

Report

**to the Government of Cyprus
on the visit to Cyprus
carried out by the European Committee
for the Prevention of Torture and Inhuman
or Degrading Treatment or Punishment (CPT)**

from 9 to 17 May 2023

The Government of Cyprus has requested the publication of this report and of its response. The Government's response to the report is set out in document CPT/Inf (2024) 19.

Strasbourg, 17 May 2024

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EXECUTIVE SUMMARY

During the May 2023 periodic visit to Cyprus, the CPT examined the treatment and conditions of detention of persons held at Nicosia Central Prisons. The CPT also focused its attention on persons held under immigration legislation, visiting the Menoyia Detention Centre, the Initial Registration Centre of Pournara, the Limnes Immigration Centre, a shelter for unaccompanied and separated juveniles and the airports' holding facilities of Larnaca and Paphos. Further, it examined the treatment of persons deprived of their liberty by the police.

Nicosia Central Prisons (NCP)

Overall, the CPT found that the situation for persons held in the prison had significantly deteriorated since 2017. Most of the serious issues afflicting the establishment, but by no means all, could be linked to the increased overcrowding (an occupancy of nearly 1 000 prisoners for a capacity of 545 places) which impacted negatively on the conditions of detention and levels of violence for prisoners. The lack of front-line prison staff only exacerbated the situation. The prison was bursting at its seams, with some accommodation blocks operating at more than 300% of their design capacity. The overcrowding was a result of a number of factors, including the accommodation of significant numbers of persons held for short sentences (including foreign nationals sentenced for counterfeit travel documents) and persons on remand. Together these groups comprised well over one third of the prison population. An urgent review of the grounds for imprisonment of these groups should be undertaken along with the application of more alternatives to detention to decongest the prison and bring it within its official capacity.

The Cypriot authorities are requested to provide the Committee with detailed information about legislative reforms and other measures, including alternatives to detention to reduce the overcrowding. Further, a detailed strategic plan should be adopted setting out a road map for the recovery of the prison.

The vast majority of prisoners did not complain about ill-treatment by staff. However, there were a number of allegations from different blocks of staff slapping prisoners as an informal punishment for being late back to their cells, among other issues. Further, wooden sticks were carried by staff which were allegedly used to informally "herd" and intimidate prisoners. During the visit, the then Acting Director, issued an order banning the carrying of these wooden sticks by staff; which the Committee welcomes. Moreover, a number of allegations were received of verbal, including racist, abuse towards foreign national prisoners by staff. These issues should be addressed by the authorities and any alleged ill-treatment or verbal abuse should be investigated and sanctioned, if confirmed.

There were several cases of serious inter-prisoner violence, including in the most extreme form, the murder of a prisoner in Block 1A in October 2022. Many prisoners were scared for their own safety. Insufficient measures were being taken to effectively discharge the prison's obligation to keep prisoners - and staff – safe and to reduce inter-prisoner violence.

Further, the lack of front-line prison staff created a breeding ground for the development of informal prisoner hierarchies to maintain control and enforce discipline on the blocks. The CPT found that prisoner leaders ran some of the blocks, and allegedly meted out punishments, including ordering group beatings of prisoners. The incidents were not always reported, and appeared neither to be properly recorded nor investigated by staff and management. The CPT stresses that allowing informal hierarchies to develop and impose punishments resulting in prisoners not being safe raises clear issues under Article 3 of the European Convention on Human Rights (ECHR) and the authorities' duty of care to all persons held in NCP. Swift action should be taken to recruit and train more front-line prison staff to address these issues and to put in place a dynamic security approach.

Turning to the living conditions and regime, the CPT found some dire conditions: 5m² cells, which are not even appropriate for accommodating one person, were crammed with up to four prisoners. Large numbers of prisoners were sleeping on mattresses on the floor under the bunk beds, under the tables and on every available space in the cells. The situation was exacerbated by permitting smoking in communal spaces and rooms resulting in many prisoners being exposed to passive

smoking and its associated health risks. Further, there was a lack of ready access to toilets at night, linked to the lack of staff available to let prisoners out of their cells to use the block's toilets, which resulted in prisoners urinating in bottles, in these hot, packed cells. Meanwhile, the open prison was operating at half of its capacity.

As for the daily regime, prisoners still had nothing meaningful to do to structure their day, including those who were there for long or life sentences. There were very few purposeful activities other than cleaner jobs on the blocks, many of which were allocated by informal prisoner leaders and some prisoners did not have any access to a regime outside of their blocks at all. The appalling material conditions and lack of regime cumulatively can only be described as amounting to inhuman and degrading treatment.

As for healthcare in the NCP, the Committee's long-standing recommendations remained unimplemented. Medical confidentiality remained a problem which put prisoners at unnecessary risk. Prison officers still distributed medication instead of nurses. Psychiatric services were insufficient to meet the needs of the prisoner population, and the lack of a permanent psychiatrist at the prison represented a serious deficiency.

Significant delays remained in the application of disciplinary procedures. The default disciplinary measure remained the immediate imposition of an investigatory lock-up for 4+2 days, and thereafter prisoners had to wait some seven months on average, before the disciplinary hearing was held and any sanction thereafter imposed. This system of perceived double punishment, as well as delayed justice, was criticised previously in 2013 and 2017 by the CPT and concerted action is now required to change the current approach.

As was the case in 2017, the CPT found a lack of an effective complaints system. The Prison Board had not been collecting complaints since January 2022, although this had not been indicated to the prisoners, which meant that there was in effect no internal complaints system. The Prison Board should be rendered effective as soon as possible and prisoners informed accordingly.

Police establishments

The CPT visited several police stations and police detention centres across Cyprus, which were holding three categories of persons: administratively detained persons held pursuant to the aliens legislation, suspects held under the criminal law, and some sentenced prisoners. Lengths of stay at police stations varied greatly depending on the nature of the grounds of detention and ranged from days and weeks (criminal suspects) to many months (foreign nationals held under aliens legislation) and, in one witness protection case, years. However, treatment and conditions were generally similar for all persons. The Committee reiterates its long-standing view that persons should not be detained in police custody for prolonged periods of time.

The majority of persons with whom the delegation spoke said that they had been treated correctly by the police. While the delegation received no allegations of physical ill-treatment by police officers during their custody in police stations, it did receive a few allegations relating to the time of apprehension and questioning by police investigators. The alleged ill-treatment consisted of slaps, punches to the head, and in one case blows with a metal bar, which resulted in a fractured arm. Further, the delegation received a number of allegations of verbal abuse by police officers, including racist comments. The CPT underlines the need to reinforce a zero-tolerance approach as regards ill-treatment. The safeguards offered to persons deprived of their liberty, namely notification of custody, access to a lawyer and to a doctor were reviewed. The CPT highlights that ready access to a lawyer by detained persons from the outset of their deprivation of liberty and access to an effective legal aid system were not fully guaranteed at the time of the visit.

As for the living conditions and regime, the CPT found that the police detention cells visited were generally suitable for short-stays; however, as noted above, many detained persons were held in such cells for prolonged periods. Furthermore, many cells were generally dirty and poorly maintained. At the end of the visit, the delegation urged the Cypriot authorities to take immediate measures to remove at least a part of the opaque plastic covering the roof of police stations' yards to allow access to fresh air and sunlight and to help regulate the hot temperatures in police facilities.

The Cypriot authorities had responded positively and the CPT would like to receive detailed information on the steps taken to address the immediate observation. Regarding the regime, the CPT found that detained persons held on remand in police facilities did not benefit from similar programmes to the ones offered at the Prison; this lack of regime also affected the foreign nationals held under administrative grounds for weeks and months.

The CPT found that at all the police facilities visited, there was a lack of sufficient dedicated police custody staff. This was a problem, not only for the staff members obliged to work under stressful conditions, but also because it impacts on the quality of assistance offered to persons deprived of their liberty. The Committee also underlined the lack of existence of a formal written internal complaints system in police facilities, obliging detained persons to complain directly to police officers.

Immigration establishments

Menoyia Detention Centre

The delegation did not receive any allegations of physical ill-treatment by staff towards detained persons, either by Menoyia staff or by police transferring persons to Menoyia from police stations.

The overall living conditions remained too carceral for the nature of the Centre. The sanitary facilities were not in a good condition, with many showers and toilets not working in Blocks A and C. The regime of purposeful activities was almost non-existent, with the exception of a weekly visit by the Red Cross to provide some group art sessions. Detained persons had nothing to structure their days. Access to outside exercise was staggered per block and detained persons were only allowed one and a half hours of access to the fresh air per day despite the existence of two well-maintained yards. Persons in immigration detention should be allowed as much outdoor exercise as possible and considerably more than one hour and a half hours per day, as well as access to a variety of regular and purposeful activities.

As for the safeguards that should be afforded to detained persons, notably access to information about their immigration cases and access to a lawyer, the management should make more efforts to adequately and regularly inform persons about their situation, any ongoing legal cases and the content of decisions received from different immigration authorities. The level of frustration among detained persons observed indicated that communication needed to be improved. More immigration officers should be appointed to Menoyia, as well as more awareness-raising among NGOs to provide free legal advice to persons in immigration detention. It was positive that all detained persons had unhindered access to their mobile phones and the internet, which allowed them to maintain communication with the outside world. However, family visits were being systematically rejected, and the Committee stressed that it was unacceptable in the post-Covid era, for the pandemic to still be used as an excuse to curtail the right to receive visits. Despite the director's recent order lifting the ban, the situation had not changed and immediate action should be taken to provide detained persons and their family members and other visitors with clear information of the new order's implementation.

Pournara Initial Registration Centre

At the time of the visit, the Pournara Centre accommodated more than 1 000 foreign nationals, many of whom were waiting for the result of mandatory initial assessments, including vulnerability assessments, age assessments and medical results, before they were allowed to leave the Centre. Foreign nationals were not permitted to leave the Centre before the registration and tests results were completed. Certain tests results were taking many weeks to arrive back to Pournara from the local health services.

Persons held in the Centre were accommodated in severely overcrowded living conditions frequently offered only 1 to 2m² of personal living space in either prefabricated plastic containers, plastic shelters or tents. Many of these structures were in a dilapidated and worn-out condition, with broken doors and earth floors. The lack of windows and often broken air-conditioners contributed to making the containers poorly ventilated, mouldy and humid. Persons placed in containers, including single mothers and children and unaccompanied and separated children, were often forced to share beds

and dirty sheets. Further, the tents and plastic containers were inappropriate for the long lengths of stays due to the lack of electricity and hot water. Persons were forced to sleep on worn out mattresses or directly on sheets placed on the ground, crammed next to each other like 'sardines' in unhygienic conditions. When it rained the mattresses absorbed water, causing mould to form on the walls and in the corners of the structures. Pests were commonplace. The temperature inside these facilities was well over 32°C (in Spring) when the temperatures inherent to Cyprus were not even close to their maximum. The toilets and showers in almost all parts of the Centre were dilapidated causing the water to leak all around, including outside, creating puddles of stagnant water. Some residents refused to use the dirty toilets and showers and instead used the communal outside areas for their toilet needs, resulting in piles of excrement and rivulets of urine. These factors cumulatively led to a foul smelling unsanitary situation which represent a clear health hazard. The security staff were unwilling to do their rounds of control due to this situation, as noted many times in the official records.

In the CPT's view such living conditions may well amount to inhuman and degrading treatment and made recommendations to address these issues urgently.

Moreover, the serious level of overcrowding, along with the poor conditions, had created a breeding ground for tensions and frustration among the detained population, leading to outbreaks of violence and clashes between different groups of detained persons, as well as attacks on staff. To begin to combat such violence, prevention strategies should be put in place.

