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Nicosia, September 17th, 2019

Mr. Patrice Gillibert
Secretary
Committee Against Torture
Geneva

Via e-mail: registry@ohchr.org
& cat@ohchr.org

Dear Mr. Gillibert,

I refer to your letters of June 20th and August 20th 2019 by which you informed us that the Committee Against Torture (CAT) will be holding its 68th session from 11 November to 6 December 2019 in Geneva and, further to our e-mail message of August 7th 2019 by which we acknowledged their receipt, I would like to bring the following information to your attention:

Since the submission of the fifth periodic report of Cyprus concerning the implementation on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment, in May 2018, the following significant developments relating to the functioning/operation of the Cyprus National Preventive Mechanism (NPM) have occurred:

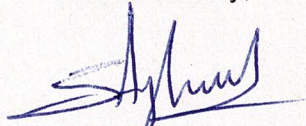
1. Having secured the Cyprus Parliament's approval for the recruitment of additional staff for the Office of the Commissioner for Administration & the Protection of Human Rights (Ombudsman), the relevant procedure has commenced and it is expected that five additional Officers will be recruited by the end of 2019. The Ombudsman has recently been exempted from the general governmental exams. The new Officers will, therefore, be appointed via a specific written examination which will be organized by the Ombudsman's Office on subjects to be selected on Ombudsman's suggestion. In accordance with the in force law, an oral examination must be also carried out by a five-member Committee, comprised by the Ombudsman as Chairman and 4 other members from the Ombudsman's Office. At the final stage, the candidates will be invited to a second interview before the Public Service Commission and

will be appointed upon the Ombudsman's recommendation. In this way, the Ombudsman's role in the appointment of her staff is now decisive, thus ensuring the independence of the Institution. It is anticipated that two of these new Officers will join the NPM team. This will drastically strengthen the NPM's visit/inspection/follow-up on recommendations capacity.

2. In order to comply with the Optional Protocol of the Convention, by letter dated August 22nd 2019, the Cyprus NPM, requested the Ministry of Justice and Public Order, to take the necessary steps to amend the provisions of sections (2) and (3) of article 5 of the *Optional Protocol of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Law, 2009* [Law 2(III)/2009] so as to ensure that the NPM has the right to access and visit any places where persons are or may be deprived of their liberty without any pre-conditions. (The Law currently provides for the need of prior written notification to be given to the places of detention to be visited. It is worth mentioning, however, that the NPM members' visits to places of detention are conducted, without any prior written notification).

The above information is submitted within the deadline of October 14th 2019, in order to provide the Committee with up-to-date information about the operation of the Cyprus NPM, as the NPM will not be attending the pre-session meeting of November 14th 2019.

Your sincerely,



Maria Stylianou – Lottides

Commissioner for Administration
and the Protection of Human Rights (Ombudsman)

CYPRUS NATIONAL PREVENTIVE MECHANISM
for the Prevention of Torture and Other Cruel,
Inhuman or Degrading Treatment and Punishment