difference between male and female students although, there is no information on the proportion of the girls and boys in the education system to the total number of girls and boys (see table 4). Moreover, research shows that undocumented children and children of low income migrant families are in the most vulnerable position in access to education.³⁴ Although, right to education is safeguarded as free through law, there is contribution fee to cover expenditure for uniforms, books, stationary... etc. Usually, undocumented children and children of low income migrant families cannot afford these expenses.

Table 4: Number and percentage of Male and Female Students Enrolled in 2015-2016 education year³⁵

Tiers of Education	Male No.	Female No.	Male %	Female %
Lyceum (high school)	5859	5999	49.4%	50.6%
Secondary Education	5400	4903	52.4%	47.6%
Primary Education	9835	9233	51.6%	48.4%
Special Education	108	75	59.0%	41.0%
Pre-Primary (age 5)	1838	1804	50.5%	49.5%
Pre-Primary (age 4)	1143	1058	51.9%	48.1%
Pre-Primary (age 3)	478	425	52.9%	47.1%
Total	9012	9257	51.2%	48.8%

Table 5: Education Level of Women and Men 2011³⁶

Education Level	Female No.	Male No.	Percentage of male to the total number of female	Percentage of female to the total number of male
Incomplete primary school	11,312	10,335	10,68%	8.63%
Primary School	28,596	30,150	27.0%	25.18%
Primary education	1,824	1,931	1.72%	1.61%
Secondary School / Vocational School	11,555	16,441	10.91%	13.73%
High School	26,076	31,236	24.62%	26.09%
Vocational/ Technical High School	6,231	8,954	5.88%	7.49%
Higher Education /University	13,123	16,464	12.39%	13.75%
Master / Doctorate	2,167	2,410	2.05%	2.01%

³³ Data is from State Planning Organization. For more information check <http://www.devplan.org/>

³⁴ Women’s Human Rights in North Cyprus, Report No.5,2012, page.75

³⁵ Statistical Education Year Book 2015-16, available at: <http://eohd.mebnet.net/?q=node/34>, last accessed: 31.10.2017

³⁶ Data based on the last population census provided by the State Planning Organization

According to the women's human rights in North Cyprus report prepared by TCHRF text books in the northern part of Cyprus have stereotypical elements on roles of women and men. Education is a tool to construct and deconstruct norms and social values and state parties needs to eliminate any stereotypical concept of the roles of men and women at all levels and in all forms of education according to CEDAW article 10.

Table 6 Stereotypical element in the school books of public primary schools (2010)³⁷

Book	Page	Image	Commentary	Problem
Turkish Reading Book – Primary School, year 1 (June 2010, 5th edn)	15	Woman cooking, man coming from work.	'Father come home, mother cook. Father help my mother.'	Reinforces the stereotypical gender role that cooking is a duty of the women men only provide 'help'
Turkish Reading Book – Primary School, year 1 (June 2010, 5th edn)	18	Woman cooking, man comes from work, grandfather sitting in the living room.	'This house is our house. Mother cook. Grandfather read a story. Oya drink ayran'	Reinforces the stereotypical gender role that cooking is a duty of women
Turkish, I am learning to read and write – Primary School, year 1 (2006)	64	Two girls knitting.	'Pinar take string, take string and knit a sock, knit a pink sock, knit a pink bootee'	Reinforces the stereotypical gender role that knitting and raising children is a female job and pink is a female colour
Social Studies, Text and Exercise Book, Primary School Year 2 (June 2009)	89	Girls playing with dolls, boys playing football		Reinforces the stereotypical gender role that girls play with dolls that are associated with motherhood and private sphere and boys play sports like football that are competitive and are played in the public sphere
Turkish Language Skills and Exercise Book, Primary School, year 3 (4th edn. June 2010)	58	Woman and a girl cooking in the kitchen		Reinforces the stereotypical gender role that cooking is the duty of a woman
Turkish, Reading and Exercise Book, Primary School, year 4 (3rd edn. June 2010)	22		Traditional Poem: 'You are my type' 'I will take you (marry you) to make friends and enemies envious.	Uses the word take, as is popularly done, to mean to marry, reinforcing the idea that women are objects to be taken (from the family) and given (by the family) to the suitor.
Turkish, Reading and Exercise Book, Primary School, year 5 (3rd edn. June 2010)	9	Woman/mother sweeping the floor in the kitchen with broom, man/father coming from work, children hugging their father		Reinforces the stereotypical gender role that house work is done by women while engaging in the economic life of a country and financially supporting a family is that of men

³⁷ Women's Human Rights in North Cyprus, No.5,2012, page 77.