The CPT found that the quality of certain initial assessments, such as the vulnerability assessment procedures, were of a good standard, despite the impact of delays in receiving the results. Nevertheless, once identified as vulnerable, other than being placed in "safe zones", these persons were still subject to the above-described living conditions and poor regime while very few protective safeguards were afforded.

Overall, the CPT considered that placement in Pournara may amount to arbitrary deprivation of liberty, undermining access to basic safeguards against ill-treatment, and could last for an undefined period from several weeks to several months and even longer than a year in some cases, leaving detained persons in a state of uncertainty. Indeed, the situation was worse for minors undergoing age assessments, who on average stayed for more extended periods than the average adult. At the end of the visit, the CPT's delegation urged the Cypriot authorities to take immediate action to provide decent living conditions to unaccompanied and separated children, as well as to vulnerable categories of persons such as single mothers with small children, elderly and sick persons and survivors of sexual and gender based violence and other forms of exploitation. The CPT welcomed the subsequent action taken by the Cypriot authorities to remove a number of vulnerable persons from Pournara; however, it requested further clarification and details concerning the categories and numbers provided with alternative accommodation.

I. INTRODUCTION

A. The visit, the report and follow-up

1. In pursuance of Article 7 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter referred to as “the Convention”), a delegation of the CPT carried out a periodic visit to Cyprus from 9 to 17 May 2023. It was the Committee’s eighth periodic visit to Cyprus.¹

2. The visit was carried out by the following members of the CPT:

- Alan Mitchell, President of the CPT (Head of delegation)
- Mari Amos
- Ifigeneia Kamtsidou
- Nikola Kovačević
- Kristina Pardalos
- Dmytro Yagunov.

3. They were supported by Francesca Gordon and Vera Manuello of the CPT’s Secretariat.

4. The report on the visit was adopted by the CPT at its 112th meeting, held from 6 to 10 November 2023, and transmitted to the authorities of Cyprus on 18 December 2023. The various recommendations, comments and requests for information made by the CPT are in bold in the present report. The CPT requests that the authorities of Cyprus provide within three months a response containing a full account of action taken by them to implement the Committee’s recommendations, along with replies to the comments and requests for information formulated in this report.

B. Consultations held by the delegation and cooperation encountered

5. In the course of the visit, the delegation met with the Minister of Justice and Public Order, Anna Koukkides-Procopiou, as well as with the Chief of Cyprus Police, Stylianos Papatheodorou, the then Acting Director of the Prisons, Ioannis Kapnoullas, and the Director of the Civil Registry and Migration Department, Maria Adamidou. Consultations were also held with senior officials of the Ministry of Justice and Public Order and with the Ministry of Interior, including the Asylum Service, the Aliens and Immigration Unit, and the Civil Registry and Migration Department. Further, the delegation held discussions with the President of the Independent Authority for the Investigation of Allegations and Complaints Against the Police (IAIACAP), Andreas Paschalides, and the Council of Prisons (Prison Board).

The delegation also met the Commissioner for Administration and Human Rights, Maria Stylianou-Lottides, and the Commissioner for Children’s Rights, Despo Michaelidou, as well as representatives of the United Nations High Commissioner for Refugees Office in Nicosia, and of civil society active in areas of concern to the CPT. In addition, the delegation met members of the National Preventive Mechanism (NPM) of Cyprus, which was undertaking regular independent monitoring of the prison and immigration detention.

6. The CPT welcomes the approach taken by the Cypriot authorities to follow the standard practice of requesting the publication of the Committee’s visit reports together with the corresponding government responses. That said, both the Committee of Ministers and the Parliamentary Assembly of the Council of Europe have, in recent times, been encouraging member states which have not done so to request the automatic publication of future CPT visit reports and related government responses.

The CPT invites the Cypriot authorities to consider authorising in advance the publication of all future CPT visit reports concerning Cyprus and related Government responses (subject to the possibility of delaying publication in a given case).

1. The visit reports and the responses of the Cypriot authorities on all previous visits are available on the CPT’s website: <https://www.coe.int/en/web/cpt>.

7. On the whole, the delegation received excellent cooperation during the visit by the Cypriot authorities at all levels. The delegation had rapid access to all places of detention it wished to visit, was able to meet in private with those persons with whom it wanted to speak and was provided with the information necessary to carry out its task. The Committee wishes to express its appreciation for the assistance provided to its delegation during the visit by the management and staff in the establishments visited as well as to the support offered by its liaison officer from the Ministry of Justice and Public Order, Constantina Filippou.

8. Nevertheless, the CPT must recall that the principle of cooperation between Parties to the Convention is not limited to steps taken to facilitate the task of a visiting delegation. It also requires that decisive action be taken to improve the situation in light of the CPT's recommendations. In this respect, the CPT remains concerned about the severe level of overcrowding at Nicosia Central Prisons (NCP), with some accommodation blocks operating at more than 300% of their design capacity (see section II. A.1. *Preliminary remarks* below). Indeed, in 2013 and 2017, the CPT called on Cyprus to adopt and implement a coherent strategy to reduce the prisoner population. The CPT has found no evidence that such a strategy has been implemented effectively. In 2023, in some respects, overcrowding and its negative effects on the whole of prison life for prisoners had worsened.

9. In its Preliminary Observations sent to the Cypriot authorities, dated 31 May 2023, the CPT requested information about legislative reforms and other measures to provide alternatives to detention aimed at reducing the overcrowding in NCP. In their response, dated 20 July 2023, the Cypriot authorities provided the CPT with details of an envisaged prison reform, which would notably significantly increase the capacity of the establishment and include certain infrastructural changes, such as converting the open prison into a closed section.

10. The CPT takes note of the information received about the reforms envisaged to tackle the systemic issue of overcrowding at the NCP. Nevertheless, it stresses that a lack of concrete action by the Cypriot authorities in introducing sustainable alternatives to detention, and other measures to provide long-lasting solutions to reduce the numbers of persons held in the NCP, will raise issues of cooperation under Articles 3 and 10, paragraph 2, of the Convention.² Therefore, the CPT calls upon the Cypriot authorities to take the necessary measures, in light of the findings contained within this report, to tackle the challenge of chronic overcrowding in a sustainable manner.

11. In addition, the Committee did not receive a response from the Cypriot authorities in July 2023 to the delegation's second immediate observation. The CPT subsequently urged the Cypriot authorities to send the information on the implementation of this immediate observation,³ which was sent in October 2023 (for details see section C below).

2. Article 10, paragraph 2, reads as follows: "If the Party fails to cooperate or refuses to improve the situation in light of the Committee's recommendations, the Committee may decide, after the Party has had an opportunity to make known its views, by a majority of two-thirds of its members to make a public statement on the matter."

3. Letter of the CPT of 19 September 2023.

C. Immediate observations under Article 8, paragraph 5, of the Convention

12. At the end-of-visit talks with the Cypriot authorities, on 17 May 2023, the delegation made two immediate observations under Article 8, paragraph 5, of the Convention. The Cypriot authorities were requested to ensure that:

- immediate measures be taken in police custody and detention centres to remove at least a part of the opaque plastic covering the roofs of police stations' yards to allow access to fresh air and sunlight and to help regulate the hot temperatures, while still providing shelter from the sun and rain; and
- immediate action be taken to provide decent living conditions for unaccompanied and separated children, as well as for vulnerable categories of persons, single mothers with small children, elderly and sick persons, and survivors of sexual and gender-based violence and other forms of exploitation. Persons falling within these categories should be removed from Pournara Initial Registration Centre and provided with alternative accommodation and support that meets their specific needs.

13. These observations were confirmed by letter of 31 May 2023 when transmitting the delegation's preliminary observations to the Cypriot authorities.

On 20 July 2023, the Cypriot authorities informed the CPT of the actions taken in response to one of these immediate observations and to other matters the delegation raised at the end-of-visit talks. This response has been taken into account in the relevant sections of the present report (see section B. 4. *Conditions of detention* below).

On 18 October 2023, the Cypriot authorities sent a response regarding the CPT's second immediate observation, informing the Committee that vulnerable categories of persons have been removed from the Pournara Initial Registration Centre following completion of the standard operating procedures. The Committee welcomes that action has been taken by the Cypriot authorities on this issue; nevertheless, it notes that certain details were omitted such as the exact numbers and the defined categories of vulnerable persons transferred, as well as details on the places of transfer. **The CPT would appreciate further clarification and details from the Cypriot authorities on this point.**

II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED

A. Prison establishment – Nicosia Central Prisons

1. Preliminary remarks

14. Nicosia Central Prisons (NCP), built in 1884, remains the only prison facility in Cyprus. The Committee has visited NCP on each of its visits since 1992. Originally built in the Victorian-era, subsequent accommodations were constructed over the years. However, it suffers from various challenges of infrastructure and a lack of space.

15. During this visit, the CPT found that despite some reforms (see below), most notably the removal of juveniles from prison (and police) custody, the overall situation for persons held in the NCP had significantly deteriorated since the CPT's previous visit in 2017.⁴

Many of the serious issues at the establishment could be linked to the severe overcrowding, as nearly 1 000 prisoners were accommodated in an establishment with an official capacity of only 545, some 183% capacity overall.⁵ Such overcrowding levels impacted negatively on the conditions and regime for prisoners, as well as affecting levels of violence and safety issues (see section 2. *III-treatment* below). Matters were made worse by a lack of front-line prison staff (see section 7. a. *prison staff* below).

The closed prison was bursting at its seams, with some accommodation blocks operating at more than 300% of their design capacity (Blocks 1A and 1B, Block 4A and Block 10A) and others at 200% of their design capacity (Blocks 2A and 2B, Block 8 and Block 8A).⁶ The overcrowding was a result of several factors, including the accommodation of significant numbers of persons held for short sentences⁷ (notably around 20% of this number were foreign nationals⁸ sentenced in connection with counterfeit travel documents) and persons on remand (some 22%). Together these groups comprised well over one third of the prison population. In contrast, the open prison was operating at 50% of its capacity.

16. Indeed, in 2013 and again in 2017, the CPT had called on Cyprus to adopt and implement a coherent strategy to reduce the prisoner population and ensure that pre-trial detention should only be used on an exceptional basis. It had also required that the authorities look for alternatives to pre-trial detention, short-term imprisonment and to detention in general, which should be concretely applied to a far greater extent. The Cypriot authorities underlined then that work on reducing overcrowding was ongoing,⁹ particularly through extending the use of alternative sanctions.¹⁰

Various measures to increase space were also being adopted.¹¹ In addition, in 2020 under a proposal by the Minister of Justice and Public Order and relevant decisions of the Council of Ministers of the

4. See [CPT/Inf \(2018\) 16](#), Report to the Government of Cyprus on the visit to Cyprus carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), from 2 to 9 February 2017.

5. At the time of the delegation's visit, the total number of prisoners was 975 (895 men and 80 women), of whom 751 were sentenced and 224 were held on remand.

6. Prison density in Cyprus is high for the Council of Europe region at 179.2 per 100 places, despite a relatively average prisoner population rate of 105.7 per 100,000 inhabitants. Overcrowding and the lack of space and accommodation capacity in the prison was clearly visible to the delegation.

7. According to a list provided from the direction of NCP to the delegation, there were 234 persons serving a sentence of less than two years of imprisonment at NCP at the moment of the visit.

8. At the time of the visit, the number of foreign national prisoners at NCP comprised over half of the prison population. See Section A. 5. *Foreign national prisoners*.

