

**European Rule of Law Mechanism: input from the Republic
of Cyprus for the “2022 Rule of Law Report”**

i. Justice System

A. Independence

1. Appointment and selection of judges⁴, prosecutors and court presidents (incl. judicial review)

Please see our input for the Rule of Law Report 2020/2021

2. Irremovability of judges; including transfers (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

Please see our input for the Rule of Law Report 2020/2021

3. Promotion of judges and prosecutors (incl. judicial review)

Please see our input for the Rule of Law Report 2020/2021

4. Allocation of cases in courts

Please see also our input for the Rule of Law Report 2020/2021

5. Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

From the outset, it should be emphasised that the problems encountered in the Cypriot judiciary do not seem related in any way to a lack of integrity or independence of the judges.

Cyprus enjoys the reality of actual judicial independence that is a critical component of the rule of law through its constitutional framework and the respect of the independence of the judiciary by all powers of the state.

The impartiality of Judges in Cyprus has been entrenched over time through their decisions and the tradition of independence observed by the judiciary.

For instance, the Venice Commission recently stated in its adopted opinion on the three Bills¹ reforming the judicial system that the problems encountered in the Cypriot

¹ This opinion was drafted on the basis of comments by the rapporteurs and the results of the visit to Nicosia.

judiciary do not seem related in any way to a lack of integrity or independence of the judges. Instead, the main problem is the enormous backlog of cases pending before the courts and the average time it takes to get a final judicial decision in any given case.

Please see also our input for the Rule of Law Report 2020/2021

6. Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges(incl. judicial review)

Please see our input for the Rule of Law Report 2020/2021

7. Remuneration/bonuses/rewards for judges and prosecutors, including changes (significant increase or decrease over the past year), transparency on the system and access to the information

Please see our input for the Rule of Law Report 2020/2021

8. Independence/autonomy of the prosecution service

Please see our input for the Rule of Law Report 2020/2021

9. Independence of the Bar (chamber/association of lawyers) and of lawyers

Cyprus Bar Association is independent and non-political. Steps have been taken to enhance disciplinary mechanisms, AML and KYC mechanisms. Investigations have become more efficient as a result of the amendment of Advocates Law Cap. 2 recently, section 16. The AML unit of the Bar Council is under constant training and enrichment with forensic fraud experts. Fines are on the increase and disciplinary proceedings strengthened.

Please see also our input for the Rule of Law Report 2020/2021

10. Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

Please see our input for the Rule of Law Report 2020/2021

B. Quality of justice⁵

The Commission took note of a message from the Minister of Justice and Public Order, and adopted the Opinion at its 129th Plenary Session, on 10-11 December 2021 [CDL-AD\(2021\)043-e](#)

11. Accessibility of courts (e.g. court/legal fees, legal aid, language)

Please see our input for the Rule of Law Report 2020/2021

12. Resources of the judiciary (human/financial/material⁶)

Please see our input for the Rule of Law Report 2020/2021

13. Training of justice professionals (including judges, prosecutors, lawyers, court staff)

Please see our input for the Rule of Law Report 2020/2021

14. Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, including resilience of justice systems in COVID-19 pandemic)⁷

The introduction of e-justice is another main objective of the ongoing reforms. E-justice is widely considered to streamline and expedite justice. If successful, the implementation of e-justice can reduce further inefficiencies and delays, providing people with better access to justice at a significantly lower cost. However, its implementation and the relevant public procurement procedures have been delayed since 2017.

In the meantime, an electronic mini registry for filing cases in all civil registries (known as i-justice) has become operational, its implementation having been accelerated by the Covid-19 pandemic. Pending the full implementation of the e-justice system, this interim solution was implemented in April 2021.

It allows for the electronic filing of judicial documents in new civil cases in all courts' civil registries including the registry of appellate civil jurisdiction of the Supreme Court. ² Moreover, it lays the foundations for a smoother transition to the new digital era in the field of justice, addressing at an early-stage possible impediments and risks that would otherwise arise during the implementation of the permanent solution. It provides for the creation of electronic case files, accessible to users either for case management or case monitoring, while facilitating two-way communication between internal users (courts and court registrars) and external users (lawyers, law firms and citizens). It allows for the online filing of claims, pleadings, contact details and other information or documents relating to a case.

² *The new system is fully implemented in all courts in the domain of civil jurisdiction except for the International Protection Administrative Court.*

From the 1st of February all the new court cases will be filed electronically. Cyprus Bar Association has issued relevant material that can be found at the following link: <https://www.cyprusbarassociation.org/index.php/el/news/17553-i-justice-10>.

Moreover, on 15/09/2021 the Supreme Court issued a court regulation, the so-called e-Justice Procedural Regulation (Ο περί Ηλεκτρονική Επικοινωνία Διαδικαστικός Κανονισμός του 2021), which regulates the handling of cases through electronic communication with the Court, allowing judges to handle cases without any physical presence.

Under the new Regulation, without prejudice to the current procedural practice, the Court may, if it considers it appropriate and the parties consent, handle a case in their absence. In such an instance, the proper, legally and economically, handling of the case will not be affected. In this instance, the correct handling of the case would not be affected in any way, either legally or procedurally.

These Rules of Procedure do not annul the obligation of the parties to appear before the Court if:(a)they are instructed to do so by the Court, or(b)the Court does not respond to a request made by e-mail; or(c) the instructions of the Court were not posted on the board.

The Rules of Procedure shall apply to all proceedings before the Supreme Court and the Courts of First Instance, including the Special Courts.

Please see also our input for the Rule of Law Report 2020/2021

15. Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

Please see our input for the Rule of Law Report 2020/2021

16. Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

Efficiency of the justice system

17. Length of proceedings

The justice system faces structural problems which have led to the accumulation of a large number of backlog of cases pending before the courts. In order to improve judicial performance, the Ministry of Justice and Public Order, the Supreme Court and the Ministry of Finance have embarked on a very ambitious and holistic Courts’ Reform project, which aims at building a modern, accessible and efficient system for administering justice.

The reforms promoted are complex and interlinked, their implementation spanning over several years. They could be classified under 5 thematic areas: revision of the Rules of Civil Procedure, clearance the backlog of delayed cases, digitalisation of courts, restructuring/increasing the specialisation of courts and enhancing the administrative capacity of courts.

One of the most significant reforms promoted relates to the revision of the Civil Procedure Rules. The project was undertaken by a team of international experts who worked in close cooperation with the Rules Committee set up by the Supreme Court. The revised Rules underwent consultation with the Judge's association and the Cyprus Bar Association, before being approved by the Supreme Court on 19 May 2021. The whole project was concluded on December 2021. An intense training programme for all stakeholders is now being implemented. It is noted that a commitment has been undertaken by the Supreme Court within the framework of the Recovery and Resilience Plan (RRP), for the implementation of the new Rules of Civil Procedure for the new cases submitted to the court as from 1.9.2023.

The clearance of backlog of delayed cases which have accumulated in the courts is a very critical and pressing task in the reform process. In order to facilitate this project, 32 new posts to increase the general capacity of the judicial system were approved by the House of Representatives as part of the State Budget for 2019. Following two recruitment procedures, a smaller number of judges were selected compared to the number of open posts due to the lack of sufficiently qualified candidates, according to the Supreme Court. Specifically, 15 new judges were appointed in July 2020 and 6 new judges in July 2021.

Since September 2020, a pilot project is being implemented in the District Court of Paphos through the temporary assignment of a "task force" of seven experienced judges to handle the backlog of cases. At present, the task force has cleared more than 50% of the backlog in Paphos. The project was expanded in September 2021 and covers the other districts, as well.

Within the framework of the Recovery and Resilience Plan, a commitment has been undertaken for the reduction in the backlog of cases and appeals pending for over two years before the Districts Courts and the Supreme Court - by 20% by Q2 2024 from the 31 December 2020 level and by 40% by Q2 2026 from the 31 December 2020 level, as verified by an annual progress report. To this end, an action plan is now being prepared with specific annual targets.

Within the measures promoted for addressing the backlog of cases is a bill drafted by the Ministry of Justice and Public Order, which provides for the increase of the

jurisdiction of the District Court Judges and the Senior District Court judges, with regard to the amount of dispute they can hear and adjudicate, in order to allow for more flexibility to the system. The bill was discussed (16.10.2019 and 15.11.2019) in the competent Parliamentary Committee of Legal Affairs and is pending for discussion at the plenary session.

The introduction of new technologies in the Justice system is a prerequisite for increasing the efficiency of courts. In this context, the digitalisation of the courts is being promoted, with the implementation of e-justice and the digital audio recording (DAR) of minutes during trials.

The implementation of the e-justice system is now underway and within the timelines defined. The project will also be financed by the Recovery and Resilience Plan. According to the project milestones, by Q4 2022, development and installation of the system will be completed and the e-justice system will go live. It is noted that the intermediate “i-justice” system is used on a national basis as of 21 July 2021 which provides for digital filing and administration of Courts’ cases. In relation to the introduction of Digital Audio Recording in courts, a commitment has been undertaken within the RRP for the installation and full operation of digital audio recording in court proceedings by Q1 2025.

