



## » CYPRUS

### Situation Report on Violence against Women

*This factsheet is a result of a consultation with the Mediterranean Institute of Gender Studies in Cyprus.*

#### 1. Legislative Framework

Cyprus has a relatively comprehensive set of laws protecting its female population. The laws in place range from non-discrimination in the workplace, criminalization of different forms of violence against women and domestic violence, to a law on the prevention and combating of trafficking in human beings. In fact, equality between men and women is included in Article 28(1) of the Constitution prohibiting any direct or indirect discrimination against any person on the ground of – among others – sex (Article 28(2)). This article of the Constitution states that “all persons are equal before the law, the administration and justice and are entitled to equal protection thereof and treatment thereby”.<sup>1</sup>

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. The definition of rape under the Penal Code includes; both lack of consent as well as consent given through the use of force, coercion and/ or threat. In the case of rape, the maximum sentence is life in prison.

Domestic violence is criminalized under the Violence in the Family (Prevention and Protection of Victims) Laws 2000 and 2004. Within this framework, rape within marriage is recognized and child witnesses of domestic violence are recognized as victims.

Trafficking of women for reasons of sexual or labour exploitation are criminalized under the Law N° 60(I) of 2014 on the Prevention, Fighting against Trafficking in and Exploitation of Human Beings and Protection of Victims. Despite the criminalization of different forms of violence against women under different laws, there is no comprehensive law developed specifically for combatting violence against women (VAW) in Cyprus. Therefore, a critical gender perspective often remains missing from legislation and certain forms of violence against women in some cases remain un-penalized and unmonitored. For example, economic violence as a form of discrimination against women and as a violation of human rights is not recognized in Cyprus. Nevertheless, Cyprus has ratified several international and regional instruments for combatting sexist violence, such as the Istanbul Convention, The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) in 1985, United Nations Security Council resolution (S/RES/1325), and the Rome Statute of the International Criminal Court (ICC).

<sup>1</sup> Country report - Gender equality – Cyprus – 2015: <http://www.equalitylaw.eu/downloads/3789-cyprus-country-report-gender-pdf-1-01-mb>



## 2. Political Framework

In Cyprus, relevant and disaggregated data is collected by authorities only on certain forms of violence: domestic violence, sexual assault, and rape<sup>2</sup>. Comparative data is gathered on the number of complaints presented for cases of domestic violence, the number of condemnatory sentences and the number of complaints withdrawn, but only limited data exists about complaints vs. convictions in cases of rape and sexual harassment, masking the under-reporting of such crimes.

Authorities also tend to focus on domestic violence when carrying out studies, to the exclusion of other forms of VAW. No population surveys exist on perceptions about the prosecution and protection system for violence against women in Cyprus.

Cyprus has had targeted policies to combat different forms of violence against women for several years: a National Action Plan for the Prevention and Combating of Violence in the Family was implemented during the period 2010-2013 and a new action plan is being prepared for the period 2017-2019 by the Advisory Committee for the Prevention and Combating of Violence in the Family.<sup>3</sup> 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.<sup>4</sup>

NGOs are generally invited to participate in the preparation of the national action plans as well as in monitoring and evaluation, but their input is limited due to lack of formal cooperation between the government and civil society. Furthermore, NAPs generally lack specific indicators, as well as timelines and dedicated budgets. Overall, there is a lack of public information about the percentage of the national budget dedicated to the prevention and fight violence against women<sup>5</sup>.

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 Manual is currently being updated by the Advisory Committee for the Prevention and Combating of Violence in the Family.

The Cypriot government also recently published a National Referral Mechanism for Trafficking in Human Beings, yet no information exists regarding its implementation.