9. Including those measures outlined in the action plans on the European Court of Human Rights case of *Danilczuk v. Cyprus*, no. 21318/12, submitted on 15 April and 22 July 2019 and 16 December 2022.

10. The Cypriot authorities stated that the possibility of expanding and strengthening community work as an alternative sentence to detention was being examined.

11. These measures included increasing spaces in the open prison following the 2020 amendments to the Prisons Regulations (Nonetheless, at the time of the CPT's visit, the open prison was the only unit operating at half of its capacity with an occupancy of 56 prisoners for an official capacity of 102). Further, pursuant to the 2020 amendments to the Prison Law, the categories of prisoners who may be allowed to serve part of their sentences on house detention under certain conditions were extended.

Republic of Cyprus, an Ad Hoc Committee was constituted to study the problem of overcrowding in Central Prisons, detect its causes and prepare a comprehensive proposal of measures to resolve it.

The CPT would appreciate being sent the report of the Ad-Hoc Committee and the concrete proposals and deadlines established to resolve the issue of overcrowding. Still, the authorities acknowledged that, at the time of the CPT visit, the actual numbers of sentenced persons benefitting from these measures remained few in practice.

17. In their response to the delegation's preliminary observations, the Cypriot authorities outlined the envisaged reforms to address overcrowding at the NCP. These include converting the 116 cells of the Open Prison into a closed section for 260 prisoner places; moving the Open Prison to another section of the prison; initiating a study to examine the feasibility of the construction of a new wing for 200-300 prisoners, and a study into the potential for electronic tagging for pre-trial prisoners.

Such a multi-faceted approach to tackle the steady increase in overcrowding at the NCP is positive. However, the prospect of reducing or removing the option of, and hope of progression to, the Open Prison for prisoners serving long sentences is problematic, including for life sentenced prisoners and those sentenced for sex-offences. According to the information given to the delegation, many prisoners at the NCP have long-term sentences¹² and aim to achieve progression, including access to the open prison. Reducing capacity or even removing this progression option may negatively affect their life in the NCP and on a person's prospects for release, resocialisation and successful reintegration into society.

18. Furthermore, in the Committee's view, the proposed reforms remain likely to be insufficient in providing adequate alternatives to detention, or long-lasting sustainable solutions to the ever-increasing numbers of persons sent to remand detention or sentenced to imprisonment by Cypriot courts.

19. The Committee has long held that providing additional accommodation is unlikely to offer a lasting solution to the problem of prison overcrowding without, in parallel, also adopting policies designed to limit the number of persons sent to prison and to adequately implement alternatives to imprisonment, especially for certain categories of prisoner, such as those on remand.¹³ The CPT wishes to recall that prison overcrowding is neither just a problem for prison governors and prison administrations to solve, nor one that governments can tackle alone. Instead, the CPT's experience has shown that combating prison overcrowding requires a systemic approach and concerted action by all relevant stakeholders.¹⁴

20. The CPT reiterates that the Cypriot authorities should pursue their efforts to combat prison overcrowding taking into account the relevant recommendations of the Committee of Ministers of the Council of Europe.¹⁵

Further, it again calls upon the Cypriot authorities to address the urgent need to further develop a coherent prison policy to reduce the prison population. This should include a legislative and political strategy, reviewing the grounds for imprisonment of various groups of prisoners, including prisoners held on remand and short-term sentenced prisoners, and providing more effective alternatives to detention, at the trial stage and at the remand and end-of-sentence stages, with a view to decongesting the prison and bringing it within its official capacity.

12. According to the list provided by the direction of NCP, at the moment of the visit 351 persons were serving "heavy" sentences, meaning sentences of over two years of imprisonment.

13. 31st General Report of the CPT, 1 January - 31 December 2021, [CPT/Inf \(2021\) 5](#), paragraphs 85 to 107.

14. The stakeholders should include the government, the parliament and the judiciary.

15. See in particular, Recommendation No. Rec (99) 22 concerning prison overcrowding and prison population inflation; Recommendation Rec(2003)22 on conditional release (parole); Recommendation Rec(2006)13 on the use of remand in custody, the conditions in which it takes place and the provision of safeguards against abuse; and Recommendation CM/Rec(2010)1 on the Council of Europe Probation Rules and Recommendation CM/Rec(2017)3 on the European Rules on community sanctions and measures, as well as Recommendation CM/Rec(2014)4 on electronic monitoring. See also the CPT's own standards on combatting prison overcrowding in its 31st General Report 2021 at: <https://rm.coe.int/1680a63c72>

Given the gravity of these findings, the Committee recommends that a detailed strategic plan for the prison system be elaborated setting out a roadmap for how the reduction in overcrowding at the NCP will be delivered.

2. Ill-treatment

21. It was positive that most prisoners did not complain about their treatment by staff. Nevertheless, the delegation received several allegations from different accommodation blocks of staff slapping prisoners as an informal punishment for being late back to their cells, among other issues.

Further, non-regulation wooden sticks were carried by staff, ostensibly to help “count” the number of prisoners during head counts, but also allegedly used to “herd” and intimidate prisoners. This non-standard equipment was routinely carried and used by staff in their daily work. Subsequent to the delegation’s visit, the then Acting Director issued an order banning the carrying of these wooden sticks by staff; this is to be welcomed.

The delegation also received several allegations of verbal abuse, including racist language, towards foreign national prisoners by staff.

22. The CPT recommends that the management of NCP deliver to custodial staff the clear message that physical ill-treatment, excessive use of force and verbal abuse, as well as other forms of disrespectful or provocative behaviour towards prisoners, are not acceptable and will be dealt with accordingly.

The CPT recommends that prison staff be reminded that insults and racist words directed at prisoners are reprehensible (just as such conduct by prisoners would be reprehensible) and must be sanctioned. Management should demonstrate increased vigilance in this area by ensuring the regular presence of prison managers in the detention areas, their direct contact with prisoners, the investigation of complaints made by prisoners, and improved prison staff training.

23. There were several cases of serious inter-prisoner violence, including the suspected murder of a prisoner in Block 1A in October 2022. At the time of the visit, this murder was under criminal investigation, and various prisoners and staff members had been moved out of Block 1A.

A primary duty of a prison is to keep prisoners safe, and the means of doing this should include the adoption of a violence prevention strategy, the recording of incidents of violence, and prompt reaction and investigation into incidents by staff. In all three areas, the delegation found that the prison did not have an effective policy in place. Records did not reflect the true scale of inter-prisoner violence, staff were insufficient in number to be able to respond to calls for help promptly (especially at night), and the investigation and complaints process was in essence non-functioning for most prisoner complaints (see sections 7. a. *prison staff* and d. *complaints procedures* below). Prisoners feared for their own safety. As already found in 2017, measures to address inter-prisoner violence appear to have had only limited success. The Committee considers that the metrics used to gauge true reductions in inter-prisoner violence were still underdeveloped and, based on evidence collected during the visit, the delegation gained the impression that the actual number of violent incidents appreciably exceeded the number recorded. Overall, insufficient effective measures have been taken to reduce inter-prisoner violence.

24. Further, the lack of front-line prison staff¹⁶ allowed the development of informal prisoner hierarchies to maintain control and enforce discipline on the blocks. This was notably the case on Block 10A, which mostly accommodated newly-arrived prisoners, but also longer-term prisoners who were considered vulnerable. It was clear that prisoner hierarchies existed and that prisoner leaders ran many of the blocks. For example, in Block 10A, informal prisoner leaders allocated informal

16. See Section 7. a. *prison staff*. For example, in practice, there were two staff members on duty for 118 prisoners in Block 10A at the time of the delegation’s visit.

responsibilities, including overseeing the telephone rota and managing access to the Block telephone.

Moreover, the informal reliance on prisoner leaders had created a breeding ground for informal punishments to be meted out by groups of prisoners. The delegation heard multiple allegations from different blocks of punishments delivered by groups of four or more prisoners, apparently on the orders of informal prisoner leaders. The incidents were not always reported, and those which were, were neither properly recorded nor investigated by staff and management.

Overall, this fuelled a general perception that the prison was not safe, especially after the recent suspected murder (see section 6. G. *deaths in prison* below).

25. An illustration of one such alleged incident is “Prisoner B”, a foreign national in Block 1B, who on 21 July 2022 was beaten with a cell’s large metallic padlock by four other prisoners in his cell, apparently on the orders of another prisoner. Prisoner B had to be hospitalised with broken teeth and a fractured jaw. No investigation into this incident was evident, despite it being recorded in the prisoner’s healthcare records and repeated oral complaints having been made to the staff of the Block.

26. Moreover, the delegation received several separate allegations from prisoners on Block 10A, who were clearly in distress and who stated that they were constantly bullied and psychologically ill-treated, that other prisoners stole their food and mocked them. They outlined that they tried to complain to prison guards, who referred them to the head of the prisoners’ group. Many prisoners outlined that it was the general view that it was better for prisoners to take care of ‘their problems’ themselves, rather than to involve prison administration.

27. The CPT considers that allowing stronger groups of prisoners, or any forms of prisoner hierarchies to develop and impose punishments creating an unsafe and insecure environment for prisoners raises clear issues under Article 3 of the European Convention on Human Rights (ECHR)¹⁷ and the authorities’ duty of care to all persons held in NCP. The CPT also considers that it is unacceptable to allow prisoners to impose prisoner routines, phone rotas and other core prison services.

28. The CPT is of the view that keeping order and creating a safe environment in prison should not be based on a form of tacit agreement between prisoner “leaders” looking to establish their authority among other prisoners and members of prison staff anxious to preserve the appearance of order in the establishment. Further, the Committee considers unacceptable any, even partial, relinquishment of the responsibility for order and security, which properly falls within the ambit of custodial staff. Firstly, it could effectively legitimise a sub-culture and expose weaker prisoners to the risk of being exploited by their fellow prisoners. Secondly, and above all, human contact between prisoners (except prisoner representatives) and staff risks being reduced to the bare minimum. It is also contrary to the European Prison Rules,¹⁸ according to which no prisoner should be employed in the institution’s service in any disciplinary capacity.

The CPT emphasises that the duty of care owed by prison authorities to prisoners in their charge includes the responsibility to protect them from other prisoners who might wish to cause them harm. Addressing the phenomenon of inter-prisoner violence will require a multi-faceted approach, which will include enhanced ongoing monitoring of prisoner behaviour (including the identification of potential perpetrators and victims), with a particular focus on the situation in cells in the evening/at night (for example, by more frequent and randomised visits by staff). It will also require the proper reporting of suspected and confirmed cases of inter-prisoner intimidation/violence, the thorough investigation of all incidents and, where appropriate, the adoption of suitable sanctions or other measures, as well as the development of effective violence reduction interventions. Management and staff should pay increased attention to risk and needs assessments, classification, and allocation of individual prisoners with a view to ensuring that prisoners are not exposed to other prisoners who may cause them harm.

17. See *S.P. and others v. Russia*, no. 36463/11 and 10 others, Judgment of 2 May 2023.

18. European Prison Rules, Rule 62.

Further, prison staff should be alert to signs of trouble, and both determined and properly trained to intervene when necessary. The existence of positive relations between staff and prisoners, based on the notions of dynamic security and care, is a decisive factor in this context; this will depend in large measure on staff possessing the appropriate interpersonal communication skills. It is also obvious that an effective strategy to tackle inter-prisoner intimidation/violence should ensure that prison staff are placed in a position to exercise their authority appropriately. Consequently, the staffing level must be sufficient (including at night-time) to enable prison officers to adequately supervise the activities of prisoners and support each other effectively in the exercise of their tasks. Both initial and ongoing training programmes for staff of all grades must address the issue of managing inter-prisoner violence (see section 7. a. *prison staff* below).