Stakeholder Inputs

This section considers the assessment and proposals of stakeholders in relation to:

- (a) the legal framework preventing discrimination on the basis of sex in education and what happens in practice*
- (b) gender mainstreaming in education*
- (c) equal access and efforts to remove barriers*
- (d) and impact of traditional gender roles in education*

8.1 Identification of Challenges

[Contributions in this Section are provided by Refugee Rights Association (RRA), Queer Cyprus, TDP-Youth, CTP-Women and KTÖS]

Legal Provisions

Although the constitution provides equality in education rights on the basis of sex, the national education law does not explicitly specify discrimination on the basis of sex.

Gender Mainstreaming in Education

Gender equality is not a priority in the education system. Indeed, in textbooks, the tools for teaching children social values and norms, that play an important role for constructing or deconstructing the perceptions of the roles of men and women in social, economic and family life, patriarchal family patterns as well as gender stereotypes are prevalent.

According to the Turkish Cypriot Teachers' Union (KTÖS) efforts to embed gender-mainstreaming within the education system have begun but to a moderate level. The recent project of the ministry of education which focuses on educational programmes and textbooks from 1st to 8th grade, is a very good opportunity to make progress on this issue.

Equal Access and Efforts to Remove Barriers

Although the right to education is safeguarded in the Constitution, social, economic and cultural barriers exist that create unequal opportunities for girls to access education.

According to KTÖS, economic, linguistic and cultural barriers in education are faced by all children regardless of their sex. Currently, the population in the north is becoming more multi-ethnic, multi-cultural and multi-faith. This naturally results in having multi-ethnic, multi-cultural and multi-faith communities in schools. However, the educational authorities are not prepared for such schools at any level.

Undocumented children and girls are in an especially vulnerable position concerning accessing education. Current practices may not allow the registration of young girls (and boys) of undocumented migrant parents in secondary and higher education because they do not possess a working permit upon which the Chief Alderman (mukhtar) can issue a certificate for residence, which schools require in order to register to school. Although the Constitution safeguards the right to free education, students are required to pay a contribution fee during registration, pay for their uniforms, sport uniforms, books and stationery, all of which may add up to a considerable amount. Children of undocumented and low-income migrant families may not be able to afford these costs. Larger families may also not be able to pay these costs for all their children and prefer their sons to be educated. Refugee families with inadequate finances should be supported regarding costs associated with schooling.

Impact of Traditional Gender Roles

Traditional gender roles have a great impact in education system. According to the data provided by Queer Cyprus, bullying and discrimination towards young girls that do not comply with gender roles is prevalent.

8.2. Proposals and Recommendations

- Gender equality should be taught in schools along with human rights and education for a culture of peace.
- Educational programmes, textbooks and infrastructure must be reshaped with a gender perspective.
- Gender equality, like any kind of inequality, has to be a government-wide strategy for reform. There is a need for sound mechanisms to ensure accountability and sustainability of gender initiatives, and tools and evidence to inform inclusive policy decisions.
- Investing in education and training will pay long-term dividends for the overall prosperity of our societies. It is also vital to have a “whole-of-society” approach to reducing gender stereotypes, encouraging women to participate in politics and removing implicit and explicit barriers to gender equality.
- There is a need for a long-term plan with a holistic approach in order to reorganize our existing schools and educational system due to the demographic changes. As a first step, the ideal recommendation would be the ‘new student orientation classes’ in schools with qualified teachers and guides to help students from different backgrounds in their transition period. In the long term, the educational programmes, textbooks, school infrastructure needs to be revisited and reformed according to the needs.
- Efforts should be conducted to raise awareness of school teachers regarding bullying, gender equality and homophobia and transphobia.

9. Employment & Economic Life³⁸

a. Employment & Unemployment Rate

Women’s participation into labour market was: 32.3% in 2011 which significantly lags behind the men’s participation (67.7%). Women participation was 34.8 % in 2012, 34.7% in 2013, 33.4% in 2014, 33.4% in 2015 and reached to 36.2% in 2016.³⁹

As shown by the table 7, the percentage at which women have participated in the labour market has not changed significantly over the last 6 years and remained steady. Except for 2014 figures, women participation in the labour market increased very little.