## 3. Protection Framework and Access to Justice

### *Protection systems and services*

In Cyprus, the Association for the Prevention and Handling of Violence in the Family (SPAVO)<sup>6</sup> runs an Emergency Assistance Helpline (1440). This helpline service is provided free of charge with support in English and Greek. Currently, there are two women's shelters in Cyprus, run by the SPAVO, with a total of 17 shelter beds available. The shelters are accessible 24 hours and are free of charge. These services are partially funded by the state.<sup>7</sup> However, these shelters are not accessible to undocumented migrants or asylum-seeking women victims of domestic violence.

Cyprus has transposed Directive 2012/29/EU on common minimum standards on the rights, support and protection of victims of crime which ensures that women victims of gender-based violence receive specialised support services. However, there is no evidence that the law is being implemented.

2. Advisory Committee for the Prevention and Combating of Violence in the Family. (2012). Extent, Frequency, Nature and Consequences of Domestic Violence against Women in Cyprus, Nicosia.

3. [http://www.familyviolence.gov.cy/upload/downloads/actionplan\\_2010-2013\\_en.pdf](http://www.familyviolence.gov.cy/upload/downloads/actionplan_2010-2013_en.pdf)

4. Ministry of Justice and Public Order. (2014). National Action Plan on Equality between Men and Women (2014-2017), Nicosia.

5. An interesting point is that according to the European Institute for Gender Equality, the cost of violence against women in Cyprus amounts to € 385,812,700 per year: <http://eige.europa.eu/sites/default/files/documents/MH0414745EN2.pdf>

6. [www.domviolence.org.cy](http://www.domviolence.org.cy)

7. WAVE Report 2015 on the role of specialist women's support services in Europe. (2015). Cyprus Country Information. [http://files.wave-network.org/researchreports/WAVE\\_Report\\_2015.pdf](http://files.wave-network.org/researchreports/WAVE_Report_2015.pdf)



Specialised services for victims of sexual violence against women are lacking and there are no rape crisis centres or specialized services for victims of sexual violence in Cyprus. The Social Welfare Services provide only limited support and multi-agency cooperation is weak.

Women victims of domestic violence can rely on legal provisions enabling authorities to protect the victims of domestic violence through temporary protection orders restraining the suspect from contact with the victim, and restraining orders prohibiting perpetrators from entering or remaining in their marital home. However, there is no data available on the number of protection orders issued for victims of domestic violence.

### *Preventive measures and training of professionals*

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 sexuality education at all education levels is still lacking. Prevention programmes are implemented by NGOs such as the Cyprus Family Planning Association, the Mediterranean Institute of Gender Studies, and the Association for the Prevention and Handling of Violence in the Family, although these are not implemented on a systematic basis and are subject to funding contingency.<sup>8</sup>

Front line professionals dealing with violence against women, such as the Police and the Social Welfare Services, do not receive systematic training on all forms of violence against women.<sup>9</sup> Thus, these professionals often lack the ability to provide adequate support and protection to victims, and lack a gender-sensitive approach.

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 due to lack of resources and as well as the absence of a political will to formally integrate VAW in professional training.

In the last years, Cyprus authorities and NGOs alike have made increasing efforts to raise awareness on violence against women and domestic violence. 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. The campaign focused on the role of men and boys in preventing violence against women<sup>10</sup>.

### *Access to a non-discriminatory judicial and police system*

According to Cypriot laws, every citizen is free to file complaints in court in cases of sexist violence. In practice, the state of Cyprus only prosecutes cases of violence against women following an official report to the police. In theory, the judge can continue hearings even if the victim withdraws the complaint; however, it is rarely the case due to lack of corroborating evidence.

Women 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, Cypriot courts refuse to grant legal aid to undocumented migrant women. There have been cases of discrimination against documented migrant women, especially domestic workers that were not granted free legal aid despite their very low incomes. NGOs and/or women's organizations sometimes provide legal assistance to women victims of VAW.

The Violence in the Family (Prevention and Protection of Victims) Laws 2000 and 2004 provide women victims of domestic violence with the possibility to testify without being confronted to their aggressor. However, victims often face hostility and challenge to their testimony by the defence during cross-examinations.