29. Moreover, in line with the recent case law of the European Court of Human Rights,¹⁹ a constant threat or fear of ill-treatment can also amount to a form of ill-treatment, because of the fear of violence it can instil in the victim and the mental suffering it can entail on a daily basis. The NCP management and staff should be aware of the existence of the prisoner hierarchies and of the status of those prisoners who are on the bottom of such hierarchies. They should protect vulnerable prisoners from ill-treatment committed by the informal leaders of prison hierarchies or their accomplices.

30. The CPT reiterates its recommendation that management urgently reviews its violence prevention policy to establish measures to more adequately and accurately record, respond to, investigate, and prevent inter-prisoner violence. These should include the adoption of a comprehensive anti-bullying policy and systematic and regular risk-assessments regarding allocation and placement of prisoners, as well as training of staff to take proactive measures to identify any risk of inter-prisoner violence and report it to management, as well as the regular monitoring of CCTV cameras and ensuring their good operational maintenance.

The CPT recommends that immediate action be taken to swiftly recruit and train more front-line prison staff to help address these issues and to put in place a dynamic security approach in line with the above precepts.

In parallel, the CPT recommends that prison staff be clearly and regularly instructed that any staff tolerating, encouraging, or colluding in punitive action taken against prisoners by other prisoners will be the subject of criminal or disciplinary proceedings.

3. Conditions of detention

a. material conditions

31. The layout of the prison and its eight blocks as well as the material living conditions (size, lighting and size of the cells in each of the blocks) remained substantially the same as described in the CPT's 2017 visit report.²⁰

32. As mentioned above, the overcrowding in certain blocks was severe, such as Block 1A which was holding 106 persons for an official capacity of 33, and Block 1B which was holding 96 persons for an official capacity of 35.²¹

The delegation observed some dire living conditions: cells of 5.5 m², which are not even appropriate for accommodating one person, were crammed with four prisoners, affording little more than 1 m² of living space each. Many cells had one bunk bed, with four prisoners to a cell, where prisoners were sleeping on mattresses on the floor under the bunk beds, under the tables and in every available space in the cell.

19. See *S.P. and others v. Russia*, no. 36463/11 and 10 others, Judgment of 2 August 2023, paragraphs 88, 90, 97-100.

20. See [CPT/Inf \(2018\) 16](https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680695601), paragraph 80 and in the CPT's 2013 Visit report, CPT/Inf (2014) 31 (<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680695601>), paragraphs 62 to 64.

21. Severe overcrowding was also present in Block 4A (capacity four, occupancy 12), and Block 10A (capacity 38, occupancy 123).

33. This was compounded by the fact that over half of the blocks did not have in-cell sanitary facilities and consequently there needed to be more ready access to toilets at night. Many prisoners interviewed (in every block of the prison) anonymously told the delegation that they did not want to “bother or disturb the staff” on duty by pressing their call bells to be let out at night to go to the block’s toilets, because it was known that staff were limited in number, which resulted in the systemic practice of prisoners urinating in bottles (“slopping out”), in these packed cells.

The delegation received numerous complaints that call bells were not responded to promptly during the night. Most of the male prisoners interviewed told the delegation that they urinated into a bottle at night rather than waiting for the cell door to open.

34. An example of such appalling conditions was seen in Block 10A. Here, many cells accommodated four prisoners who shared a cell of 5.5 m², with two thin, worn mattresses placed on the floor (one partially under the bunk and one partially under the table), with no room to step in the cell other than over a sleeping body. These cells were without in-cell sanitary facilities, and with temperatures in the cell over 32 degrees Celsius, with the exterior temperature of 33 degrees Celsius in spring-time.²²

35. Another example can be seen in Blocks 1B and 1A, where former activity and television rooms, measuring some 30 and 40 m² respectively (cells 17 and 33), had been converted into dormitories accommodating 14 and 20 prisoners in bunk beds, affording the prisoners a mere 2 m² per person. There were no chairs or tables, just bunk beds crowded into the space, with some boxes that served as lockers and one wardrobe for all the prisoners. Further, at least three cells (cells 31 to 33) on Block 1B had no window and were accommodating three persons in each, with one bunk bed and a mattress on the floor for the third person, with both the door and barred gate closed, and afforded no natural light or ventilation. Another cell (cell 16) was accommodating eight persons and had no call bell. As none of the cells on this block have in-cell sanitary facilities or toilets, call bells are essential to afford prisoners a bare minimum of decency to call staff to go to the toilet at night.

Given that this block had significant numbers of older and retirement-age prisoners, the need for ready access to toilets at night was all the more acute. In practice, prisoners in cell 16 had to knock on the wall to the next-door cell and shout through the dividing wall for them to press their call button to ensure that staff were alerted to their need to go to the toilet at night. Attempting to go to the toilet caused a disturbance at night and bred a reliance on other prisoners, hence prisoners were reluctant to do so.

36. The CPT reiterates its recommendation that measures be taken swiftly to reduce the occupancy levels in all blocks, most urgently in Blocks 1A and B, 2A and B, 4A, 5, 8, and 10A. To this end, it should be ensured that, at the very minimum, cells measuring 6 m² are only used to accommodate one prisoner²³ and that the living space in multiple-occupancy cells is at least 4 m² per prisoner.²⁴ Moreover, the CPT calls upon the Cypriot authorities to make a far greater investment into the use of non-custodial measures.

37. It is a long-standing view of the CPT that certain basic elements comprise a minimum standard for a decency threshold to enable the proper treatment and accommodation of prisoners, including ready access to sufficient clean drinking water and a clean, fully functioning toilet, proper sanitation, warm washing water, shower, amongst other criteria.²⁵ Ready access includes any time during the day or night. **The CPT once again calls upon the Cypriot authorities to guarantee that all prisoners have access to the toilet promptly when required. The Committee is of the view that this has not been implemented; indeed, the situation in 2023 had significantly deteriorated.**²⁶

22. Weather in Nicosia in the summer regularly reaches 38 to 40° Celsius.

23. The vast majority of cells in the NCP measure 5.5 m², having originally been designed in the 1800s to accommodate one prisoner – now they do not even reach the minimum threshold for accommodating one prisoner.

24. See [CPT/Inf \(2015\) 44](#), Living space per prisoner in prison establishments: CPT standards.

25. See [CPT/Inf \(2021\) 5-part](#), A decency threshold for prisons – criteria for assessing conditions of detention.

26. See also the European Court of Human Rights case of *Onoufriou v. Cyprus*, no. 24407/04, judgment of 7 January 2010. The delegation has noted that the material conditions of detention have not improved despite the European Court’s findings of the need for improvements in these conditions.

38. In addition, the Committee wishes to draw the Cypriot authorities' attention to its detailed standards on decent sleeping and living conditions for prisoners, as well as its long-held view that all prisoners must have their own bed, personal locker, a living space with appropriate furniture, and benefit from heating, artificial and natural light, ventilation and access to fresh air, as well as from sufficient personal living space. Cells without call bells or in-cell sanitary facilities or toilets, cells without windows, or cells with insufficient numbers of beds for their actual occupancy do not fall within these basic standards or, indeed, the elements that comprise the bare minimum standard for a decency threshold to enable the proper treatment and accommodation of prisoners. **The CPT recommends that the Cypriot authorities take urgent and swift action to address the issues listed in Blocks 1A and B, 4 and Block 10A.**

39. The fact that smoking in communal spaces and some of the cells was permitted exposed many prisoners to passive smoking and health risks. Indeed, exposure to passive smoking can amount to a form of ill-treatment, as highlighted by the European Court of Human Rights.²⁷

Smokers and non-smokers should be offered separate accommodation, and designated areas for smoking should be established in certain common areas of the prison. **The CPT recommends that the Cypriot authorities put in place measures to ensure, at the very least, protection from the harms of passive smoking, such as designating smoke-free accommodation and a policy on the prohibition or restriction of smoking in areas of common use.**

40. Overall, in the CPT's view, such appalling living conditions can only be described as amounting to inhuman and degrading treatment contrary to Article 3 of the ECHR.

b. regime

41. As for the daily regime, it was positive that prisoners could spend most of the day²⁸ unlocked from their cells and free to walk around their block and the adjoining exercise yard, which was equipped with some sports equipment. A number of prisoners (but by no means all) were allowed to play football on the central, well-maintained football pitch once or twice a week.

Nevertheless, prisoners still had nothing meaningful to do to structure their day, including those who were there for long and life sentences. There were very few activities other than cleaning jobs on the blocks,²⁹ some of which were allocated by informal prisoner leaders (for example on Block 10A), and there was even less prison-wide purposeful work, activities or educational classes offered to prisoners. It appeared that jobs other than cleaning were allocated to informal prisoner leaders.

Prisoners held on the blocks for persons sentenced to sexual offences vulnerable persons' blocks had no access to any activities outside their blocks.

The CPT calls upon the Cypriot authorities to increase the availability of purposeful activities for all inmates including work, vocational training, sports, educational and other activities, with a view to ensuring that all prisoners may be purposefully engaged for most of the day.

27. See the case law of the European Court of Human Rights, notably the cases of *Sylla and Nollomont v. Belgium*, no. 37768/13 and 36467/14, 16 May 2017, paragraph 41; *Florea v. Romania*, no. 37186/03, 14 September 2010, paragraphs 60-62 and 63-65; *Elefteriadis v. Romania*, no. 38427/05, 25 January 2011, paragraphs 49-52 and 55. See also UN Resolution 64/292 on right to water and sanitation.

28. From 07:00 to 21:00 unlocked from cells with the exceptions of patrol state/counts.

29. In 2022, 586 of nearly 1000 prisoners had worked on their blocks as cleaners and in comparison, very few (99) had any other work outside of their blocks, such as workshop cleaners, bookbinders, laundry, handicraft, garbage collection, prison supermarket, garage, cooks and garden care.

4. Women prisoners

42. At the time of the visit, the NCP accommodated 79 remand and sentenced women in Block 3, which was a distinct unit within a walled courtyard separated from the male accommodation areas. In addition to the accommodation buildings, Block 3 contained a classroom, a laundry room, a workshop, a communal kitchen, a gym, staff offices and a yard.³⁰

43. The women met by the delegation stated that the custodial staff³¹ treated them correctly and no allegations of physical ill-treatment by staff were made.

On the other hand, the delegation received numerous allegations of inappropriate comments made by the custodial staff towards certain female prisoners, as well as the use of abusive nicknames towards them, including of a racist nature³² (see also paragraph 21 of this report).

The CPT recommends that the management of NCP deliver to custodial staff the clear message that ill-treatment, including verbal abuse of prisoners as well as other forms of disrespectful or provocative behaviour towards prisoners, is not acceptable and will be dealt with accordingly. The CPT recommends that prison staff be instructed that insults and racist words directed at prisoners are reprehensible and must be sanctioned.³³ The establishment's management should demonstrate increased vigilance in Block 3 by ensuring the regular presence of prison managers, their direct contact with prisoners, the investigation of complaints made by prisoners, and improved prison staff training.

44. Based on information received from female detained persons interviewed by the delegation, there were some tensions between groups of women from different countries and there had been several incidents of inter-prisoner violence prior to the delegation's visit.³⁴ While the delegation did not find records of these incidents in the prison files, the head staff member of Block 3 mentioned to the delegation that there had been sporadic individual fights between female prisoners, but denied the existence of any group violence.