³⁸ The information provided in this section mostly based on the data and research provided by CDF Human Rights Task Group Report on Discrimination in the Workplace.

³⁹ Data is from State Planning Organization. For more information check <http://www.devplan.org/>

Table 7: Women's participation in labour force by year⁴⁰

Year	Total Participation in Labour Force	Women Participation in Employment (No.)	Women Participation in Employment (%)
2011	97,103	31,354	32.3%
2012	96,539	33,563	34.8%
2013	97,867	34,002	34.7%
2014	103,149	34,442	33.5%
2015	112,811	40,508	35.9%
2016	118,387	42,897	36.2%

Although the women participation in employment in the northern part of Cyprus is showing an increase when compared to previous years it is far less than the EU average. The EU average in 2016 for women participation in employment is 65.5%⁴¹ which is almost double the figures in the northern part of Cyprus.⁴²

According to the latest data, women unemployment rate reduced to 8,9% in 2015 while it was 12,8% in 2014, 12,1 % in 2013 and 11,4% in 2012. Nevertheless, women unemployment is still higher than the general unemployment rate which is 7,4% (2015).

Table 8: Unemployment rate based on sexes⁴³

Year	Women unemployment (%)	Men Unemployment (%)	Total Unemployment (%)
2012	11,4	7,2	8,7
2013	12,1	6,3	8,4
2014	12,8	5,8	8,3
2015	8,9	6,5	7,4

b. Special Measures

To improve women's position in labour market and reduce unemployment, Turkish Cypriot Authorities has developed special measures for women under a program introduced to support national workforce in 2013. According to the program;

- Incentive payments for women employment will be made in 48 months from the date of employment.
- Women entrepreneurs registered to Social Insurances Department, as an Employee/ Employer for the first time will get back all their Social Security/Social Insurance premiums in 48 months.

c. Sectoral Distribution

There is a high level of gender-based division between professions. According to the official data of October 2010, only %1,2 of women was hired in the construction sector while it is %12,3 for men. Only 5.6% of women work in the industry sector and it is calculated as 87.3 % for men. Contrary to this, 87.3% of women were hired by the service sector while it is 70.4% for men.⁴⁴

⁴⁰ State Planning Organization

⁴¹ Eurostat, Labour Force Survey

⁴² Turkish Statistics Institution, Newsletter, Issue: 246443, 7 Mach 2017

⁴³ State Planning Organisation, Eurostat

⁴⁴ Women's Human Rights in North Cyprus No.5,2012

The most up-to-date data that we have belongs to 2016, and since then the situation has not changed much and gender-based division of occupations has continued. 88.8 % (40, 508 people) of women employed in 2015 work in the Service Sector and 2016 this number increased to 42,897, which is 89 % of the women workers. ⁴⁵

According to October 2016 Household Survey results provided by Turkish Cypriot Authorities, while 12% of men working in the construction sector the number of women workers is 1.6%. 11.4% of working men and 6.8% of working women are in the industry sector. 4.2% of men and 2.6% of women are in agriculture, and 89% of women and 77.5% of men are employed in the service sector.

In general, it can be argued that this situation causes two types of divisions in the labour market:

- **Horizontal Segregation:** Concentration of men and women in particular sectors and occupations (for example, women concentrate in the textile, food, education, health sectors, or professions such as teachers, nurses, cleaners).
- **Vertical Segregation:** Men work in higher positions than women in the same job. Moreover, although this separation is a cultural phenomenon, it is regarded as natural and a biological reality. ⁴⁶

As far as the break-up in 2010 is concerned, women are concentrated in 3 occupational groups: **Office and Customer Service Workers 25.9%, Professionals 19.5% and Unqualified Jobs 17.3%**. Workingmen, on the other hand, are concentrated in three different professions: Artisans and related businesses (20.4%), Service and Sales Personnel (14.7%) and Lawmaker, Senior Manager and Manager (11%).

d. Wage Gap and Difference in Employment Status

Although, equal pay provided though legal provisions in the northern part of Cyprus, there is still wage difference between women and men. Based on the recent data provided by the statistical office there is huge difference between annual wages of women and men (see table 9).