A major component of judicial reform which is expected to contribute significantly towards the enhancement of the efficiency of the courts, is the restructuring of the courts and the establishment of specialised Courts.

To this end, the Administrative Court was established in January 2016, which was further strengthened with two additional judges as from September 2017 (total number of 7 judges).

The Administrative Court of International Protection was established in June 2019 with 3 judges. The court was enhanced in 2020 through the recruitment of 2 new additional judges. The Court was again recently strengthened with 5 additional judges (total number of 10 judges).

Further important structural changes promoted include the splitting of the current Supreme Court into two distinct courts, as per the Constitution, the Supreme Constitutional Court and the Supreme Court, now being given a limited third-tier jurisdiction for the first time in Cypriot judicial history, and the establishment of a new Court of Appeal. The latter will be the court dealing with civil, criminal and administrative cases at second instance. The draft bills prepared by the Ministry of Justice and Public Order are pending before the competent Parliamentary Committee, whilst at the same time undergoing a new cycle of consultation with all relevant

stakeholders.

It is to be noted that after the request of the Minister of Justice and Public Order to the European Commission for Democracy through Law (Venice Commission), a consultation took place concerning the bills reforming the judiciary. The final Opinion of the Venice Commission was adopted on its Plenary Session on 10-11 December 2021 and welcomes that a detailed action plan for judicial reform has been prepared over the last few years in consultation with the relevant stakeholders. The Venice Commission warmly welcomes the actively searching for an agreement on this important reform. As for the proposal to re-establish the Supreme Constitutional Court, the Commission does not object to the proposal as such. It does however make recommendations on certain provisions of the bills. Also, the Opinion makes recommendations on the setting up of an Advisory Judicial Council, which should act as an advisory body to the President on the suitability of candidates for appointment as Judges of the Supreme Constitutional Court and the Supreme Court. The Commission sees no reason to object to the proposal as such. but makes certain recommendations. Lastly, the Venice Commission makes certain recommendations concerning the Supreme Council of Judicature. All the recommendations are now under study by the Ministry of Justice and Public Order, in order to move forward with the relevant changes in the bills and be in line with the Opinion of the Venice Commission.

Furthermore, two bills are pending before the House of Parliament concerning the establishment of a Commercial and Admiralty Court, to provide an appropriate forum for the determination of high profile commercial cases and admiralty cases.

The reform programme will require significant changes in the way courts operate and are managed. The capacity must therefore be strengthened in order to fully exploit the potential arising from these initiatives. Besides the recruitment of additional judges, three projects which have been implemented or are underway, will contribute to this end:

A Training School for Judges has been established following the enactment of the relevant Laws. This development formalises training and will contribute to the ongoing and regular training of judges, as it is now envisaged that Judges are obligated to go through life-long training. The establishment of the Training School for Judges is of vital importance for safeguarding the high quality of the Justice system. It is expected that the School of Judges will enable them to deepen their knowledge and gain even more expertise in new areas of law that emerge.

Following a study carried out by experts which was funded by DG REFORM of the European Commission, the Supreme Court published in July 2019 criteria for the recruitment of judges and in October 2019 criteria for the promotion of judges. All new appointments/ promotions are now based on these new criteria.

A new project underway relates to the establishment of a new Courts Service, responsible for all aspects of management, administration and support of the courts. The new project which is funded by DG Reform of the European Commission covers, inter alia, aspects relating to the organisational and governance structure of the new Courts Service, the re-engineering of procedures and staffing requirements.

A prerequisite for the implementation of the above reforms is the provision of adequate and modern facilities in order to ensure the safe and efficient functioning of the courts. The government has thus prepared and is currently implementing a very elaborate and expensive court building programme that prioritises needs, ensuring that the courts will have appropriate buildings.

Please see also our input for the Rule of Law Report 2020/2021

Other – please specify

Please see our input for the Rule of Law Report 2020/2021

I. Anti-corruption framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission’s attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

18. List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable).

The Attorney General and consequently the prosecutors (who handle criminal cases on his behalf and take instructions only from him), are responsible to present and handle corruption criminal cases before the criminal courts. The prosecutors are counsels working at the Law Office of the Republic that has its own separate budget.

The Law office of the Republic recently recruited a substantial number of new lawyers

a number of them will handle criminal cases including corruption cases.

Corruption cases are classified as serious crimes and as such in order to facilitate investigation, and prosecution of such cases, a Special Anti-Corruption Unit has been established under the supervision of the Attorney General and the Deputy Attorney General. The Unit consists of officers of the Legal Service, the Unit for combating Money Laundering (MOKAS) and police investigators, who, depending on the texture and extent of each case, will cooperate with other specialized departments of the Police. In addition, there is the possibility of participation of representatives of other authorities such as the Taxation Department and the Customs Department or other departments of the public and broader public sector, where this is deemed necessary. Furthermore, the Financial Crime Investigation Office of the Police Headquarters has been enhanced and renamed to Financial Crime Subdivision of the Police Headquarters in which two branches operate, the Financial Crime Investigation Branch which is staffed with properly trained and experienced investigators and the Financial Investigations Branch, which consists of specialized accountants/auditors and police investigators. Four accountants have been recruited for this purpose.

Furthermore, the bill which provides for the establishment of an Independent Authority against Corruption, is still pending before the Committee on Legal Affairs as two issues are still outstanding concerning the appointment procedure of the Members of the Authority and the strengthening of its competences and powers. A revised text will be submitted in order to facilitate the conclusion of the examination of the bill at the next session of the Committee on 26.1.2022 and accordingly is expected to be submitted to the Plenary for enactment on 3.2.2022 In addition to the information provided in the previous report as far as the Independent Authority for the Investigation of Allegations and Complaints Against the Police it should be clarified that the 2021 budget of the IAICAP is €322.559,00 which is considered to be adequate for the purposes of its operation and duties as provided by the Law.

The Republic of Cyprus has taken all necessary measures to ensure that EPPO can successfully carry out its activities in Cyprus, apart from the appointment of the European Delegated Prosecutor, such as-

Adding the European Delegated Prosecutor, as a competent authority, in addition to the Chief of Police, for the implementation of the Council Framework Decision 209/948/JHA, for the prevention and settlement of conflicts of jurisdiction in criminal matters.

As point of contact within the Police, with the European Public Prosecutor's Office (through the European Delegated Prosecutor), the Head of the Financial Crime Subdivision of the Police Headquarters, was appointed.

All the provisions of the Regulation have been fully implemented in Cyprus, the mechanism was put into operation, and to date, according to information received by the Police, a total of 8 cases concerning a possible squandering of European Union funds are pending for investigation.

The last three cases were recently received through the European Delegated Prosecutor.

The European Delegated Prosecutor has been informed about the remaining cases under investigation and after reviewing these cases informed the Police that, one of the cases is going to be undertaken by EPPO. The remaining 4 cases will continue to be handled by the Attorney General of the Republic.

Furthermore, 3 requests that were received through the EPPO concerning criminal cases investigated by other Member States are pending for execution at the Office for the Execution of European Orders & Requests for Judicial Assistance. Please note that a total of 6 requests have already been fully executed and all the evidence collected has been transmitted.

In addition, the Internal Affairs Service which is established by the Law 3(I)/2018, within the Police, is empowered to investigate under the supervision of the Attorney General, cases concerning corruption committed exclusively by members of the Police. The Internal Affairs Service is under the supervision of a Superintendent A' Officer.

In particular, the Police Internal Affairs Service (P.I.A.S.) started operating in Cyprus in March 2018. The main mission of the P.I.A.S. is to deal with the phenomenon of Police corruption, by preventing, investigating and prosecuting corruption offenses committed by members of the Police.

The P.I.A.S. is considered an autonomous Service. It reports administratively directly to the Chief of Police, while its responsibilities and powers are supervised directly by the Attorney General of the Republic.

Any information / complaints can be submitted to the P.I.A.S., even anonymously, by telephone, by email, online, in person and in writing. Any information / complaint, received by the P.I.A.S., is studied and evaluated and those that are fall within the legal framework of the P.I.A.S. are being investigated. The P.I.A.S., created an independent website, separated from the rest of the Police, through which information concerning the Police corruption, can be submitted even anonymously to P.I.A.S.. At the same time, for the purposes of disclosing the above website and informing the public about the role and mission of the P.I.A.S., a relevant leaflet has been issued, which was distributed

to the public with the contribution of the Community Police.

Furthermore, the P.I.A.S., proceeded to the creation of a Code of Police Ethics against Corruption. This Code, in conjunction with a targeted training, of both, new members and existing members of the Police, will contribute to the preventive field. Within this framework, staff of P.I.A.S., provides lectures in matters of Police corruption, in training programs of Cyprus Police Academy.