45. When visiting the block, the delegation noted that certain common areas, which were reportedly the places where violent incidents occurred, were not covered by CCTV cameras, a fact well-known by the prisoners. The CPT wishes to emphasise that properly functioning CCTV systems in prisons offer a valuable additional safeguard against ill-treatment. The systems in place should provide comprehensive video coverage of all areas outside of the cells, including corridors, exercise yards and the entrances to any other rooms in which prisoners may be placed. The footage recorded by those cameras should be securely retained for a period of at least one month (and preferably longer) and be accessible only to senior managers and those staff members specifically authorised to view it.

In light of the above, the CPT recommends that management urgently review its violence prevention policy to establish measures to more adequately and accurately record, respond to, investigate and establish measures to prevent inter-prisoner violence in the women's block of the prison. This should include the adoption of a comprehensive policy and systematic, regular risk-assessments regarding allocation and placement of female detained persons, as well as training of staff to take proactive measures to identify any risk of inter-prisoner violence and report it to management. The CPT further recommends that the CCTV systems in the prison be rendered fully operational by ensuring that all common areas

30. An additional six women were accommodated in the Centre for extra-institutional employment and rehabilitation of prisoners (KKEAK) located in the open section of the prison. Transfer to the open section depended on the women demonstrating good behaviour and engaging in work while in the closed section.

31. The staff of the Women's Block was mostly female, with the exception of one male Head of Block.

32. Such as being told by staff that "it [was] not Congo here" and "go back to your country" or being called "*mavro*" (meaning "black") by staff.

33. See also the Rule 31 of the "United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders with their Commentary, "[Bangkok Rules](#)".

34. For instance, one woman told the delegation that she had been beaten up by a group of other women and that custodial staff had not intervened although they apparently knew what was happening. Further, she alleged that members of staff threatened her to not make a report about the incident.

in Block 3 are covered by CCTV, as a safeguard against ill-treatment, taking into account the requirements set out in the previous paragraph.

46. The delegation also received a number of complaints of custodial staff allegedly acting in a discriminatory manner towards certain female prisoners based on their nationality and/or origins. Many women met by the delegation believed that women prisoners from Cyprus received preferential treatment, and that they and other European nationals were offered better access to healthcare, work opportunities, transfers to the open prison and the right to parole (see also paragraph 61 of this report).

The CPT recommends that management makes clear to all custodial staff that prisoners must not be treated in a demeaning manner due to their nationality and/or origins. Proactive measures need to be taken by management to ensure that foreign prisoners do not suffer from discriminatory practices. Further, reference is hereby made to the recommendation contained in paragraph 62 of this report (see section 5. *Foreign national prisoners* below).

47. In 2017, the capacity of Block 3 had been increased and a new residential building had been built. The intention had been to accommodate women on remand in the “old” building and sentenced women in the “new” building³⁵ but women were generally accommodated together according to their nationality and/or origins.

According to information provided to the delegation by the competent Ministry, at the time of the 2023 visit, Block 3 was accommodating 79 women for a real capacity of 60 places and an emergency capacity of 65 places. Consequently, there were not enough beds and some women had to sleep on mattresses placed on the floor.³⁶ In the mornings, the mattresses were removed to provide more space in the cell. 30 out of the 79 women accommodated in Block 3 were serving less than two-year imprisonment sentences at NCP for offences related to illegal immigration.³⁷ **Given the overcrowded situation at NCP, the CPT urges the Cypriot authorities to review the policy, legislation, and practice of imprisoning this category of foreign nationals in NCP. The CPT also recalls the recommendations contained in paragraphs 20 and 63 of this report.**

48. Despite the issue of overcrowding, the premises were generally clean. The detention conditions in the “new” accommodation building were satisfactory. The building was relatively new and had individual cells as well as cells for two persons. By contrast, in the “old” building, women were accommodated in three large cells, with no in-cell sanitary facilities.

Once the cells were closed at night, the women accommodated in the old building had to call the custody officers to access a toilet, by pressing the call bell which rang in the control office.

An electronic bell notification system had been installed in all blocks of the prison, establishing a system informing the warden who must respond to the call. However, due to staff shortages, the control office was unmanned, and the women had to shout to other prisoners whose cell windows were facing the courtyard in order to get the attention of the staff. The delegation was informed that the custody staff was slow to arrive.

The Committee recalls that all prisoners should have access to toilets at all times. Given the special needs of women for ready access to sanitation during menstruation, this situation must be addressed as a matter of urgency. The CPT considers that this situation may well amount to degrading treatment.

The CPT recommends that the Cypriot authorities take immediate steps to ensure that women in need can access the toilet rapidly after lock-up by ensuring, *inter-alia* that the call bell system is responded to effectively.

49. One issue identified by the delegation in Block 3 was the lack of natural light in the cells, due to metallic meshes installed to cover the cell windows. Furthermore, on the boxes made available

35. See [CPT/Inf \(2018\) 17](#), page 43.

36. For instance, 12 women were accommodated in cell F5, although there were only 10 beds.

37. Such as possession or circulation of forged documents and impersonation.

for women to store their private belongings, all the locks were broken. **The Committee recommends that the NCP management takes the necessary measures to ensure that cells have access to sufficient natural light and that the broken locks be replaced with new ones.**

50. Many of the women interviewed by the delegation complained about the quality of the water in the prison which they considered bad, allegedly causing skin problems and damaging their hair. Some women also complained that the water caused them stomach aches and diarrhoea. While bottled mineral water could be bought in the prison, not all women had the financial resources to do so. **The CPT considers that all persons in prison ought to be provided with drinking water by the authorities and if the tap water is not considered drinkable, the authorities should provide them with alternative sources of drinking water.**³⁸

51. Upon admission to the prison, the women were provided with basic hygiene items such as shampoo, soap and toilet paper. However, several women complained that certain hygiene products, including shampoo and even sanitary towels, had to be purchased thereafter and that they could not afford them.

It is essential for the authorities to maintain humane living conditions for prisoners by applying a minimum decency threshold, which includes decent living conditions and the means to keep clean, including personal hygiene products.³⁹ **The CPT therefore recommends that immediate steps be taken to ensure that all prisoners have adequate quantities of essential personal hygiene products free of charge, including sanitary towels.**

52. Concerning the regime, it was positive that there was also a generous daily out-of-cell time in the women's block, with cells opened at 06:00 and closed at 21:00, except on Saturday and when a bank holiday followed, when the cells were closed at 22:00.

During the day, from Monday to Friday between 08:15 and 15:00, female prisoners could attend school within their block, in English and Greek. At the time of the delegation's visit, 56 women prisoners attended school. Other activities were offered during weekdays, in Greek and English.⁴⁰ Women prisoners could also use the well-equipped kitchen, and gym, and the basketball court located within Block 3 throughout the day, as well as attending sports class with a gym instructor, during weekdays from 14:00 to 16:00.⁴¹

53. Regarding work opportunities in the prison, most of the female prisoners worked as cleaners, in exchange for small payments. Seven to 10 women prisoners had the possibility to work in the bookbinding workshop of the prison. However, several women stated that this work opportunity was offered to the Cypriot female prisoners only.

54. At the time of the visit, the healthcare examination upon admission for women was the same as that carried out for men. There was no gender-specific screening.

A gender-specific admission process for women should be in place in all prisons accommodating women prisoners to take into account the gender-specific needs of women prisoners. This should include screening for sexual abuse and other forms of gender-based violence inflicted prior to entry to prison and ensuring that such information is considered in the drawing up of a care plan for the woman in question. This should be conducted in a way that is sensitive and trauma-informed, that is, not necessarily using a questionnaire during the initial interview. Nevertheless it should be possible to identify their specific needs shortly after admission. Such screening requires looking at the gender-specific needs of women at the time of admission and should include not only identification of the family care-giving responsibilities of newly admitted women and detection of specific needs, but also a screening for history of any sexual abuse and other gender-based

38. See the CPT 30th Annual General Report's section on "A decency threshold for prisons" (<https://rm.coe.int/1680a25e6b>); as well as the UN Resolution on the right to water and sanitation 64/292.

39. See 30th General Report, CPT/Inf (2021) 5, paragraph 68; the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), Rule 5

40. Such as creating byzantine art and jewellery, learning the Russian language and attending psychology, music and dance classes.

41. Other special activities were organised in the prison, including bingo, DJ parties, orchestra and theatrical performances.

violence. This information should be duly considered when drawing-up an individual sentence plan for the woman to ensure appropriate care and avoid re-traumatisation.⁴² The lack of such an approach means that management is unable to take appropriate steps to ensure that victims of sexual abuse are not re-traumatised over the course of their imprisonment.

In light of the above, **the CPT recommends that the Cypriot authorities develop prison admission procedures to take account of the gender-specific needs of women prisoners. This should include screening for sexual abuse or other forms of gender-based violence inflicted prior to entry to prison, and ensuring that such information is considered in the drawing up of a care plan for the woman in question. Further, steps should be taken to ensure that the admission procedure is always comprehensively carried out.**

55. The doctor of the prison was visiting Block 3 every Wednesday and Friday. During interviews conducted by the delegation several women expressed their wish to increase the frequency of specialists' visits to the prison, in particular the dermatologist and gynaecologist, who were visiting once per month.

Some concerns were raised by women prisoners regarding access to medication. The delegation was informed by several women prisoners that they had to pay for certain prescribed medication.

Symptomatic of the absence of any proper control over the distribution of medication, the delegation observed that one woman had been issued with her prescription of strong medication (including morphine), which was kept in her cell, under the table, easily accessible by anyone. Reference is hereby made to paragraphs 67 and 72 of this report and the recommendations issued in relation to the system of dispensing medicines as well as the procedure and organisation of medication dispensed within NCP and medical confidentiality.

56. At the time of the visit, the custodial guards interviewed in Block 3 were not aware of any procedure in place in the prison for handling female prisoners who may be pregnant and/or mothers with young children in the prison. **The Committee invites the Cypriot authorities to make the necessary efforts to ensure that a procedure is in place in the prison for antenatal and post-natal care of all female prisoners.**

57. As to prison staffing, Block 3 was managed and supervised by a head staff member of the block, who was a man. While his office was located in another area of the prison, he visited the block often. Block 3 was guarded by two female prison officers, who were present in the unit 24 hours a day, seven days a week. The officers were not dedicated to work solely within the women's block, had not received regular gender-specific training and were on rotation.

In light of the above, **the CPT recommends that the Cypriot authorities develop clear policies and regulations on the management of female prisoners, that are gender-sensitive and trauma-informed, which are aimed at providing protection against any form of sexual or gender-based violence and (re)traumatisation and at fostering a prison environment of safety and stability.**⁴³

58. Discipline was also an area of concern in the Women's Block, specifically the use of provisional disciplinary isolation ("investigative lock-up") for up to six days. The delegation met with one female prisoner who was placed in investigative lock-up twice following two separate incidents (one physical fight with a prisoner and one row with another prisoner). The delegation was informed by custody staff that two cells (F1 and F2) were dedicated to the placement of female prisoners in investigative lock-up. However, due to the overcrowding situation in the block, both these cells were occupied at the time of the visit. Women prisoners would therefore be isolated in their own cells, with the result that any other prisoners sharing a cell with the person subjected to isolation would not be able to use their cell throughout the isolation period and instead would be transferred to another cell. **The CPT would like clarification from the Cypriot authorities that a careful risk assessment is**

42. See rule 6 of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the [Bangkok Rules](#)).

43. See in particular rules 29 to 35 of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders with their Commentary, "[Bangkok Rules](#)".

undertaken in such situations and that the transferred person is guaranteed a proper bed in a cell. The CPT hereby refers to its comments and recommendations as contained in paragraphs 95 and 98-99 (see more generally section 7. B. *discipline* below) of this report.