Table 9 :Annual average income (TL) of the members of households per profession and sex ⁴⁷

Professions	Weighted average (estimated)	Men	Women
Law Makers	46.652	48.781	40.656
Professional Jobs	45.282	48.939	41.172
Associate Professionals	35.594	36.632	33.180
Office and Customer Services	33.020	35.763	31.174
Service and Sales Personnel	30.489	36.186	19.564
Qualified Agricultural Employees	23.269	24.358	16.301
Artisans	28.219	28.425	24.565
Operator of Facilities and Machinery	26.861	27.047	20.585
Unqualified Jobs	22.975	26.023	19.232
General Average (estimated)	32.815	34.350	29.647

Moreover, the data show that women mostly employed in part time and in temporary jobs. This both influence the professional progress and career prosperities of women and, creates inequality between earnings and other social benefits. According to 2015 records, 84.5% of the women work as paid workers, 3.4% are on a daily wage, 3.5% as employers, 6.2% self-employed and 2.4% unpaid household

45 State Planning Organization

46 Fatma Güven Lisaniler, "Gender-based Occupational Segregation in Northern Cyprus Labor Market"

47 SPO Household Income Distribution Survey Results, 2015

workers^{48, 49} According to the recent records of Turkish Cypriot Authorities 86.1% of the women work as paid workers, 10.8% self-employed and as employer and 3.1% unpaid household workers.⁵⁰

e. Discrimination in Job Advertisements and Interview Process

As there are no reliable and accurate data and statistical information, the data under this topic have been gathered from the interviews with various trade unions and civil society organisations working on the field in the Turkish Cypriot Community.

- Many vacant positions and job vacancy announcements are sexist, whether in printed or digital media.⁵¹
- During job interviews, questions about sex, sexual orientation, marriage and pregnancy status are asked.⁵²
- It is observed that women are working and are employed intensively in banks, markets, medium and large-scale supermarkets and shopping centres, and in cashiers' desks and checkouts.
- Women do not have equal opportunities with men regarding access to jobs.⁵³

f. Maternity Rights

In the northern part of Cyprus different rules apply to maternity and parental leave based on the sector (public or private) people are employed in and based on the year that people have started working in the public sector (pre-2008 – post-2008). According to the Public Officers Law (7/1979), women employed in the public-sector prior to 2008 have the right to paid maternity leave for 80 days in total (40 days prior to the birth and 40 days after). Women employed in the private sector before 2008, according to the Social Insurance Law (16/1976), have the right to maternity leave of 12 weeks in total (6 weeks prior to the birth and 6 weeks after). According to the recent Social Security Law (73/2007) women employed in either of the sectors (public or private) after 2008, the right to maternity leave is 16 weeks in total (8 weeks prior to the birth and 8 weeks after). For each day of maternity leave a temporary allowance is paid from the “motherhood insurance premium fund” as is provided to cover minimum of 120 days in a year prior to the birth (Social Security Law, article 32(3)). This regulation in a sense diminished the unequal conditions between public and private sector. On the other hand, it has created this equality by shrinking the already existing rights of women in the public sector. This inevitably created inequality between the people working in the public sector under the same conditions.

The legislation in the northern part of Cyprus does not provide for Parental leave. This again reconstructs the traditional gender role of women taking care of the child which in turn creates unequal employment opportunities for women (employers do not prefer to employ women because of obligations such as the provision of the maternity leave). Although there is no statistics kept on this issue, it is widely known that women in private sector face difficulties to return to their jobs after a child is born.

48 The proportion of women working as household worker covers only the ones who pay social security premiums to social security department, which is why it is impossible to reach the real figures.

49 State Planning Organization

50 State Planning Organization

51 Feminist Atölye (FEMA), Queer Cyprus

52 Feminist Atölye (FEMA)

53 Feminist Atölye (FEMA)

Stakeholder Inputs

This section considers the assessment and proposals of stakeholders in relation to:

- (a) the legal framework preventing discrimination on the basis of sex in employment and equal access of women into employment,*
- (b) equal rights for women at workplace in relation to social security, wage equality, paid leave, occupational health and protection,*
- (c) and special measures and support structures*

9.1. Identification of Challenges

[Contributions in this Section are provided by Refugee Rights Association (RRA), Queer Cyprus, TDP-Youth, CTP-Women and Dev-İş]

Legal Provisions and Access into Employment

Although employment laws provide a framework to prevent discrimination in employment and in the labour market, there women do not have equal opportunities to access to employment. Job announcements are still discriminatory on the basis of sex and they reconstruct sectoral discrimination based on gender roles. Moreover, domestic responsibilities of women at home based limits their access to labour market and provides barriers on their career prospects. Refugee women face with language barrier additionally to the others due to the gender roles and racial discrimination. LBT women as another vulnerable group in access to employment.