Of particular importance, are the various actions of the members of the P.I.A.S., in terms of the preventive and repressive role of the Service, which take place in the context of investigating mainly information. In this context, either exploratory missions or integrity tests are carried out by undercover members of the P.I.A.S.

Also, in the context of investigating various information / complaints, where gaps and / or weaknesses are identified, which may create opportunities for Police corruption and / or delinquent behavior, relevant suggestions are submitted to the Chief of Police for corrective measures.

19. Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption.

Please see input in Q18 and also our input for the Rule of Law Report 2020/2021

20. Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.

B. Prevention

21. Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training). Please provide figures on their application.

Please see our input for the Rule of Law Report 2020/2021

22. General transparency of public decision-making (e.g. public access to information, including possible obstacles related to the classification of information, transparency authorities where they exist, and framework rules on lobbying including the transparency of lobbying, asset disclosure rules, gifts and transparency of political party financing)

The bill entitled “Enhancement of Transparency in Public Decision making through the regulation of lobbying” is still pending before the Committee on Institutions, Merit and the Commissioner for Administration. Most of the issues have already been agreed and what is still under debate is the exact scope of application and the delineation of the obligation to register. Discussion is expected to be concluded at the next session of the Committee on 26.1.2022 and accordingly to be submitted to the Plenary for enactment into Law at its session on 3.2.2022.

This bill as well as the bill which provides for the establishment of an Independent Authority against Corruption are interrelated, therefore are expected to be submitted together before the Plenary for adoption.

As mentioned above, a number of private member’s bills are pending before the Parliamentary Committee on Institutions, Merit and the Commissioner for Administration (Ombudsman). The Committee’s purpose in scrutinizing these bills is to modernize the relevant legal provisions, in order to make them more effective. The Committee is also taking into account a paper drafted by a committee of experts. The relevant amendments are expected to be submitted before the plenary of the House of Representatives by the end of the year.

Regarding the protection of whistleblowers, a revised bill was drafted on the 30.11.2021 and was submitted to the Parliamentary Committee on Legal Affairs on the 1st of December for discussions. On the 20th January, the bill was approved by the Plenary of the House of Representatives and will be enacted into law soon.

This revised bill named “On the Protection of Persons Reporting Violation of EU and National Law Relating to the Public Interest”, transposes the EU Directive 2019/1937, affording protection to individuals who report violations of EU law, and at the same time, extends the protection to individuals who report violations of national law that concern the public interest, and in particular acts of corruption.

The bill provides for supplementary protection for persons reporting, among others, acts of corruption both in the public and the private sectors i.e further to the protection already provided for in the Protection of Witnesses Law 95(I)/2001. Those individuals are encouraged to report such violations, without having the fear of being subject to any acts of retaliation such as dismissal, demotion, discrimination and so forth.

Moreover, the bill provides for those who are involved in acts of corruption, but voluntarily report to the police and/or cooperate with the authorities resulting in the full investigation of the case and the prosecution of those holding hierarchically superior positions, that the maximum penalty on conviction is half of the one provided for the offence.

The bill intends to encourage reporting of acts of corruption and facilitate the investigation and prosecution of corruption offences, as it is expected to alleviate the

difficulties that the law enforcement authorities are facing in detecting and bringing all those involved to justice.

Please see also our input for the Rule of Law Report 2020/2021

23. Rules and measures to prevent conflict of interests in the public sector. Please specify the scope of their application (e.g. categories of officials concerned)

Please see our input for the Rule of Law Report 2020/2021

24. Measures in place to ensure whistleblower protection and encourage reporting of corruption.

As regards whistle-blowers' protection, it is clarified that the bill on "Reporting Acts of Corruption" provides supplementary provisions on the protection of persons reporting acts of corruption both in the public and the private sectors (persons not involved in the acts) i.e further to the protection already provided for in the Protection of Witnesses Law 95(I)/2001.

Also for those who are involved in acts of corruption, but voluntarily report to the police and/or offer cooperation with the authorities resulting in the full investigation and prosecution of the case, the bill provides that maximum penalty on conviction is half of the one provided for the offence.

The bill was intended to facilitate the investigation and prosecution of corruption offences, where law enforcement authorities are faced with more difficulties in detecting and bringing all those involved to justice.

The bill was also amended in order to incorporate the EU Directive 2019/1937 and was enacted into Law on the 20.1.2022.

25. List the sectors with high-risks of corruption in your Member State and list the relevant measures taken/envisaged for monitoring and preventing corruption and conflict of interest in these sectors. (e.g. public procurement, healthcare, citizen investor schemes, risk or cases of corruption linked to the disbursement of EU funds, other).

Please see our input for the Rule of Law Report 2020/2021

26. Measures taken to assess and address corruption risks in the context of the COVID-19 pandemic.

Please see our input for the Rule of Law Report 2020/2021

27. Any other relevant measures to prevent corruption in public and private sector

The President along with Justice and Public Order Minister and the Deputy Spokesperson presented on 29 January 2021 the Strategy and Measures against Corruption, which are based on the Rule of Law, Transparency and Accountability. The Republic of Cyprus, through the announcement of these new measures took one more step in the strenuous effort to fight corruption by asserting the decisiveness of the Government to combat this phenomenon.

The new measures proposed contribute decisively to the protection framework against corruption. They holistically address transparency, accountability and corruption matters by reinforcing the existing institutions and by creating new further safeguards. The foreseen planning aims at enhancing to the maximum the legal, political, financial and social environment through 27 specific actions that are divided in 3 pillars:

- (a) Prevention, education and awareness
- (b) Reinforcement and modernisation of the existing legal framework
- (c) Supervision, risk assessment and active involvement of the Civil Society

The Office of Transparency and Prevention of Corruption which has been established at the Ministry of Justice and Public Order in 2019, monitors and coordinates the implementation of these actions in cooperation with all competent implementing bodies.

Several actions have already been implemented while the rest are on track to be implemented-

- The reinforcement of the Control Units in the Ministries/Deputy Ministries with full-time personnel. So far seven (7) Ministries and three (3) Deputy Ministries have staffed their Control Unit with the corresponding number of full-time staff.
- the substantial reinforcement of the Internal Audit Service
- the continuous training of the personnel, and
- the preparation of a manual of procedures by each Audit Control Unit separately, based on the standard manual to be prepared by the Audit Service of the Republic.

The Audit Service of the Republic is launching the preparation of a Manual of Procedures, which will be a guiding tool for all public sector services as well as the preparation of a new Internal Audit Manual for the Internal Audit Service and the preparation of an all-day seminar to the IAS Officers for the presentation of the new Handbook. The two Handbooks and the corresponding seminars are expected to be completed at the end of February 2022.

As far as training is concerned, a 12-month training program which includes 12-day seminars for a period of one year is prepared by the Audit Service of the Republic. The aim of the seminars is to provide the required knowledge related to the responsibilities of the Audit Units, so that they can adequately perform their duties.

- Also, with the measures that are implemented the aim is to invest in the awareness and active involvement of the civil society.
- Investment in youth and in the education of everyone that today or in the future will find themselves in positions of responsibility. Encouraging citizens to demand and vindicate good governance and accountability.
- Promotion of incentives to the private sector, the public and broader public sector as well as the Local Authorities for the adoption and implementation of ISO 37001, a recognized standard against bribery and corruption. For the implementation of the above standard, the amount of €2 million will be provided by the Government as a subsidy for a period of 5 years starting from the second half of 2021 until 31 March 2026. The cost of applying the standard relates to the cost of consulting services and the cost of certification.
- Establishment of an Independent Commission for recruitment, promotion and transfer of personnel in the Municipalities and Semi-Governmental Organizations, similar to the structure and functions of the Public Service Committee and the Education Service Committee.
- Establishment of mandatory mobility of human resources among positions of responsibility, where and when specialized knowledge is not a prerequisite.

For the implementation of this Action, the Director of the Department of Public Administration and Personnel, sent a circular to all Ministries / Deputy Ministries / Independent Offices / Departments / Services with the following recommendation:

Implement measures to rotate the duties of employees, especially in sensitive and prone to corruption duties, in a way that does not hinder the proper functioning of the Public Sector

To ensure that duties are rotated within a reasonable period of time, in order to avoid the consolidation of persons in specific tasks and the development of an environment conducive to the creation of situations of entanglement and corruption,

To carry out a risk assessment for the development of phenomena of corruption in procedures and tasks and plan a rotation of duties of the employees employed in such duties and participate in such procedures every five-six years

In cases where it is not possible to rotate tasks either due to specialized work and specialization of specific employees that cannot be replaced, measures should be taken to prevent such phenomena, such as strengthening the supervision / supervision of these sensitive processes / tasks, the development of teamwork, the transfer of responsibilities to other areas of work / directorates.