59. Regarding contact with the outside world, the vast majority of women with whom the delegation met complained about the cost of the telephone, especially when calling abroad. This was a problem for foreign nationals wishing to contact their family and relatives on another continent. However, this was partially offset by the positive practice of offering prisoners the possibility to make free calls with the use of Voice over Internet Protocol. Audio-video calls were possible twice a month and each call could last for up to 20 minutes. The head staff member of the Block informed the delegation that its use was a “privilege,” which prisoners could acquire through good cooperation and work. **The Committee recommends that the practice of offering prisoners the possibility to make free calls with the use of Voice over Internet Protocol be expanded more widely around the prison** (see paragraph 101).

5. Foreign national prisoners

60. The number of foreign national prisoners at NCP has continued to increase and at the time of 2023 comprised over half of the prison population (521 of 975). The CPT found that more needs to be done to address their specific needs. Foreign national prisoners were still not provided with written information about the internal regulations⁴⁴ in a language they could understand. Many complained about being unaware of their rights and obligations within the establishment. Further, they had little regular access to interpretation services.

61. As was the case in 2017, the delegation received many allegations of discrimination towards foreign national prisoners regarding access to education, healthcare, work, and recreation time. Most pertinently, there was deep discontent that, unlike Cypriot prisoners, they were apparently ineligible for progression to the semi-open and open sections and to parole. According to prison management, staff, and prisoners alike, this feeling of inequality was the source of incredible frustration. They all considered that affording foreign national equal rights would ameliorate staff-prisoner relations and lessen tensions between foreign nationals and staff. However, the delegation was not aware of any proactive measures that had been taken by prison management to address this issue.

62. **The CPT recommends that the Cypriot authorities should ensure that foreign nationals are able to progress throughout the serving of their sentence, and are able to progress to open prison and to be considered for early release, to afford them equal rights and treatment as those afforded to Cypriot prisoners. In this respect, the principle of non-discrimination should be respected, in line with international norms prohibiting discrimination.**

It also recommends that the Cypriot authorities should increase the support provided to foreign nationals in NCP through, *inter alia*:

- **appointing a dedicated foreign national liaison officer;**
- **ensuring written information on prisoner rights, obligations, and house rules is provided upon admission, in a range of the most commonly spoken languages and in an accessible format, including information on immigration procedures to be systematically given to foreign nationals; and**
- **ensuring foreign national prisoners have recourse to interpretation services when required.**

63. Moreover, 13% (130⁴⁵ of 975) of prisoners were foreign nationals sentenced and on remand for the crime of carrying or producing counterfeit documents or entry into the Republic of Cyprus under false pretences. This offence carried a 10 to 20-month prison sentence,⁴⁶ depending on the number of times the person had tried to enter Cyprus (see section 1. *Preliminary remarks* above),

44. The CPT notes that there was also a lack of written information provided in general for all prisoners.

45. This number had recently been reduced from 180 irregular migrants imprisoned on these criminal grounds, in February 2023, after a one-off Presidential pardon had allowed the early release (after serving half of their sentences) of some 100 sentenced migrants.

46. Criminal Code of the Republic of Cyprus, Chapter 154.

despite the clear motivating push-factors for foreign nationals to leave their countries of origin (see Immigration section C.) and the existence of the non-penalisation principle of persons seeking international protection enshrined in Cypriot legislation.⁴⁷

These foreign national prisoners were held in large dormitories accommodating 30 persons in cramped, squalid conditions (see section 3. a. *material conditions* above) and were offered no purposeful work or activities other than the occasional job as a block cleaner. Many wanted to be repatriated but, allegedly, none had had the required access to the Aliens and Immigration Department, to submit their cases. **Given the severely overcrowded situation, the Committee urges the Cypriot authorities to review the policy, legislation, and practice of imprisoning this category of foreign national in the NCP⁴⁸** (see also section 4. *Women prisoners* above).

6. Healthcare services

a. preliminary remarks

64. The prison offers general healthcare to all persons detained within NCP and healthcare facilities were well-equipped. Nevertheless, many of the Committee's long-standing recommendations to improve healthcare services still need to be implemented.

b. healthcare staffing

65. At the time of the visit, there were two general practitioners (GPs) employed on a full-time basis;⁴⁹ they worked weekdays and were on call on a rota basis in the evenings and on weekends. They were supported by eight nurses, including one senior nurse. Nurses worked in shifts to ensure that at least one nurse was present 24 hours, seven days a week, at the prison. As was the case in 2017, a public health nurse, accompanied by a public health doctor, visited monthly to carry out Mantoux tests for tuberculosis. As concerns ancillary staffing, a dermatologist visited the prison monthly and a dentist visited twice a week.

66. As was also the case in 2017, the prison continues to employ 10 prison officers as medical orderlies. Four prison officer medical orderlies were on duty during the day and one at night, seven days a week. The main duty of the medical orderlies is to administer medication to prisoners and to accompany the doctors on their rounds.

In 2013 and 2017, the CPT criticised this practice and urged the Cypriot authorities to take concrete measures to ensure that prison officers should not dispense prescription medication nor administer injections and may under no circumstances be considered a substitute for trained nurses; nor should they accompany doctors on their rounds. In this respect, **the CPT reiterates its recommendation to the Cypriot authorities to progressively replace all prison officer medical orderlies with qualified nursing staff.**

67. In addition, the CPT remains concerned by the unsafe practice of *administration, distribution, and recording of medication* by medical orderlies. The delegation found that medicines were taken from their packets by the medical orderlies and put into pots that had the name of the medicine only annotated thereon, with no dose and no expiry date of the medicine. These pots were then taken to various areas within the prison and distributed by the medical orderlies.

The administration of medicine was not systematically recorded, and it appeared to be assumed that if it was not recorded this equated to the prisoner's acceptance of their medication. Despite the CPT's previous recommendations, this practice remains unchanged. **The CPT reiterates its recommendation that the Cypriot authorities ensure that the system of dispensing medicines only be undertaken by qualified pharmacy or nursing staff, not prison officers. Further, the procedure and organisation of medication dispensing should be reviewed to ensure that prisoners receive the correct medication at the right time (see also section d. *medical confidentiality* below).**

47. Article 7 of Cypriot Asylum Law No. 3383 of 28 January 2000.

48. In particular, in line with the non-penalisation principle of persons seeking international protection, as contained in Article 7 of Cypriot Asylum Law No. 3383 of 28 January 2000.

49. One is a forensic doctor who has been in post for four years and the other is a GP who started in March 2023.

c. medical screening and recording of injuries

68. All newly admitted prisoners were seen by a nurse on their arrival and by the doctor (within their working hours, or the following day if not). All newly arrived prisoners were systematically asked on arrival whether they would like to be seen by a psychiatrist and/or a member of the in-house mental health team. There was a standard medical admission system and forms were generally well annotated.

All prisoners are asked to consent to blood tests for syphilis, HIV, and hepatitis on admission, with women being asked to take a pregnancy test. All prisoners are required to take a Mantoux test. The delegation was informed by healthcare staff that these tests were compulsory, and refusals, although occurring only in rare cases, were subject to disciplinary procedures and sanctions, but in practice no one had been disciplined for refusal. Further, there were no routine immunisations against Hepatitis A or B, or pneumococcal vaccines for those elderly prisoners at risk.

69. Access to the doctor in practice was adequate; each Block was allocated two half-day slots per week during which prisoners could see the doctor.

70. As regards the recording of injuries, either observed on admission or following a violent incident inside the establishment, these were recorded by healthcare staff in a first aid book completed by the nurse, with any updates placed in the prisoner's medical file. There were no central injury or trauma registers. Moreover, as was the situation in 2013 and 2017, the descriptions of the injuries were particularly brief, continued to lack detail, and were incomplete. In particular, there were few to no observations made by the doctor as regards the consistency between prisoners' statements and the injuries observed. The forensic doctor informed the delegation that if a person alleges to have been a victim of violence at the hands of either other prisoners or prison staff, then they would be sent for a forensic medical examination at the hospital. However, the doctor was not able to give any details as to the number of such instances.

71. The CPT recalls once again that prison healthcare services can significantly contribute to the prevention of ill-treatment of detained persons through the systematic and proper recording of injuries and, when appropriate, the provision of information to the relevant authorities.

The CPT again calls upon the Cypriot authorities to take the necessary steps to ensure that the record drawn up after the medical examination of prisoners – whether newly arrived or following a violent incident in the prison – contains:

- i) **an account of statements made by the persons which are relevant to the medical examination (including their description of their state of health and any allegations of ill-treatment),**
- ii) **a full account of objective medical findings based on a thorough examination, and**
- iii) **the healthcare professional's observations in light of i) and ii), indicating the consistency between any allegations made and the objective medical findings.**

The record should also contain the results of additional examinations carried out, detailed conclusions of specialised consultations, and a description of treatment given for injuries and any further procedures performed. Recording of the medical examination in cases of traumatic injuries should be made on a special form provided for this purpose, with body charts for marking traumatic injuries that will be kept in the medical file of the prisoner. Further, it would be desirable for photographs to be taken of the injuries, and the photographs should also be placed in the medical file. In addition, a special trauma register should be kept in which all types of injury observed should be recorded.

In addition, the CPT recommends that the prison management ensure that the NCP's doctors receive accurate information regarding their obligations to record and report injuries to the competent prosecutorial bodies, in line with the above norms.

d. medical confidentiality

72. In 2013 and 2017, medical examinations occurred out of the hearing and out of the sight of custodial staff, but often within the presence of the medical orderlies (who were prison staff) (unless the prisoners expressly requested otherwise). Prison officers who worked in the healthcare centre continued to have ready access to medical files. This resulted in a situation where there was little confidentiality of prisoners' medical records. In 2023, the situation had not changed since 2017 and 2013 and the CPT found that the doctor and nurse examined prisoners with a medical orderly present in the room. The CPT is deeply disappointed that this practice continues.

The CPT reiterates its recommendation that the confidentiality of medical data within the prison be guaranteed. Healthcare staff may inform prison officers on a need-to-know basis about the state of health of a detained person; however, the information provided should be limited to that necessary to prevent a serious risk for the detained person or other persons, unless the detained person consents to additional information being given.

The CPT also recommends that immediate steps be taken to ensure that medical orderlies and custodial staff members are not present during medical examinations.

e. drug use treatment and mental healthcare services

73. Turning to *mental healthcare staffing*, at the time of the visit, there was no resident full-time psychiatrist presence to ensure continuity of treatment. Instead, there was a pool of 12 different visiting psychiatrists, who attended the prison daily on weekdays for the equivalent of one FTE.⁵⁰ The mental health team comprised one nurse (in charge) and four registered mental health nurses.⁵¹ In addition, six dedicated mental health nurses were assigned to Block 10 (the psychiatric block), one of whom was on duty 24 hours a day. **The CPT recommends establishing a resident full-time psychiatrist presence as a matter of priority to ensure continuity of treatment for prisoner patients.**

In addition, two psychologists in the mental health team were responsible for assessments prior to release or court hearings. There are also four clinical psychologists, with one being assigned to the wing holding person sentenced for sex offences and three to the other wings. An occupational therapist attended one day a week in the mental health outpatient clinic and one day a week in Block 10. One of the mental health nurses would see every prisoner upon their arrival and, if necessary, engage with them after that.