Rights and Practices at Workplace

Women in the public sector can benefit from rights such as social security, wage equality, paid leave, occupational health and protection. But in the private sector there are a lot of violation due to the lack of inspection and monitoring. For example, women can fired when they want to benefit from the right of maternity leave. There is pay gap on the basis of sex especially although, legal provisions provide equal pay for same job.

There is no parental leave introduced through law which officially recognize women as the care taker of the child.

Special Measures and Support Structures

Support structures are also limited. There is no child care facilities in none of the workplaces.

9.2. Proposals and Recommendations

- Central policies and supervision mechanisms needs to ensure equality in recruitment phase.
- Laws to prevent discrimination based on gender identity and sexual orientation upon recruitment.
- Increase unionisation in the private sector.
- Child care facilities and parental leave need to be introduce through law.
- The Labour Dispute Act drafted and introduced to the Ministry od Labour but no step has taken by TC authorities to pass the law.
- Firing someone based on sexual orientation and gender identity should be expressly be prohibited in law.

- Trainings on non-discrimination at workplaces should be provided both to the employers and employees.

10. Health & Safety

The right to abortion became a topic of discussion within the TCC in recent years. According to the Criminal Code article 169 A(1) termination of pregnancy is legal under below mentioned conditions:

- Abortion to be carried out by registered specialists in obstetrics and gynaecologists. Abortion, except for situations specified in the law, is only allowed during the first ten weeks of pregnancy.
- For women who are married consent of the husband is required. For women who are not married and are above eighteen only the consent of the women is sufficient. For women who are not married and are below eighteen the consent of the parents or legal guardian is required. Concerning women who have mental disability consent of the parents or legal guardian if present is required; if not reports confirming the mental disability from two specialists are required.
- After the ten week period, the pregnancy can only be terminated in two situations (1) where the pregnancy poses a threat to the woman's life or in when the foetus is detected to have a physical or mental disability or an incurable hereditary or contagious disease upon presenting report and documents by specialists to the Chief Administration of Health; (2) in emergency cases where a danger to the life of or to the vital organs of the pregnant women, pregnancy can be terminated with a condition that identity of the women, and the circumstances necessitating the operation are brought to the attention of the Chief Administration of Health within 24 hours.

These conditions on the one hand provide abortion right for women on the other hand it links abortion with the consent of their spouses only for women who are married which creates discrimination among women based on marital status.

Stakeholder Inputs

This section considers the assessment and proposals of stakeholders in relation to:

- (a) Equal access to quality health care services*
- (b) And access to information on contraception, family planning methods and abortion methods*

10.1 Identification of Challenges

[Contributions in this Section are provided by Refugee Rights Association (RRA), Queer Cyprus, and CTP-Women]

Equal Access to Quality Health Care Services

In the northern part of Cyprus legal framework provide and ensure equal access of women and men to quality health care and prohibit discrimination against women in health services. Nevertheless, women from disadvantaged groups (such as women with low income, older women, migrant women and refugees) do not have equal access to quality health care services. Women from disadvantaged groups can only benefit from public hospitals and there are number of set procedures for gender reassignment surgeries and such surgeries, which are very costly, are not conducted at public health institutions. Refugee women also face with language barriers in accessing health services. According to Queer Cyprus there have also been complaints about discriminatory treatment of individuals by health care staff based on sexual orientation and gender identity.

Access to Information on Contraception, Family Planning Methods and Abortion Methods

There is no awareness raising on contraception, family planning methods and abortion. Public hospitals do not undertake abortion and it creates discrimination among women who are not able to afford costs of the private hospitals.

10.2 Proposals and Recommendations

- Interpreters should be available at public health institutions.
- There should be readily available complaints mechanisms in cases of discriminatory treatment in accessing public health care.
- Awareness raising brochures on contraception, family planning and methods should be readily available in different languages at public health care institutions.