In order to achieve the objective of alternating the duties / responsibilities of the staff, the mobility tools available under the institutional framework of operation of the Public Service for transfers, transfers, secondments of employees and assignment of tasks, where necessary and feasible, can also be used.

For the purposes of monitoring / supervising the implementation of the action, the Department of Public Administration and Personnel expects to be informed by all recipients of the recommendations, about the actions / arrangements they are expected to make within one year

Modernisation of the Press Laws so that the rules for the profession of journalism cover also electronic media.

With regard to the establishment of structures to monitor the progress of the implementation of the Action Plan as well as the effectiveness of the measures, a Scientific Council was established. The Council composed of academics and civil society figures appointed by the President of the Republic with the aim of monitoring the situation and contributing to the evaluation and enrichment of anti-corruption measures.

C. Repressive measures

28. Criminalisation, including the level of sanctions available by law, of corruption and related offences including foreign bribery.

Please see our input for the Rule of Law Report 2020/2021

29. Data on investigation and application of sanctions for corruption offences, including for legal persons and high level and complex corruption cases) and their transparency, including as regards to the implementation of EU funds.

From the information / complaints to PIAS, which were investigated from 2018-2021, 13 cases were brought before the Court for criminal prosecution, in which 12 members of the Police and 13 citizens are involved. From the above cases, one case was completed and the involved member of the Police was sentenced to 6 months in prison with a three-year suspension. This member was also prosecuted disciplinary and the sentence imposed on him was force to resign. For one case, the criminal prosecution before the

Court was suspended (due to the permanent establishment of the main witness abroad) and one case has been interrupted by the Court, because the accused could not be located (he left Cyprus). The remaining 10 cases, which were brought before the Court for criminal prosecution, are under trial.

30. Potential obstacles to investigation and prosecution as well as to the effectiveness of sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, pardoning)

Please see our input for the Rule of Law Report 2020/2021

31. Information on effectiveness of administrative measures and sanctions, in particular recovery measures and administrative sanctions on both public and private offenders.

Please see also our input for the Rule of Law Report 2020/2021

Other – please specify

Please see our input for the Rule of Law Report 2020/2021

II. Media freedom and pluralism

A. Media authorities and bodies¹⁰

32. Measures taken to ensure the independence, enforcement powers and adequacy of resources of media regulatory authorities and bodies

Following the enactment of the amending law of Radio Television Organizations Laws on 23/12/2021, the independence of Cyprus Radio Television Authority as the national regulator of audiovisual media services has been enhanced. Article 3 provides for the establishment of independent CRTA as the “national regulatory authority” and article 8A separates it legally and operationally from the government or any other public or private institution. Also it is provided that the supervision of various sectors can be appointed to it.

Please see also our input for the Rule of Law Report 2020/2021

33. Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

Article 5 of the above mention new Radio Television Organizations Law provides that in case of a dismissal of any member of the Board of the CRTA by the Council of Ministers, due to inability to fulfill the prerequisites for the tasks as set in articles 4 and 8A, the decision needs to be adequately justified, notified in advance and published. In full transposition of Directive 2018/1808/EU and its article 30, the procedures for the

appointment and dismissal of the Chairman, Vice-Chairman and members of the CRTA are transparent, non-discriminatory and guarantee the requisite degree of independence. A specific provision on the cooperation of the CRTA with other regulatory authorities has been included (article 8B).

34. Existence and functions of media councils or other self-regulatory bodies
Please see also our input for the Rule of Law Report 2020/2021

B. Transparency of media ownership and safeguards against government or political interference

35. Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

Following consultation with the Cyprus Advertisers' Association, a preliminary study has been prepared concerning the suggested allocation of advertising by media type and target group. The allocation to media is distributed based on official ratings taken by information, data, and market measurement firms. The relevant department of the Ministry of Interior (Press and Information Office) assigns media planning only to advertising agencies cooperating with such firms, in rotation.

Please see also our input for the Rule of Law Report 2020/2021

36. Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of governing bodies of public service media governance (e.g. related to appointment, dismissal) and safeguards for their operational independence (e.g. related to reporting obligations),
- procedures for the concession/renewal/termination of operating licenses
- information on specific legal provisions for companies in the media sector (other than licensing), including as regards company operation, capital entry requirements and corporate governance

Please see our input for the Rule of Law Report 2020/2021

37. Transparency of media ownership and public availability of media ownership information, including on media concentration (including any rules regulating the matter)

Following the enactment of the amending law of Radio Television Organizations Laws on 23/12/2021 in full transposition of the Directive 2018/1808/EU, article 30A which refers to matters of transparency, has been strengthened. Specifically paragraph (2) provides

that the media service provider shall make accessible to the Authority, information concerning its ownership structure, including the beneficial owners. Paragraph (3) provides that any measure the Authority takes for this purpose shall respect fundamental rights, such as private and family life of the beneficial owners and shall be necessary and proportionate and its aim shall be to achieve a goal of general interest. Also it is noted that Cyprus enacted the 5th Anti Money Laundering Directive (EU)2018/843 ('AMLD5') into its national law, through amending Law 188(I)/2007 on 'Prevention and Suppression of Money Laundering and Terrorist Financing'. The relevant article 61A provides for a registry kept by the Companies Registrar concerning the beneficial owners of all companies and other legal entities.

C. Framework for journalists' protection

38. Rules and practices guaranteeing journalist's independence and safety

A draft legislation has been prepared in order to replace the outdated Press Law under the title “Law on the safeguarding of freedom of Press and the operation of Media in the Republic of Cyprus”. The Ministry of Interior will start a final round of consultations in first quarter of 2022 in order to finalize the text with the involved parties. Matters of journalists work and safety will be included in the legislation. Cyprus Media Complaints Commission will be legally established through this legislation, in an effort to enhance media pluralism but at the same time combat disinformation to the public. It is also planned to strengthen transparency of media by adding a provision to provide information to the public concerning media ownership and audiovisual service providers’ beneficial owners, for all media outlets not just radio and television.

39. Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

Please see answer given above Q38 and also our input for the Rule of Law Report 2020/2021

40. Access to information and public documents (incl. procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities)

Please see also our input for the Rule of Law Report 2020/2021

41. Lawsuits (incl. SLAPPs - strategic litigation against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against abusive lawsuits

Please see also our input for the Rule of Law Report 2020/2021

Other – please specify

The Cyprus Radio Television Authority (CRTA) has developed Guidelines on gender equality and portrayal in order to promote a balanced, non-stereotyped portrayal of women in the broadcasting media, whilst fostering an accurate, responsible, sensitive and ethical reporting of violence against women and girls (co-regulation). Both the Union of Cyprus Journalists and the Cyprus Media Complaints Commission (media self-regulatory body) have already approved the above-mentioned Guidelines and they will cooperate to ensure the effective implementation thereof.

The Guidelines are divided into 6 groups of provisions, as follows:

1. Gender Parity (includes data gathering on representation of gender on/off screen).
2. Avoiding and combating gender stereotypes.
3. Promoting gender equality in the fields of politics and economics (Promoting the use of databases of female and gender variant professionals and experts).
4. Contributing to the elimination of Violence against Women and Girls (including guidelines for the appropriate coverage by the media of cases of gender - based violence against women and girls. How to place incidents within a broader social context, protection of minors' identity, dignity, privacy, etc).
5. Avoiding linguistic sexism.
6. Promoting gender equality in the infrastructures of broadcasters.

For each of the group of the afore-described provisions, both data and practical tools are presented, based on research and recommendations of European and international bodies.

- CRTA will provide on-going training programmes for journalists aiming at enhancing journalistic skills as regards the effective understanding and actual implementation of guidelines in practice (workshops on deconstruction of gender bias and stereotypes). Additionally, CRTA will disseminate good practices and recommendations with a view to assisting professionals in the media to gain a profound understanding of legal provisions related to gender equality.

CRTA already collaborates with experienced reporters, academics, and NGOs in relation to organizing and developing the pertinent trainings.

- CRTA seeks to develop annual monitoring activities (2022) in the field of gender equality and violence against women and girls, so that it can provide feedback, encourage ongoing reflection (lessons learned) as well as increase co- and self-regulation.
- CRTA will also support activities to raise awareness on gender equality in sports.