74. The CPT notes that professional interpreters are used in discussions between the psychiatrist/mental health nurse and patients as required.

75. Those prisoners with the most pressing mental health problems are accommodated in Block 10. In 2017, the CPT criticised the austere material conditions and impoverished regime in Block 10, where prisoners had little access to purposeful, rehabilitative, or therapy-based programmes, which could not be considered as providing a therapeutic environment and was not conducive to assisting the patients' mental health to improve.⁵² In 2023, the delegation found that the situation had not improved.

The CPT reiterates its recommendation that patients in Block 10 are afforded:

- **adequate access to natural light and sufficient artificial lighting in each cell;**
- **access to varied and purposeful, rehabilitative or therapy-based programmes and activities; and**
- **more time outside.**

Further, steps should be taken to mitigate the austere material conditions and prisoner patients should be transferred to a designated mental-healthcare facility.

50. They are based either in the Athalassa psychiatric hospital or one of the community clinics; although on the date of the visit, the psychiatrists were on a national strike.

51. Who worked from 07:30 to 15:00 on weekdays.

52. [CPT/Inf \(2018\) 16](#), paragraph 94.

76. Concerning treatment for drug use, suboxone, the opiate agonist therapy, is prescribed by the Lemnos Project, and at the time of the visit, there were 25 persons receiving suboxone in doses varying from 1-32 mgs. Suboxone was administered by the mental health nurses six days a week with a double dose on a Saturday. The CPT notes that this practice is unacceptable because it could cause oversedation on Saturday and withdrawal symptoms on Sunday, and **recommends that the practice of double dosage on Saturdays be ceased as a matter of priority**. Anti-psychotics and benzodiazepines are prescribed for the treatment of drug withdrawals.

77. As for food refusals/hunger strikes, there remained no specific prison policy in place for the management of prisoners refusing food or fluids. Nevertheless, the CPT noted that such persons were seen every day by the doctor, and their management appeared reasonable. **The CPT recommends the establishment of a formal written procedure on managing hunger strikes by prisoners.**

78. The CPT was concerned to learn that food refusal and self-harm (see section 6. f. *prevention of suicide and self-harm* below) were sanctionable offences, and recalls that persons who refuse food and who self-harm should not be penalised, and that the Cypriot prison regulations should be amended accordingly **and the CPT recommends that the relevant regulations concerning this should be amended.**

f. prevention of suicide and self-harm

79. The CPT again found that there was no central register to record incidents of self-harm and attempted suicide at the NCP. Nevertheless, from several interviews in different blocks, it was clear that instances of self-harm and attempted suicide were, unfortunately, fairly frequent at the NCP in 2022 and 2023.

An illustration can be seen in the case of Mr F, who had been on trial charged with murder and attempted to hang himself on 28 April 2023 but was cut down and successfully resuscitated. On 21 April, staff noted that he was rather aggressive and recalcitrant, refusing to enter his cell during the lock-up period. His trial was reaching a conclusion and the public prosecutor called the prison management, who mentioned that other prisoners on his wing “were after him”. On his return from Court on the 26th of April, he was seen by the prison management and on the 27th by a junior psychiatrist, who noted a diagnosis of psychotic disorganisation and ordered that he be given some medication and re-assessed the next day. He was locked up in Block 2B with the order that he should be checked every hour and was found hanging from his cell window by his t-shirt the following day. The psychiatrist had not seen him on the day that he attempted to take his own life. During the CPT’s visit, he remained in intensive care in the hospital.

Prison management informed the delegation that they were concerned about the lack of permanent psychiatrists in the prison (see above) and had written over 20 letters to the Ministry of Health outlining their concerns. **The CPT supports the prison management in their positive efforts in this regard.**

80. **The CPT reiterates its recommendation that a central register be kept recording all incidents of self-harm and suicide attempts to enable management and external monitors to have a clear picture of the situation at NCP. Moreover, the NCP should, as a matter of urgency, establish a comprehensive and robust suicide prevention policy and ongoing prevention programme.**

g. deaths in prison

81. There had been a number of deaths at NCP from 2020 to the time of the visit in May 2023, including three sudden deaths, three deaths of prisoners transferred to Nicosia General Hospital (cardiac arrest and liver cirrhosis), one suicide (February 2023) and one inter-prisoner suspected murder (October 2022) (see below).

82. No files were available within the prison that included any elements of internal review or investigation into these deaths. The prison does not have access to the autopsy results, as these

are only carried out pursuant to a court order and this information is held solely by the police and then by the prosecutor. The prison authorities informed the CPT that, by law, no one else can access a post-mortem report, including the family of the deceased, unless they apply to the Attorney General.

83. In the case of the inter-prisoner suspected murder, Mr B died a particularly violent death at the hands of other prisoners. The death shocked other prisoners and staff alike and contributed to a sense of a lack of safety (see section 2. *Ill-treatment* on inter-prisoner violence above). The criminal investigation into this suspected murder was ongoing during the delegation's visit. However, the CPT found that information in Mr B's personal file in the prison was notably incomplete regarding the circumstances surrounding his death, including a lack of statements from witnesses.

84. In line with the positive and procedural obligations enshrined in Article 2 of the ECHR, the CPT considers that a prompt and thorough investigation should be carried out into every death in prison, by an authority independent of the prison system to ascertain, *inter alia* the cause of death, the facts leading up to the death, including any contributing factors, and whether the death might have been prevented. Further, whenever a person dies in prison (or soon after transfer from prison), an autopsy should be carried out, and the prison's management and medical services should be informed of the outcome. **The CPT would like clarification from the Cypriot authorities that this investigation procedures and its applicable safeguards is in place and is systematically undertaken as regards every death in prison.**

Moreover, the CPT recommends that the Attorney General systematically share the content of any autopsy report with the relevant prison management, as well as with its healthcare staff. Finally, an analysis should be undertaken of each death in prison to consider what general lessons may be learned for the prison in which the death occurred and whether, in the case of self-inflicted death, any systemic, nationwide measures need to be taken.

7. Other issues

a. prison staff

85. At the time of the visit, there were 342 custodial prison staff (prison wardens), of whom 247 were permanent and 95 were temporary, on fixed-term contracts, and a further 43 chief prison wardens, for an official complement of 445 (390 prison wardens and 55 chief prison wardens respectively).⁵³ There were 60 vacancies in these categories, 32 of which were in the process of being filled. The management and staff believed that they were chronically understaffed, a situation which was exacerbated by retention problems and, according to prison management, a moratorium on recruitment for the six previous years.

86. In 2023, staffing numbers were similar to those seen during the CPT's previous visits in 2013 and 2017,⁵⁴ despite the prison population nearly doubling in number, and management of staff deployment had not evolved since then. While staff numbers remained essentially the same, front-line operational staff on any given shift had to be responsible for an ever-increasing number of prisoners on the blocks. Certain blocks had one to two staff members on duty for 100 prisoners, who were mainly unlocked on the blocks. For example, when the delegation visited Block 10A, there were two staff members for 123 prisoners; on other blocks, such as Blocks 1A and 1B, there were two to three staff members for nearly 200 prisoners.

87. Further, as was the case in 2017, the continued employment of many fixed-term temporary staff weakened the professionalism of the system.

88. It was clear that there was a stressful working environment for the staff, with hundreds of prisoners milling about, wishing to stay out of their severely crowded cells, compounded by a lack of any purposeful regime or structure to their days (see sections 1. *Preliminary remarks* and 3. b. *regime* above). In such an environment, the staff felt the need to carry non-standard wooden batons to help

53. Of the remaining staff, eight were on secondment, five were on temporary suspension status and the rest were absent.

54. [CPT/Inf \(2018\) 16](#), paragraph 96.

keep order and for their own safety.⁵⁵ In parallel, the low staffing numbers, some issues of absenteeism and excessive overcrowding led to staff delegating authority to informal prisoner hierarchy, as set out in section 2. *Ill-treatment* above.

89. These factors cumulatively may have contributed to a dependence on systems of informal control, including reliance on informal prisoner leaders to help maintain control, most notably in Block 10A, but also evident in other areas of NCP as well.⁵⁶

90. The Committee wishes to stress that ensuring a positive climate in prison requires a professional team of staff, who must be present in adequate numbers at any given time in detention areas and in facilities used by prisoners for activities. Low numbers of custodial staff in detention areas increases the risk of violence and intimidation between prisoners, and of tension between staff and prisoners, and precludes the emergence of dynamic security. In addition, a low staff complement negatively affects the quality and level of activities offered to prisoners as well as their access to these activities and consequently their progression in the prison.

91. The CPT calls upon the Cypriot authorities to take steps without further delay to review staffing levels at NCP, with a view to increasing the number of custodial staff present in the detention areas according to the official complement. In this connection, a recruitment strategy based on proper funding and enhanced conditions of service should be developed, together with a policy of reduction of overcrowding (see section II. A. I.).

92. In addition, the Committee reiterates its view that retention problems reflect and compound the problem of staff shortages. The staff attendance pattern does not help either. More efficient use of shift patterns would result in greater productivity. More introductory and in-service training would improve staff professionalism. Further, overtime work – on the rare occasions when it should be required, if there is a proper staffing complement – should be properly rewarded and monitored to ensure that staff do not suffer from burnout.

In light of the above remarks, the CPT reiterates its recommendation that the Cypriot authorities take the necessary measures to:

- **develop the capacity and role of prison officers;**
- **adopt more introductory and in-service training;**
- **properly reward any overtime working;**
- **develop initiatives to tackle absenteeism, including rewarding good attendance and applying effective sanctions for persistent absenteeism; and**
- **establish ongoing psychological support where appropriate.**

The CPT would like to be informed of how many of the 60 prison officer vacancies have now been filled, and the staffing levels of management, chief wardens and prison wardens, within three months of receiving this report.

55. This was addressed by the authorities at the end of the delegation's visit to NCP (see section 2. *Ill-treatment* above).

56. See section 2. *Ill-treatment* for more detail.

b. discipline

93. In 2017, the Committee took note of the plans for reform of the prison legislation of the Republic of Cyprus, concerning the procedural guarantees and safeguards required for prisoners placed in solitary confinement.⁵⁷ The authorities subsequently informed the Committee that amendments to the Prison Regulations were underway⁵⁸ and that these would reflect in law the current practice, by which a total prohibition on contact with the outside world in cases of disciplinary punishment is no longer imposed. They would also set maximum periods of solitary confinement in cases of disciplinary punishment, and establish procedural guarantees and safeguards for decisions of solitary confinement. At the time of the visit, these amendments had not yet been adopted by the Parliament.

The CPT would like to be informed of the current status of these amendments, whether they are now in force and, if so, to be sent a copy.

The delegation found that no action had been taken to amend the system of provisional disciplinary isolation (known as “investigative lock-up”), which grants senior prison officers the power to confine a prisoner to a cell for up to six days (four immediate days plus two additional days for investigation) as an instantaneous response to an alleged breach of discipline. This rule intends to provide an opportunity for the alleged offence to be investigated fully and charges to be prepared. In 2017, the CPT found it to be used routinely and perceived by prisoners as a punishment, despite the fact that no due process or formal disciplinary adjudication has occurred.

Indeed, prisoners who finally received further sanctions after the adjudication process perceived that they had been subject to a double punishment as the six-day lock-up was not deducted from any additional period of solitary confinement.