About the Organisations

[In Alphabetical Order]

AHDR - Association for Historical Dialogue and Research

The Association for Historical Dialogue and Research (AHDR) is a bicommunal NGO based in Cyprus and which aims to contribute to the advancement of historical understanding amongst the public and more specifically amongst children, youth, and educators by providing access to learning opportunities for individuals of every ability and every ethnic, religious, cultural, and social background, based on the respect for diversity and the dialogue of ideas. The AHDR's activities include research and dissemination of research findings; development of policy recommendations; enrichment of library and archives; organisation of teacher training seminars, discussions, conferences; publication of educational materials; organisation of on-site visits and walks; development of outreach tools; establishment of synergies between individuals and organizations at local, European and international level.

For further information see the web-site of the organisation: http://www.ahdr.info/about_ahdr.php

CCCI - Cyprus Chamber of Commerce and Industry

The Cyprus Chamber of Commerce and Industry is a private corporate body functioning under special law and is financially independent, free of any influence by the state. The Chamber is funded by its members' subscription fees and through income generated from a number of services it provides. The CCCI is the union of Cypriot businesspeople, the interests of whom it promotes by submitting to the government and the Parliament the members' positions on matters in which they are involved, while, through its participation in tripartite bodies and committees (like the Labour Advisory Board, the Economic Consultative Committee, the Social Security Committee, and others) it conveys and promotes the views of the business community. The membership of the CCCI exceeds 8,000 enterprises from the whole spectrum of business activity. Affiliated to it are more than 140 Professional Associations from the trade, industry and services sectors. The CCCI is a member of EUROCHAMBERS, the International Chamber of Commerce (ICC), the European Association of Craft, Small and Medium Sized Enterprises (UEAPME) among others.

For further information see the web-site of the organisation: <http://www.ccci.org.cy>

CTP Women Organisation Republican Turkish Party

CTP Women organisation is an organised women movement under the CTP (Republican Turkish Party) which is the socialist party within the TCC. CTP Women organisation aims to ensure through solidarity that women will have an equal voice both within the Party and the community. To expand Gender Equality to the Party politics, programs and plans. To include gender perspective to the development processes of party politics and to ensure effective women participation. CTP Women also works to promote party politics and to help women across the country to better understand the policies and politics of the Party. It also supports the quota and alike temporary special measures to increase the women representation in all bodies of the Party.

For further information see the web-site of the organisation:
<https://www.cumhuriyetciturkpartisi.org>

DEV-IS - Revolutionary Workers Union

Revolutionary Workers Union is an umbrella organisation based in northern part of Cyprus. The traces of the organization goes back to 1976, when workers founded several trade unions that formed the basis of the DEV-İŞ confederation. DEV-İŞ is organized after the division of the island to provide and safeguard social security, better wages and better working conditions in the labour market. Organization is also affiliated with the World Federation of Trade Unions.

For further information see the web-site of the organisation: <http://dev-is.org/>

GAT - Gender Advisory Team

The Gender Advisory Team (GAT) was formed in October 2009, as a core group of women who are interested in seeing gender equality integrated into the peace negotiations in Cyprus as well in all the peace building processes post-conflict. GAT consists of civil society activists and scholars from both sides of the divide, who have extensive knowledge and hands-on experience on gender issues in their respective communities and elsewhere. The respect for human rights and civic freedoms is a top priority in GAT's mandate. In this vein, GAT strives to mainstream gender equality in the peace process, by ensuring women's active participation in all phases of the process, and gender-proofing the content and basis of future peace agreements. GAT acknowledges the existing differences amongst the different Cypriot communities, and strives for the consideration of these differences in a future political agreement.

For further information see the web-site of the organisation: <http://www.gat1325.org/who-we-are>

KISA - Action for Equality, Support, Antiracism

KISA is an NGO, established in 1998. KISA's action is focused on the fields of Migration, Asylum, Racism, Discrimination and Trafficking, and it includes awareness-raising of the Cypriot society as well as lobbying in order to influence the legal and structural framework, the policies and practices in these fields. KISA operates a Migrant and Refugee Centre that provides free information, support, advocacy and mediation services to migrants, refugees, victims of trafficking and racism / discrimination and ethnic minorities in general, as well as promotion of the integration, empowerment and self-organisation of migrants and refugees. The combination of activities of social intervention and the operation of services as well as the strong ties with the migrant and refugee communities enable KISA to have a very accurate and updated picture about the realities in the areas of its mandate.