III. Other institutional issues related to checks and balances

A. The process for preparing and enacting laws

42. Framework, policy and use of impact assessments, stakeholders'/public consultations(particularly consultation of judiciary and other relevant stakeholders on judicial reforms),and transparency and quality of the legislative process

As from the second half of 2021 (September 2021), after the decision of the Council of Ministers (Decision No. 90.126) the DG Development of the Ministry of Finance took over the responsibility for the issues of Improving the Regulatory Framework in Cyprus. Improving the Regulatory Framework is an initiative promoted by the Government, which has been set as a priority by the European Commission (known as the "Better Regulation"), in the framework of the "EUROPE 2020" Strategy. It is a policy framework that promotes the reduction of bureaucracy, the simplification of legislation and complex procedures and has as its ultimate goal the modernization and efficient operation of the state, in the light of reducing the administrative burden on citizens and businesses. In order to improve the regulatory framework, a comprehensive Action Plan was prepared, which was approved by the Council of Ministers and includes modernization and simplification actions in specific areas, including actions related to e-government. Through the Action Plan, which is updated from time to time, the competent services promote actions under the following priorities:

- **Simplification of procedures and laws and reduction of the administrative burden, for the benefit of citizens and businesses.**
- **Better legislation and Impact Analysis of new legislative proposals.**
- **Cultivation of culture and development of relevant skills.**

Please see also our input for the Rule of Law Report 2020/2021

43. Rules and use of fast-track procedures and emergency procedures (for example, thepercentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

Please see our input for the Rule of Law Report 2020/2021

44. Regime for constitutional review of laws

Please see our input for the Rule of Law Report 2020/2021

45. COVID-19: provide update on significant developments with regard to emergency regimesin the context of the COVID-19 pandemic

- judicial review (including constitutional review) of emergency regimes and measures in the context of COVID-19 pandemic
- oversight (incl. ex-post reporting/investigation) by Parliament of emergency regimes and measures in the context of COVID-19 pandemic

Please see our input for the Rule of Law Report 2020/2021

B. Independent authorities

46. Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions¹¹

The Commissioner for Administration and the Protection of Human Rights (Ombudsman) was established in 1991 by virtue of Law no. 3(I)/1991 (the Law on the Commissioner for Administration), as an independent Incumbent, responsible to deal with individual complaints concerning maladministration, misbehavior and human rights violations by state authorities or officers.

The basic law has since been amended six times: in 1994 (Law no. 98(I)/1994), 1995 (Law no. 101(I)/1995), 2000 (Law no. 1(I)/2000), 2004 (Law no. 36(I)/2004), 2011 (Law no. 158(I)/2011) and 2014 (Law no. 45(I)/2014). Each amendment either enhanced the Institution's powers and expanded its mandate.

With the amendment of 2011 (Law no. 158(I)/2011), the Commissioner for Administration (Ombudsman) was renamed "Commissioner for Administration and the Protection of Human Rights" and vested with broader functions in the area of protecting, promoting and guaranteeing human rights as National Human Rights Institution (NHRI) in line with the Paris Principles, and in 2015 was accredited as NHRI by UN (SCA) with B Status.

In addition to the above, following the accession of Cyprus into the EU in 2004 and as a result of the incorporation of Directives 2000/78/EC and 2000/43/EC into Cyprus law [Combating of Racism and Other Discrimination (Commissioner) Law, 2004 (L.42(I)/2004)] the mandate of the Ombudsman was expanded so as to include competences for combating discrimination and promoting equality under the directives.

In particular, the Commissioner for Administration and the Protection of Human Rights by the abovementioned Law was assigned to act as an Equality Body among others, promoting equal treatment between men and women and to combating discrimination in all fields, such as sex, race, language, religion, national or ethnic origin, disability etc.

Furthermore, the responsibilities of the Commissioner for Administration and the Protection of Human Rights were further reinforced by his/her appointment by Law as the National Preventive Mechanism Against Torture (NPM). Specifically, with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Optional Protocol) (Ratification) Law of 2009 [Law no. 2(III)/2009], Cyprus ratified the Optional Protocol to the United Nations Convention Against Torture and the

competences of the National Mechanism for the Prevention of Torture (NPM) were added to the existing competences of the Commissioner.

In 2012, following the ratification of the UN Convention for the Rights of Persons with Disabilities by the Republic of Cyprus and a relevant Council of Ministers Decision, the Commissioner for Administration and the Protection of Human Rights was appointed as Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention for the Rights of Persons with Disabilities, in accordance with article 33 (2) of the UN Convention.

Within the framework of harmonization with Article 8 (6) of the Directive 2008/115/EC and on the basis of Article 18i (6) of the Aliens and Immigration Law, in 2012 the Council of Ministers, appointed the Commissioner for Administration and Protection of Human Rights to establish and operate an effective system for monitoring the forced return procedures of third-country nationals (Mechanism for Monitoring Forced Return Procedures).

Due to a tragic incident occurred in Cyprus in 2019, dealing with the exploitation of foreign women, the Council of Ministers assigned the Commissioner the competences to examine the employee's employment terms carried out by the Labour Disputes Department, Ministry of Labour, Welfare and Social Insurance, in cases of serious suspicion of the individual human rights and fundamental freedoms.

As it arises from the above, the Commissioner's is assigned the mandates to act, not only as an Ombudsman Institution, but also, among others, as an Equality Body and as a NHRI.

As regards to the independence of the Commissioner, is noted that the Commissioner is defined as an Independent Incumbent and, therefore, according to the legislation, which is fully in line with articles 6, 7 and 8 of Venice Principles, which particularly refer to article 3(1) of the Commissioner for Administration Laws 1991 to 2014 (L. 3/91), which states that:

“the Commissioner appointed by the President, based on the recommendation of the Council of Ministers and with the prior consent of the majority of the House of Representatives, a citizen of the Republic (...), with a high level of education and experience and with the highest integrity, as Commissioner”.

Furthermore, according to the same article, the Commissioner:

- Is not accountable to the Government, to the Parliament or to any other Public Authority or Body.

- Every year submits to the President of the Republic and to President of the Parliament its Annual Reports about its activities.
- A monthly memorandum in summary form referring to reports and Interventions is submitted to the Council of Ministers and to the President of the Parliament. It is noted that the Council of Ministers examines in a special session the content of the monthly memorandum of the Commissioner, after first inviting the involved services to which the reports and interventions of the commissioner refer to, to inform it on their actions for complying with the suggestions of the Commissioner.
- Does not receive any instruction in the exercising of its powers;
- Subject to the provisions of the legislation, the Commissioner is able to decide at its own discretion whether to initiate or to continue or discontinue an investigation in relation to a complaint submitted or ex proprio motu investigation regarding matters of general interest or matters of human rights;
- The procedure for conducting an investigation shall be such as the Commissioner considers appropriate in the circumstances of the case and he/she shall have the power to receive information from such persons and in such manner as he/she thinks fit.
- All departments/agencies, if so required by the Commissioner, shall offer every assistance necessary in the execution of Commissioner's duties.

As it has already been mentioned above, according to the legislation (article 3), the Commissioner is appointed by the President, based on the recommendation of the Council of Ministers and with the prior consent of the majority of the House of Representatives, a citizen of the Republic (...), with a high level of education and experience and with the highest integrity, as Commissioner.

Given that Cyprus Republic is a Presidential Republic and not Parliamentary Republic, still the appointment of the Ombudsman-Commissioner depends on prior consent and approval by the majority of the House of Representatives. Because of the fact that the government has not the majority in the Parliament, the approval of the candidate by the Parliament needs the synergies of the political parties. In this way, even though the Commissioner is appointed by the President, based on the recommendation of the Council of Ministers, the final decision is upon the House of Representatives prior consent and approval.

During this period of time, from the proposal of the Council of Ministers till the final decision of the Parliament, NGO's and other civil society representatives bring their views before the Parliament members, related to the candidate who has been selected by the Council of Ministries or for any other person whom may thing could be more eligible for the position. The discussions between Parliament members and NGOs/civil

society usually lasts for several days as well as the brainstorming and other names of candidates promoted via mass media. Their point of view is taken seriously into consideration by the Parliament before their final decision to approve or to reject the Council of Ministers proposal.

This procedure, ensures the full independence of the Commissioner, since the Commissioner is the only Incumbent in Cyprus whose selection must be approved prior by the majority of the Parliament and not directly appointed by the President. Please kindly not that the governmental party does not have the majority of the parliament and thus the appropriate synergies from all the political parties are needed for the candidate to earn the prior approval of the representatives before his/her appointment.

It is worth saying that in 2011, the candidate person for the position of the Commissioner, was rejected by the Parliament and therefore the Council of Ministers suggested another person among others, to President of the Republic and the latter appointed the new candidate as of the Commissioner (Ombudsman) with the necessary prior approval of the Parliament.

It is very important to underline that Cyprus Republic and the Constitution has a very strict separation of Powers and the necessary prior approval of the appointment of the Ombudsman by the Parliament is the only exception which allows the House of Representatives to have a decisive role on the competence of executive Power.

In 2017, when the current Commissioner was appointed, the ruling party did not have the majority in Parliament as expected to be, and her candidacy was approved by the majority of the Parliament, with the synergies of the members of the ruling party and members of the rest parties.

It is worth be noted that when the term of the Commissioner ends and the position becomes vacant, it is made publicly known. Therefore, every person who is interested in, may express his/her interest for the position either addressed directly to the Council of Ministers or use another way like expressing his /her interest via mass media. In this way, a number of interested persons are brought before the Council of Ministers, from whom which a merit based selection candidate proposed at last to the President of the Republic. The latter has not the right to appoint the candidate before the prior approval of the Representatives in a discussion which it takes place in couple of weeks after the Council of Ministers suggestion.