The lack of specific training of judges on violence against women and needs and rights of victims, can lead to secondary

8. Kaili, C., & Pavlou, S.E. (2015). Intimate Partner Violence (IPV) and Sexual Violence (SV) in adolescents: preventive and supportive initiatives in Cyprus. Nicosia: Mediterranean Institute of Gender Studies

9. Mediterranean Institute of Gender Studies (MIGS), 2011. REACT to Domestic Violence: Building a Support System for Victims of Domestic Violence. European Commission Daphne III Programme.

10. Facebook page: [www.facebook.com/NoViolenceAgainstWomenCyprus/](https://www.facebook.com/NoViolenceAgainstWomenCyprus/)



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.

There have been cases of secondary victimization of migrant women by police. Some of them have faced pressure and threats to be deported when reporting violence. In these cases the police was actively assisting perpetrators.

Where public officials and/or services fail to protect victims of violence as prescribed by law, complaints can be directed to the Ombudsperson who will investigate and recommend action where appropriate.

### *Specific vulnerabilities*

From the (however limited) data gathered through for example the European Union Agency for Fundamental Rights (FRA) and by NGOs, women belonging to specific groups such as migrants, refugees, domestic workers, disabled women and girls, are clearly be more susceptible to violence in Cyprus.<sup>11</sup> According to some NGOs, the vast majority of killed and raped women in recent years were migrant women.

These women as victims of violence often lack adequate specialized support, which makes them particularly vulnerable to re-victimization or discrimination by the state. Asylum seeking women transiting by the Kofinou reception centre who are victims of violence are left without appropriate support amidst indifference of the authorities.

Domestic workers, who are in majority migrant women, are also more at risk of labour exploitation and economic violence, as their minimum salary, fixed at 309 euros, is the lowest in Cyprus. Migrant women are also more vulnerable to being trafficked into prostitution.

Despite this situation, the authorities continuously fail to provide effective identification, protection, and support to persons experiencing trafficking and who are recognised as victims of trafficking, which is another form of institutional violence.

## **4. Combatting violence against women in Cyprus' relations with international bodies**

As a member state of the European Union, Cyprus is eligible to participate in projects and programmes funded by the European Union to prevent and combat violence against women. Cypriot civil society organizations working on combating VAW can also receive financial support by applying for EU grants.

VAW is considered as a priority area in the cooperation between Cyprus and the Council of Europe. Furthermore, Cyprus is regarded as up to speed with its reports to the Committee of The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).

11. European Union Agency for Fundamental Rights, (2014). Violence Against Women: An EU Wide Survey, Main Results. Publication Office of the European Union: Luxembourg.



## 5. Recommendations by CSOs

- Sign and ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention);
- Ensure appropriate and sustainable funding for the implementation of policies against gender-based violence and the operation of services;
- Improve the collection of reliable, regularly updated administrative and statistical data on victims and perpetrators of all forms of violence against women, disaggregated by sex, age and victim-perpetrator relationship; on prosecutions and sentences imposed on perpetrators; on protection measures; and on the prevalence of VAW in certain categories such as migrant and refugee women, prostitutes, LBT women etc.;
- Provide systematic training for the relevant professionals dealing with victims and perpetrators of all acts of violence against women to improve the detection of violence especially amongst more vulnerable groups (refugees, domestic workers, minors, trans persons...) and their protection;• Guarantee access to legal aid and independent support to victims of gender-based violence.
- Provide migrant women and especially undocumented migrant women with full access to shelters and other services provided for victims of domestic violence.
- Apply a gender equality perspective to all service provision with a view to protecting and empowering women and girls ;
- Strengthen and support multi-agency and multidisciplinary co-operation involving all relevant stakeholders including women's organizations and NGOs;
- Pay attention to primary prevention of violence against women by recognising the role of the educational system as one of the primary transmitters of traditional cultural and social norms that are conducive to violence against women;
- Provide protection and support to all women and girls in vulnerable situations and facing multiple discriminations through adopting an intersectional approach.