For further information see the web-site of the organisation: <https://kisa.org.cy>

KTÖS - Turkish Cypriot Teachers Union

KTOS is the trade union of primary school teachers based in the northern part of Cyprus, established in 1968. KTOS works to provide and ensure economic, personal and democratic rights of teachers within the TCC.

For further information see the web-site of the organisation: <http://ktos.org>

MAGEM - Famagusta Youth Center

MAGEM is a youth NGO aiming to develop the personal capacity of youth in Famagusta and to empower youth to have a voice by accepting their differences and embracing their diversity, in social, political and intellectual arenas. MAGEM's mission is to help organize and promote activities that can help people from all walks of life to socialize, understand and accept their differences. MAGEM also helps youth to develop their knowledge on human rights, social justice and the environment through various activities.

For further information see the web-site of the organisation: <http://www.youthopia.org>

MIGS - The Mediterranean Institute of Gender Studies

The Mediterranean Institute of Gender Studies is a non-profit organisation which promotes and contributes to projects of social, political, and economic themes relating to gender with an emphasis on the Mediterranean region. The Institute recognises the multi-layered levels of discrimination against women and accepts that this discrimination takes different forms. It is committed to the elimination of this discrimination using a combination of research, advocacy and lobbying, as well as trainings, conferences, and other activities with the aim to: Stimulate interest in gender research in the Mediterranean region and identify key areas of concern and action in the area. Systematically address, analyse, and conduct research on, for, and by women; review and use existing information on women and the gender system such as research, statistical information and other available data and make relevant recommendations on policy and practices in related areas. Support gender research through library and documentation services, including the introduction and promotion of a system of data collection by gender. Identify the need to develop new legislation that corresponds to the new conditions and protects women's rights effectively. Increase awareness of gender issues in civil society and facilitate the capacity for action by providing all interested parties with information and organising training, campaigns, seminars, workshops, and lectures. Support and promote educational programmes, including post-graduate work, in related areas in collaboration with research Institutes and universities. Develop methods and take initiatives on peace-building and conflict transformation as these relate to gender issues. Support regional, European, and global initiatives and programmes concerning issues affecting women's lives, such as domestic violence, substance abuse, trafficking, war, and the labour market. Create and support networks with other non-governmental organisations in related areas.

For further information see the web-site of the organisation: <http://www.medinstgenderstudies.org>

PEO - Pancyprian Federation of Labour

The Pancyprian Federation of Labour is one of the main national, multisectoral workers' organisations in Cyprus established in 1941. PEO is an umbrella organisation for trade unions in Cyprus and is a member of the World Federation of Trade Unions. PEO is among the two largest worker unions in Cyprus and is one of the social partners of the state through its participation in tripartite bodies and committees (like the Labour Advisory Board, the Economic Consultative Committee, the Social Security Committee, and others).

For further information see the web-site of the organisation: <https://www.peo.org.cy>

POGO – Women’s Movement of POGO

The Women's Movement of POGO is a political women's organisation part of the political party AKEL. It operates with the aim of developing and improving the participation of women in the political and social life of Cyprus, with particular emphasis on the struggle for the reunification of Cyprus and its people through the resolution to the Cyprus Problem on the basis of a Bizonal Bicomunal federation with political equality, as described in the UN Security Council Resolutions. At the same time, the Women's Movement of POGO aims at eliminating gender discrimination and creating a culture of equality at all levels: in combating gender stereotypes (in society, education, the media); in achieving full equality in the workplace, in the provision of support through the welfare state, in the family for the reconciliation of work and family life, in the fight against all forms of gender violence and the creation of conditions for the participation of women in decision making structures. The protection of the rights of the child is also a primary objective in the actions of Women's Movement of POGO.

QUEER CYPRUS

Queer Cyprus is a NGO established in 2007. It aims to eliminate discrimination on the basis of sexual orientation and gender identity, in a peaceful and non-violent manner. It is the first LGBTQ organisation in the northern part of Cyprus. The organisation is working against discrimination based on sexuality, sexual orientation and/or gender identity and against homophobia, biphobia, transphobia. Queer Cyprus aims to protect the Universal Human Rights and Freedoms of Lesbian, Gay, Bisexual, Transsexual and Intersex individuals including "fully decriminalization of homosexuality and better protection of LGBTQ individuals under the law. The organisation engages in peaceful activities to create awareness about lesbians, gays, bisexuals, transsexuals, and intersexes.