Furthermore, according to Commissioner for Administration Laws 1991-2014, the Commissioner:

- Is appointed for a term of six years.

- May not hold any other post or office in the Republic or engage in any other occupation in payment.
- Before assuming his/her duties, shall make an affirmation before the President in the presence of the President of the House of Representatives, that he/she will carry out his/her duties faithfully.
- During his/her term of office, may not be dismissed or withdraw from Office, except for the same reasons and in the same way that judges of the Supreme Court may be dismissed or withdraw from Office.
- No legal proceedings may be brought against him/her in relation to any act done by him/her or any opinion expressed by him/her or report submitted by him/her in the exercise of his/her functions, provided that he/she has exercised his functions and powers under the Law, in good faith and within their limits.
- The Commissioner or any other member of the staff of his/her Office may not be called to testify before a Court or in any proceedings of a legal nature in respect of any matter that has come to his knowledge in the exercise of his/her duties.

In sum, the Institution is not operating under any other function/authority/ministry and is independent at institutional and operational level. Consequently, the Commissioner can make public statements and produce and publish reports without prior permission or approval by the Government or any other institution or external party.

Additionally, the Commissioner enjoys “functional immunity”, as he/she is protected, by Law, “against threats, coercion” and “arbitrary dismissal”. (Specifically: a) The Commissioner is appointed for a term of six years and during that term, he/she may not be dismissed or withdrawn from Office, except for the same reasons and in the same way that judges of the Supreme Court may be dismissed or withdrawn from Office. b) No legal proceedings may be brought against the Commissioner in relation to any act done by him/her or any opinion expressed by him/her or report submitted by him/her in the exercise of his/her functions, provided that he/she has exercised his functions and powers under the Law and in good faith.

All the above guarantee that the Commissioner avoids conflict of interest and fulfils his/her mandate in an independent, impartial and effective way, without interferences of any kind.

It is also noted that in the framework of her competences the Commissioner makes recommendations to end maladministration and human rights violations, both in individual cases and issues of a more systemic nature.

However, acting as an Equality Body, the Commissioner has, under Law 42(I)/2004 the competence to issue decrees to end discriminatory actions or practices in both the

public and the private sector, and, then, impose monetary fines on individuals/ organizations who do not comply

Also, Commissioner's independence is reinforced, in compliance with the Paris Principles, by the following:

1. In 2019 the Commissioner succeeded the approval by the Council of Ministers and the Parliament, the exclusion of the Ombudsman Office staff to take the governmental exams and the Institution organizes specialized exams by the Advisory Committee set up by the Commissioner. Therefore, those who succeed in the examination are brought before the Public Service Commission and their recruitment reflects upon his/her recommendation, after submitting relevant questions to verify their specific knowledge and experience. Although for six months the above decision was mistakenly revoked, the Council of Ministers with a new decision dated February 17, 2021, brought back its first decision and approved again the exclusion of the Ombudsman Office staff to take the general governmental exams.

2. The final selection for the recruitment of the staff of the Office is taking place among candidates who have the academic qualifications based on the employment plan and are eligible to apply for the post, without any limitations. Kindly note that 10% of the vacant post are offered to persons with disabilities, when they are candidates, by relevant Law in force.

3. Staff of the Institution are public servants specifically recruited as Officers of the Office of the Commissioner and the appointment of any new staff will be made by the Public Service Commission, from the pool of applicants who succeed in the specialized exams organised by the Commissioner, after consultation with the Commissioner, and upon her recommendation.

4. In the case of staff with indefinite contracts, they are hired based on private labour law contracts exclusively by the choice and the decision of the Commissioner, according to the staffing needs of the Office. This allows to the Commissioner to ask and recruit specialized staff upon their expertise. In the event of a serious disciplinary offense being committed, staff with indefinite contracts can be dismissed by the Commissioner.

5. In 2020-2021, Institute's staff was increased by the recruitment of four new staff members and six more vacant positions are about to be filled in 2022.

6. No staff posts are filled with secondees.

7. The last decade (at least) there is not any restriction to the resources allocated to the Commissioner. Every year, Commissioner's budget is prepared by his/her Office upon their needs and also upon its strategic plan. The proposed budget is approved as a whole by the Parliament via its submission by the Ministry of Finance. This way, the

Commissioner is provided with the necessary financial, technical and human resources to fulfil its broad mandate.

8. The budget includes, among others, the necessary amount for the premises of the Institute, which is housed in a building based on a private contract concluded by the Commissioner with the owner of the building.

Additionally, and regarding to the budget, it is noted that following its approval, the Commissioner has absolute management and control of the appropriated funds, on condition that the limits set for each category of expense are respected.

47. Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years.

There is compliance with the majority of the recommendations filed by the Commissioner. However, statistics are not available.

C. Accessibility and judicial review of administrative decisions

48. Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

Please see our input for the Rule of Law Report 2020/2021

49. Judicial review of administrative decisions:

- short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review).

The Commissioner, acting as an Equality Body, has, under Law 42(I)/2004 the competence to issue binding decisions to end discriminatory actions or practices in both the public and the private sector, and, then, impose monetary fines on individuals/organizations who do not comply.

Commissioners' binding decisions and fines as an Equality body, may be challenged in court when directed against private law entities.

Please see our input for the Rule of Law Report 2020/2021

50. Follow-up by the public administration and State institutions to final (national/supranational) court decisions, as well as available remedies in case of non-implementation

Please see our input for the Rule of Law Report 2020/2021

D. The enabling framework for civil society

51. Measures regarding the framework for civil society organisations (e.g. access to funding, legal framework incl. registration rules, measures related to dialogue between authorities and civil society, participation of civil society in policy development, measures capable of affecting the public perception of civil society organisations, etc.)

The modernization of the legislation aims at both the better supervision and the better operation of the Associations/Institutions.

It is true that almost 50% of the Associations/Institutions registered until 2017 have been deleted mainly due to inactivity, leaving the field open for better access to resources, volunteers and sponsorships to the rest, well-managed Associations / Institutions. We have to mention that a lot of those deleted legal entities were moved under other more relevant legislation, for example some trade unions.

The registration rules are updated and improved on a very regular basis, taking into account the problems arising from the implementation of the legislation, in order to better and more orderly registration of Associations/Institutions, in order to strengthen civil society.

We are starting the creation of a new platform for the easier communication of the Associations/Institutions with the relevant governmental control service, in order to help them with their legal obligations. Also, the platform will help other governmental services for the purposes of control and financing of the Associations/Institutions. Platform will allow the coordination of actions between the Associations / Institutions, Further, information will be given to all legal entities that are included or will be included in the register of Associations/Institutions.

Also, the actions of the Directorate of Associations, Fundraisers and Media of the Ministry of Interior can help to improve the perception of society at large regarding what is an Association, what Foundation and what Trade Union or other Organization, what activities and what actions can be covered by law 104 (I) / 2017, so make the best possible use of it to have healthy and robust NGOs in Cyprus.

52. Rules and practices guaranteeing the effective operation of civil society organisations and rights defenders

The daily actions of the Directorate of Associations, Fundraisers and Media of the Ministry of Interior are targeting the registration of Associations/Institutions with the clearest possible goals and objectives, financial control procedures to avoid abuses or money laundering, as well as the control campaign of all Associations/Institutions based on the instructions of Moneyval, as the best way to have effective operation of civil society organizations is for them to be legally healthy and financially independent, so they can fight for their goals.

E. Initiatives to foster a rule of law culture

53. Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, etc.)

The Committee on Institutions, Merit and the Commissioner for Administration (Ombudsman) discussed at a meeting held on the 29th of September 2021, the Rule Law Report for 2021. At that meeting all relevant Ministries and Authorities were invited to participate together with NGOs. A very fruitful discussion took place whereas the Committee is scheduling soon more parliamentary meetings on Rule of Law matters.

Moreover, the Commissioner for Administration organizes awareness campaigns and makes regular interventions, to end maladministration and human rights violations, which, in effect aim to safeguard and promote a Rule of Law culture in the Cyprus society. More information can be found in Annex 1

Other – please specify

Indicative examples of such awareness campaigns and recent interventions organized by the Commissioner's Office, are the following:

A. Indicative Awareness campaigns:

1. Information campaign on the 70th anniversary of the Universal Declaration of Human Rights, (2018 - 2019)

On the occasion of the 70th anniversary of the signing of the Universal Declaration, the Commissioner prepared a relevant Statement and organised a relevant information and enlightenment campaign.

The inaugural event of the campaign on "The Protection of Human Rights 70 years later" took place on 5 December 2018, at 10:00 am, in the multipurpose hall of the Ministry of Finance in Nicosia.

The event was simultaneously interpreted into sign language.

At the end of the event, a series of informative events took place across all cities in Cyprus.

Throughout the entire campaign, the audiovisual material prepared was projected on the social media of Commissioner's Office, as well as by all the radio and television organisations and the public broadcasting channel, RIK.

It shall be noted that the said audiovisual material was available in forms accessible by people with disabilities. More specifically, the short films prepared for the purposes of the campaign were subtitled in Greek and English, and all the printed material was available in Braille, as well as in large print, for access by those with hearing and visual disabilities.

In the context of the actions implemented to inform and enlighten students about human rights, a series of educational seminars was held in public and private secondary schools on the "Respect for human rights" which involved the respect for human rights without discrimination.

The educational seminars were carried out by Officers of the Officer in the period between April and May 2019 in both private and public school across all Cyprus.

2. Information campaign on Combating Discrimination and Hate Speech in Pre-Election Campaigns (2019)

In April 2019, and in view of the forthcoming elections to the European Parliament on 26 May, the Commissioner organised an information campaign on Combating Discrimination and Hate Speech in Election Campaigns.

As part of the campaign, the Commissioner sent relevant letters to all political parties/movements that participated with candidates in the European elections, as

well as to local news organisations. By the said letters, the Commissioner:

- informed the recipients of the campaign launched by the European Network of Independent Authorities against Discrimination (Equinet) to promote the principle of equality and non-discrimination, and of the Recommendations published in March 2019 on Combating Discrimination and Hate Speech in Election Campaigns;

invited all the political parties and/or other movements to show zero tolerance to any phenomenon of hate speech and publicly state that discrimination and phenomena of incitement to hatred are unacceptable and will not be tolerated. She also encouraged all candidates participating in the European elections to exercise their right to freedom of expression responsibly, fairly and with respect for every human being and their rights.

The Recommendations made by Equinet on the matter were translated in Greek and were forwarded together with the said letters of the Commissioner to all stakeholders.

3. Information campaign and a series of actions on the rights of refugees, immigrants and asylum seekers (2019)

The Commissioner, in the framework of her responsibilities as the National Independent Authority for Human Rights and Equality Authority and Anti-Discrimination Body, launched a campaign on the rights of refugees, immigrants and asylum seekers.

One of the aims of the campaign was to give emphasis on women who are struggling, every refugee mother, every domestic worker, every woman, victim of torture or inhumane treatment of any kind, who, in addition to the gender violence which they are subject to, are at the same time responsible for waging a struggle for the social integration of themselves and their families in the host country.

As part of the campaign, the Commissioner and Officers of her Office carried out visits to the Cyprus Association of Recognised Refugees “New Genesis Centre” in Nicosia and the Reception and Accommodation Centre for Political Asylum Seekers in Kofinou.

During their visit at the Association, the Commissioner and the Officers of the Office had the opportunity to talk to the attendees and listen to the experiences and problems they are facing. They were given the assurance that Commissioner’s Office will be standing by their side, providing assistance at all times to resolve any issues that concern them.

During the visit to the Reception and Accommodation Centre for Asylum Seekers in Kofinou, the Director of the Centre guided the Commissioner and the Officers of her Office in the facilities of the Centre. He also informed them about the corrective actions and projects that had been and/or would be implemented to improve the daily life of the occupants at the Centre, as well as about the problems and challenges they are faced with.

The above were recorded by the Officers of Commissioner's Office, and after highlighting the apparent improvement of the facilities and living conditions in the Centre as well as the elimination of pathogens observed in the past, the Commissioner assured the Director of the Centre that, within the framework of her responsibilities as the National Independent Authority for Human Rights, Officers of her Office will remain in open communication with him to ensure that all the necessary actions and representations to all services involved to address and resolve the identified problems, are made the soonest possible.

The Commissioner, in collaboration with the NGO "AWARE" campaign, organised on 9 July 2019 in Nicosia the event entitled "Refugee woman, immigrant woman in Cyprus".

The event was supported by the United Nations High Commissioner for Refugees, the Cyprus Refugee Council, the Mediterranean Institute for Gender Research and the Association of Recognised Refugees.

Following the event and as part of the information campaign, a series of actions were carried out to assist the struggle of refugees, immigrants and asylum seekers to overcome the problems they are faced with in building a dignified life and fully integrating into the Cypriot society.

More specifically, a series of lectures, seminars and other activities were held to further inform people about the problems and difficulties faced by refugees, migrants and asylum seekers, aiming at cultivating a culture of respect and solidarity towards third-country countries, as well as a series of contacts and consultations with authorities/bodies, NGOs and the representative organisations of our fellow men, in order to finally achieve their smooth integration into the Cypriot society and remove the problems they are daily faced with.

4. Campaign on Combating Homophobic and Transphobic Bullying in Schools (2019-2020)

On 6 March 2019, the Agreement on Cooperation and Declaration of Principles resulting from the HOMBAT European project was signed, which involves the fight against homophobic and transphobic bullying in schools.

The Agreement on Cooperation was signed by 9 bodies which form the HOMBAT network: Ministry of Education & Culture, Commissioner for Administration and Protection of Human Rights, Commissioner for the Protection and Rights of the Child, Cyprus Youth Organization, Accept-LGBTI Cyprus, University of Nicosia, Frederick University, CARDET and the Cyprus Family Planning Association.

The objective of the project was to holistically prevent and combat homophobic and transphobic bullying in schools, and was mainly targeted at teachers, school advisors, students, parents of students, educational authorities, civil society representatives and other professionals in the field of education.

As part of the project, a Teacher's Guide on Responding to Homophobia and Transphobia in Education was prepared, and a series of educational activities and workshops were held to inform and train all parties involved.

5. ENNHRI: Economic and Social Rights: Practices of NHRI's in Europe (2019 - 2020)

The ENNHRI [European Network of National Human Rights Institutions] at its General Assembly and Annual Conference held in Brussels in November 2019 held an event to present the good practices of the National Human Rights Institutions (NHRI) on economic and social rights.

More specifically, the event focused on posting posters in the lobby of the venue where the work of the Annual Conference and the General Assembly took place, regarding the work of the National Human Rights Institutions in the field of economic and social rights.

It was therefore an opportunity for the NHRIs to showcase their work in this area, enabling the exchange of good practices among the participants in the Annual Conference and the General Assembly.

Within the framework of the Commissioner's responsibilities, both as the NHRI and as the Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention on the Rights of Persons with Disabilities, Commissioner's Office has chosen to showcase a specific issue relating to the socio-economic rights of persons with disabilities.

It shall be noted that the ENNHRI has created a special page on their website entitled "Economic and Social Rights: Practices of NHRI's in Europe", illustrating the way in which members contribute to safeguarding the economic and social rights.

6. Information campaign on Hate Speech and the Freedom of Expression (2020 - Ongoing)

Within the framework of her responsibilities as the National Independent Authority for Human Rights, the Commissioner has been carrying out since 2020 an information campaign on hate speech and the freedom of expression.

More specifically, a special page was created on the Office's website which gathers the most important interventions made by the Commissioner as the National Independent Authority for Human Rights with regard to issues related to hate speech and the freedom of expression.

This specific page is being constantly updated.

The purpose of this campaign is to guide the public as to the concept of hate speech and the freedom of expression, both for the purposes of information and awareness about specific issues.

Furthermore, as part of the said campaign, Officers of the Office hold information seminars at the Academy of Public Administration and the Police Academy.

7. EQUINET: Equality2020 campaign (2020)

On 29 June 2020, EQUINET, on the occasion of the 20th anniversary of the entry into force of Directive 2000/43/EC, in collaboration with the Council of Europe, the European Commission and the Croatian Presidency of the Council of Europe, held an online conference on the Promotion and Protection of Equality as a fundamental value of the European Union.

The conference was attended by representatives of EQUINET, the European Union Agency for Fundamental Rights (FRA), the Croatian Presidency, as well as the Commissioner for Equality of the European Commission, Mrs Helena Dalli. The conference focused on the importance of the Directive and the important role that Equality Bodies have played over time in the promotion and implementation of the provisions of the Directive.

On the occasion of the conference, a special website was created to promote good practices related to the promotion of equality and the fight against discrimination by Equality Bodies.

In this context, EQUINET chose to showcase as an example of good practice the contribution of the Commissioner as the Equality Authority and Anti-Discrimination Body in ensuring the accessibility of people with disabilities to the beaches and, in particular, her relevant Report and the developments that followed towards the

implementation of her recommendations made therein (Cyprus Equality Body Intervention: Beach Access for Persons with Disabilities).

The specific campaign, including the audiovisual material prepared by Commissioner's Office, was widely covered by social media and Commissioner's Office's website as well as the media.

8. Commonwealth Forum of National Human Rights Institutions (CFNHRI) Campaign IDAHOBIT2020: 'Breaking the Silence' (2020)

The International Day Against Homophobia, Biphobia and Transphobia is marked every year on 17th May. To celebrate, the CFNHRI brought together the testimony of its members to produce an animated film: 'Beyond Tolerance'.