For further information see the web-site of the organisation: <http://www.kuirkibris.org/>

RRA - Refugee Rights Association

Refugee Rights Association (Mülteci Haklar Derneği) is a NGO established in 2007 as a response to the lack of laws recognizing and protecting the rights of the refugees in the northern part of Cyprus. RRA provides social and legal services to asylum seekers and refugees in the northern part of Cyprus. RRA has become an UNHCR Implementing Partner in 2009 and still continues its cooperation with the UNHCR as an IP.

For further information see the web-site of the organisation:
<https://www.facebook.com/MulteciHaklariDernegi/>

SEED

The Centre for Sustainable Peace and Democratic Development (SeeD) is a think-tank organisation that uses participatory research to contribute to transformative peace by making effective and sustainable policy recommendations that seek to support informed decision-making, based on the values of inclusivity, accountability and democracy. SeeD specializes in the development of innovative quantitative methodologies for use in peacebuilding contexts. Originally growing out of a Cyprus-based initiative (a.k.a Cyprus 2015), SeeD is now implementing programmes across multiple contexts in Europe, the Middle East, Africa and Asia.

For further information see the web-site of the organisation: <https://www.seedsofpeace.eu>

SEK - Cyprus Workers' Confederation

The Cyprus Workers' Confederation (SEK) is one of the main national, multisectoral workers' organisations in Cyprus established in 1944. SEK is a member of the International Trade Union Confederation, the European Trade Union Federation and the Greek General Confederation of Workers,. SEK is among the two largest worker unions in Cyprus and is one of the social partners of the state through its participation in tripartite bodies and committees (like the Labour Advisory Board, the Economic Consultative Committee, the Social Security Committee, and others).

For further information see the web-site of the organisation: <http://www.sek.org.cy>

SPAVO - Association for the Prevention and Handling of Violence in the Family

The Association for the Prevention and Handling of Violence in the Family is a non- governmental non-profit organization. SPAVO's main aim is to offer help and support to people who face domestic violence and to uphold their rights. SPAVO collaborates with governmental services (Police, Social Welfare Services, Legal Consultants, Hospitals, Schools, etc), in which there are sensitized people who contribute to SPAVO's efforts to tackle the phenomenon of domestic violence systemically. As a voluntary organization, SPAVO supports all relevant institutions so they can become more efficient in matters of domestic violence.

For further information see the web-site of the organisation:

<http://www.domviolence.org.cy/?lang=EN&cat=1>

STIGMA – Organisation for the Protection of Victims of Sexual Exploitation

Stigma is a NGO dealing exclusively with the trafficking problem and has experience in protecting victims of sexual abuse and exploitation as has ministered to the needs of 746 cases. It has also experience in raising public awareness as with regards to the extent of the problem of trafficking and the impact it has on the victims. Its collaboration with other bodies for the design and implementation of a holistic-methodical model of intervention, as well as the development of a common social policy promise the best results of the project in networking. It has also the capacity for lectures and seminars due to its cooperation with wide range of social workers and experts, as sociologists, psychologists, doctors, teachers etc.

For further information see the web-site of the organisation: <https://www.stigma-organisation.org/>

TDP YOUTH - Communal Democracy Party- Youth Organisation

TDP Youth is a politically affiliated youth organisation which is organised under TDP (Communal Democracy Party – Social Democratic Party). Organisations main aim is to promote young people to be more active in the political field. Organisation also works to establish and implement youth policies within the Communal Democracy Party.

For further information see the web-site of the organisation: <http://www.tdpkibris.org/>

WELLSPRING ASSOCIATION

Wellspring Association is an NGO working for the support and restoration of individuals dealing with crises in their lives (due to prostitution, human trafficking, or other abusive and difficult situations) or in vulnerable/at risk situations. The association is based in Cyprus with its headquarters in Limassol and is registered as a non-profit-making association. Wellspring is based on Christian values and principles, but recognise and respect the cultural, social, religious, racial and other diversities of the recipients of our activities and do not discriminate among them of our services on the basis of the previously mentioned differences.

For further information see the web-site of the organisation: <http://www.wellspringcyprus.com/>