Narrated by Victor Madrigal-Borloz, the 'Beyond Tolerance' campaign reminds everyone of the importance of upholding the human rights of LGBTI (lesbian, gay, bisexual, transgender and intersex) people and the work of CFNHRI members to achieve this.

Every person has the right to be treated equally and to live a life free from discrimination and persecution. However, in the Commonwealth, nearly two-thirds of countries still criminalise same-sex activity between adults and many people continue to face discrimination, violence and abuse because of their sexual orientation and/or gender identity.

The theme for IDAHOBIT 2020 was 'Breaking the Silence' and across the Commonwealth NHRIs raised their voices to promote the human rights of LGBTI people."

9. Commonwealth Forum of National Human Rights Institutions (CFNHRI) Campaign LGBT History Month (2021)

The CFNHRI, as part of the LGBT History Month in the United Kingdom, is campaigning for its previous work on SOGI rights.

More specifically, the CFNHRI is presenting the work do by its members in this field and highlights, inter alia, the work done the Commisioner, on the basis of her responsibilities as the National Independent Authority for Human Rights, on this issue.

The Commissioner is participating in this campaign, both by showcasing its work as mentioned above and by republishing its relevant publications on social media and on the website of Commissioner's Office.

10. Information campaign on COVI-19 & Human Rights (2020 - ongoing)

With the spread of COVID-19 virus in Cyprus and the restrictions imposed by the State to prevent its spread, the Commissioner's Office, as a human rights defender, has been put on alert in order to intervene and help any possible violation.

In view of the above, the Commissioner Office has been conducting since last March an awareness campaign in relation to the COVID-19 virus and the protection of human rights.

To this end, a special page was created on the website her Office which includes links to all the necessary information about the COVID-19 pandemic, as well as our reports/interventions regarding the virus and its impact on human rights in general.

In view of the anniversary of the adoption of the Universal Declaration of Human Rights, these interventions have been consolidated into a special edition to form an easy-to-use tool with information on the rights of people with disabilities in isolation at Reception Centres, care homes, children, people with disabilities and their right to information, couples seeking entry permit (#loveisnottourism), etc.

11. Information and Awareness-Raising Campaign "Break the Silence" (2021)

Within the 30th anniversary of the introduction of the institution in the Republic of Cyprus, the Commissioner's Office has launched a series of information and awareness-raising campaigns, on the basis of the Commissioner's responsibilities.

The first campaign is entitled "Break the Silence" and involves harassment and sexual harassment in the workplace. This topic was chosen due to the constant revelations about cases of sexual harassment that come to light.

It shall be noted that other campaigns will follow throughout the year (every two months), which will involve all the responsibilities of the Commissioner.

As part of the "Break the Silence" campaign, audiovisual material was prepared in which the findings of investigations on reports and cases of sexual harassment are presented.

For the purposes of the campaign:

- Posters were prepared, which were sent and posted in all governmental departments.
- The said posters are promoted through our social media account and the

website of Commissioner's Office.

- A short audio video has been prepared which is promoted through the social media account and the website of Commissioner's Office.
- In consultation with the Cyprus Broadcasting Authority, the audio message of the campaign is broadcast by radio stations and the short video prepared is broadcast by television channels.
- The Commissioner gave interviews to the media regarding the current information campaign.
- The Commissioner had meetings and consultations with NGOs and other members of civil society, regarding harassment and sexual harassment in the sports, theatre etc.
- Theatrical Organisation of Cyprus has asked the cooperation of the Commissioner for the preparation of a Code regarding harassment and sexual harassment in the field of theatre.

The Code of Practice for the Prevention and Eradication of Sexual Harassment in the Public Service prepared by the Commissioner, as well as the recent implementation of the recommendation submitted by the Commissioner to remove sexist content from the public service can be found on the special page prepared on the website of Commissioner's Office.

The Office of the Commissioner, in collaboration with the Cyprus Academy of Public Administration and the Committee of Gender Equality (CGE) in Employment and in Vocational Training held a series of three-hour workshops on the "Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace". Until present, more than 30 workshops have been carried out in which more than 800 civil servants participated.

12. Awareness Campaign regarding Equal Participation of Persons with Disabilities in Elections (2021)

Considering the forthcoming Parliamentary Elections on 30 May 2021, the

Commissioner, in the framework of her responsibilities as an Independent Mechanism for the Promotion, Protection and Monitoring of the Implementation of the UN Convention on the Rights of Persons with Disabilities and as an Equality Body, proceeded in May 15, 2021, with the submission of an Ex officio Statement, in relation to the equal participation and access of persons with disabilities to electoral processes and, consequently, to political and public life.

A triptych was attached to Commissioner's Statement, which was prepared as part of an awareness campaign conducted regarding the Equal Participation of Persons with Disabilities in the Elections. In the triptych they are briefly mentioned, on the one hand, the basic rights of the persons with disabilities during the elections, and, on the other hand, the obligations of the State (and of the political parties), in order to ensure these rights.

13. Awareness Campaign for Human Rights (December 2021 – ongoing)

The Commissioner for Administration and the Protection of Human Rights, in view of the 30th anniversary of the introduction of the Institution of the Commissioner of Administration in the Republic of Cyprus, is organizing an awareness campaign of Information Campaigns for Human Rights.

The campaign began on December 3, 2021, the International Day of Persons with Disabilities, when a short video/spot was published regarding the rights of persons with disabilities.

Then, on December 10, the date of the adoption of the Universal Declaration of Human Rights by the United Nations General Assembly in 1948, which has been designated as International Human Rights Day, the campaign culminated with a screening video.

This video shows the 30-year course that has been carried out so far by the institution of the Commissioner, through all his/her mandates, reminding the need to protect and safeguard all human rights under any circumstances and without exception or discrimination.

The video is posted on the website on social networks (facebook and twitter) and on the youtube account of Commissioner's Office and is shown free of charge by the television stations, so that the general public has the opportunity to be informed about human rights and how they can be preserved and promoted through our Institute.

On December 10, 2021, the Commissioner published a Statement regarding International Human Rights Day and participated as a member of the jury for the awarding of the 1st Human Rights Award during a relevant event held at the Ministry of Foreign Affairs.

Furthermore, for the purpose of more complete information of the citizens regarding the human rights and the way of their protection and safeguarding through the 30-year course of the Institution of the Commissioner, the Commissioner of Administration appeared on a tv show and spoke about International Human Rights Day.

On the afternoon of 10 December 2021, the Commissioner attended and greeted a conference organized by the Human Rights Committee and the International Cooperation Committee of the Pancyprian Bar Association, with the Council of Europe,

Following the actions in the framework of the information campaign for Human Rights, on December 13, 2021, a press conference was held during which an anniversary stamp was presented, which was prepared on the occasion of the 30th anniversary of the introduction of the institution of the Commissioner in the Republic of Cyprus.

Furthermore, on December 14, 2021, the Commissioner participated as a keynote speaker at a conference organized by Agios Antonios High School in Limassol, on the occasion of International Human Rights Day.

14. joint initiative with the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE), regarding interagency co-operation between competent public authorities and civil society bodies, in order to more effectively address hate crimes in Cyprus.

Recently, in cooperation with the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE), we have launched a joint initiative to explore the possibilities that exist for the development and promotion of interagency co-operation between competent public authorities and civil society bodies, in order to more effectively address hate crimes in Cyprus.

In the framework of this cooperation, a Working Group has been set up, with the responsibility to define and promote specific actions that will strengthen and improve the national framework which deals with racist crimes and support of the victims. The 1st Meeting of this Working Group took place on 26 November 2021, during which discussions were held in relation to, inter alia, the promotion of a functional definition of what constitutes hate crime, the appointment of prosecutors with more specific competence and knowledge on prosecuting hate crimes, conducting training seminars for key stakeholders and improving the support framework for hate crime victims.

Additionally:

- In February 2019, and in collaboration with the Ministry of Education, Officers

of Commissioner's Office started making regular visits to schools of secondary education, giving presentations/lectures to students on issues concerning the respect of human rights and combatting discrimination.

- In the years 2015 and 2017, our Institution co-organized, with the Youth Board of Cyprus, two Student Forums on Diversity, that secondary education students from all over Cyprus attended. The students, under the guidance of qualified trainers, discussed and expressed views, on issues concerning diversity and migrant integration.

- Commissioner's Office currently participates in a Working Group which has drafted, and will followingly promote, a National Action Plan on Strengthening LGBTQI's Rights. The Working Group has been set up in the framework the Voice-It Program, implemented by the NGO "Accept - LGBTI Cyprus".

- From 2012 onwards, and in collaboration with the Police Academy, Officers of our Institution, regularly make presentations to police officers on issues of human rights and their obligation to respect and protect them, without discrimination.