94. Further, investigative lock-ups are approved by the director or his deputy *ex post facto*. In practice, all prisoners interviewed said their lock-up invariably lasted for the entire six days, and they never saw the director during this time. The records of the 94 cases of investigatory lock-up imposed in 2022 and 32 cases in the first four months of 2023 shows that in 90% of the cases, lock-up lasted the whole six days.⁵⁹ These lock-ups involved, on average, almost 10% of the prison population over 2022 and the first half of 2023.

The delegation noted positively that the central recording of the use of disciplinary sanctions had somewhat improved.

95. The CPT reiterates its view that placing prisoners in provisional disciplinary isolation following a suspicion that they may have committed a disciplinary offence, and before a formal charge is brought, should not last longer than a few hours. Confinement to a cell for longer than a few hours, about an incident giving rise to a disciplinary procedure, should not occur without the prisoners being charged and being allowed to be heard on the matter and to explain their behaviour to a senior prison officer reporting to the director.

The CPT reiterates its recommendation that the Cypriot authorities ensure that placement in provisional or precautionary disciplinary isolation (investigative lock-up) is in line with the above standards, including providing that it is not used routinely, complies with due process safeguards and generally does not last longer than a few hours.

96. Further, the lack of various procedural safeguards during the disciplinary process have still not been addressed. There were long delays between the commission of an alleged disciplinary offence and the formal adjudication process and sanction. Indeed, it appeared from the records that

57. In light of the European Court of Human Rights case of *Onoufriou v. Cyprus*.

58. 115, 151, 155, 156, 157, 158, 159, 160, 161 and 162 as well as schedules A to D of the Prison Regulations.

59. In 2022, there were 94 cases of investigatory lock-ups (comprising close to 10% of the entire prison population) and in 84 cases, this lasted for the full six-day maximum period (one case lasted for five days, four cases for four days, one case for three days, two cases for two days and two cases for one day). In the first four months of 2023, out of the 32 cases of investigatory lock-ups, 26 lasted the maximum 6 days, four cases lasted for four cases, one case for three days and one case for one day.

disciplinary offences allegedly committed in November 2022 had yet to be adjudicated in May 2023, some six months later. The Prison management acknowledged that there had been a backlog of disciplinary cases, contributing to delays, but stated that the backlog was slowly being resolved. Furthermore, the delegation was informed that no appeal by prisoners had been filed in the last two years.

97. The delegation found that in 2022 prisoners had to wait at least two months on average between the commission of the alleged offence and its adjudication, with this period lengthening from late 2022. For example, in one case, the disciplinary punishments were given four and a half, and six months after the offence had been committed.⁶⁰

The case of Mr C is illustrative of the delays in the administrative disciplinary proceedings. On [...] February 2022, Mr C, a prisoner located in Block 8A, attacked and punched another prisoner Mr D, a Syrian national, located on Block 8, without provocation, according to the adjudication proceedings. He was presented with the charges and told that the disciplinary hearing would be held in April 2022 (some two months after the commission of the alleged offence). According to disciplinary charges and recordings, while awaiting this hearing, Mr C, who stayed on Block 8A for 10 days, entered the cell of another Syrian national Mr E, on [...] and beat him up in a separate, seemingly unprovoked attack.

The CPT is dismayed that due to the delays in administrative justice, the alleged perpetrator and victim were kept on the same Block, which increases the risk of violence recurring; and that the perpetrator then went on to attack another prisoner within the space of 10 days in similar circumstances. Both charges were grouped and heard by the Prison Director at the same time and date, one month later on [...] April 2022.

The CPT underlines that this illustrative case poses deep concerns not only from the perspective of prevention of inter-prisoner violence and safety (see section 2. *Ill-treatment* above) but also as regards due process and prompt administration of justice.

98. The CPT believes that prison disciplinary proceedings are summary proceedings. Their function is to respond as quickly as possible, consistent with the need to give adequate notice of hearings and charges after the alleged offence has been discovered. The sooner the punishment is imposed, the more likely it is to be effective. Waiting for weeks – or sometimes months – to hold a hearing and impose any penalty renders the procedure ineffective. Equally, most prison disciplinary cases are typically relatively clear-cut and can be investigated quickly. As was the case in 2017, in NCP, there remained unacceptably long delays between alleged incidents and the imposition of any disciplinary sanctions. Justice requires that a sanction for a disciplinary offence be adjudicated and executed as soon as possible, not months later.

The CPT reiterates its recommendation that the prison management fundamentally reviews the operation of the disciplinary procedures to ensure that any offence is investigated, adjudicated and executed promptly, and, in the case of criminal offences, that reports are immediately forwarded to the public prosecutor for appropriate criminal action.

99. The Committee notes that the prison director's power to remove remission from prisoners due to disciplinary offences appears unaddressed in any reforms. In the case of NCP, during 2022, loss of remission had been imposed on 32 occasions, with three cases involving a sentence of 180 days and one involving a penalty of 210 Days (seven months). Loss of remission can be considered an additional sentence and thus requires the full range of safeguards associated with a fair trial (namely an independent judge, not the prison director, should adjudicate such cases).

The prison director's power to remove remission has been abolished in most countries because such procedures risk non-compliance with all the rules of natural justice. These rules require, *inter alia*

60. Case No. [...]: the disciplinary sanction comprised the loss of 20 days of reduction of the prisoner's right to grace/early release for a disciplinary offence of using forbidden medication, illegal substances, toxic or others (for using drugs on [...]). [...]. In other words, the decision was rendered four and a half months after the last offence was committed and six months after the first offence.

that the adjudicating officer be conspicuously independent and come to the case *de novo*. A prison director cannot comply with these precepts.

In this regard, the CPT reiterates its recommendation that the Cypriot authorities amend the relevant provisions of the Prison Regulations, as well as any other applicable legislation, to ensure compliance with the case law of the European Court of Human Rights⁶¹ and that an independent judge deals with disciplinary proceedings which may result in loss of remission.

c. contact with the outside world

100. Regarding visits, open visits remained the general practice.⁶²

101. Voice over Internal Protocol had been previously introduced to the prison but its use was limited by the small number of available computers and, in practice, was only accessible once per month and only by certain categories of prisoner (see section 4. *Women prisoners* above). **In this respect, the CPT invites the authorities to expand Voice over Internal Protocol technology and consider expanding its use, notably for foreign national prisoners (see also the recommendation contained in paragraph 59).**

102. Prisoners could access the two fixed line telephones on each block daily from 8:00 to 18:00. However, the delegation noted that given the overcrowding (100 people on average per block), in some blocks an informal system of telephone rotas had been developed by prisoner leaders, who allocated time slots to prisoners.⁶³ Moreover, privacy was a problem as the telephones were placed in open corridors without privacy booths. **The Committee recommends that this be rectified.**

103. The Committee flags that a system in which prisoners filter and monitor who has telephone access and its duration risks facilitating the development of inter-prisoner intimidation and violence (see section 2. *Ill-treatment* above). **The Committee recommends that the prison management swiftly take measures to stop this situation at once** (see also the recommendation contained in section 2. *Ill-treatment*).

d. complaints procedures

104. As was the case in 2017, the delegation again received numerous complaints about the lack of a functioning complaints system and the limited trust that prisoners had in the internal complaints' system. While locked internal (labelled to the prison director and the Prison Board) and external (to the Ombudsperson) complaints' boxes were available, many prisoners complained that their complaints never received any response. Indeed, the boxes were often located outside the blocks in direct view of the block's staff offices or directly exposed to the security cameras, which did not permit confidentiality, a fact also criticised by the Cypriot Commissioner for Human Rights (Ombudsperson).⁶⁴

Internal complaints were, in practice, submitted through the application system and were addressed orally with the relevant Block staff member, which itself prevented any form of confidentiality or anonymity and made complaints impossible to track or register. Indeed, the prison management had only registered eight written complaints over the previous three years. These had been mainly dealt with orally by the prison officers. While oral complaints are a valid channel for complaint, the CPT considers that they should be systematically recorded and registered, in adherence with principles of confidentiality.

61. *Ezeh and Connors v. the United Kingdom*, 2003, paragraphs 128-129, the Court found, in particular, that the potential awards of additional days of imprisonment (42 days for disciplinary offence) could not be regarded as sufficiently unimportant or inconsequential and thus amounted to a "criminal charge" against the applicants within the meaning of Article 6 of the Convention.

62. [CPT/Inf \(2018\) 16](#), paragraph 105.

63. For example, in Block 10A, prisoner leaders gave out informal jobs, including ensuring the telephone rota and who could access the Block telephone.

64. See Action Review 2022 of the National Mechanism for the Prevention of Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, pages 50 and 56.

105. Moreover, the Prison Board, which had not been operational for the previous two years as it had been subject to the re-election of its membership, still had complaints boxes on the blocks, without indicating to the prisoners that these boxes would not be emptied or the complaints addressed. Indeed, the delegation received various complaints from prisoners that the letters they had written to the Board several months previously were still in the boxes, uncollected and unopened.

106. Overall, the situation had significantly deteriorated from the already poor situation seen in 2013 and 2017 by the CPT.⁶⁵

107. Effective complaints and inspection procedures are essential safeguards against prison ill-treatment. As regards complaints procedures, prisoners should have ready access to avenues, both within and outside the prison system, and be entitled to confidential access to an appropriate complaints authority. In addition to addressing the individual case involved, the CPT considers that a careful analysis of complaints can be helpful in identifying patterns of problematic issues to be addressed at a general level.

108. The CPT reiterates its recommendation that all complaints be registered centrally within the prison before being allocated to a particular service for investigation or follow-up. In all cases, the investigation should be carried out expeditiously (with any delays justified), and prisoners should be informed within clearly defined periods of the action taken to address their concern, or of the reasons for considering the complaint unjustified. In addition, statistics on the types of complaints made should be kept as an indicator to management of areas of discontent within the prison. Further, any oral complaints should be addressed and systematically recorded and registered, in adherence to principles of confidentiality.

Equally, all staff should be trained on the importance of the complaints' system and their role within this system. In addition, prisoners should be fully informed about their right to complain and the method by which to complain.

109. Further, the CPT urges the Cypriot authorities to ensure that the Prison Board is nominated and rendered effective as soon as possible. Prisoners should be made aware of its composition and mandate, and both the prisoners and Prison Board members should have direct and confidential access to complaint boxes in all blocks.

65. [CPT/Inf \(2014\) 31](#), paragraphs 87 and 88, and [CPT/Inf \(2018\) 16](#), paragraph 106.

B. Law enforcement establishments

1. Preliminary remarks

110. In the course of the 2023 visit, the delegation visited several police stations and detention centres throughout the country to examine the treatment and conditions of detention of persons deprived of their liberty by the police. The delegation interviewed numerous persons who were, or had recently been, held in police stations and detention centres, namely suspects held under criminal law, persons serving their imprisonment term in police facilities and persons held pursuant to immigration legislation (see section C. (ii). *Immigration detention in police stations* below). The delegation also examined the safeguards in place to prevent ill-treatment.

111. The legal framework underpinning the arrest and custody by the police of adults suspected of a criminal offence has remained unchanged since the last CPT visit in 2017. It is recalled that, in Cyprus, a person arrested by the police must be brought before a judge no later than 24 hours after apprehension and the judge must decide no later than three days thereafter whether the person is to be released or remanded in custody. Upon a request by the police, a judge may remand a person in police custody for consecutive periods of up to eight days, for further police investigation. However, remand in custody pending trial, which is normally served in prison, must not exceed three months in total. The delegation observed that the above-mentioned time-limits were respected in practice.

112. In the course of the visit, the delegation was informed that the Cypriot authorities had designated certain police detention centres to act as extensions of the prisons in order to use law enforcement facilities to test for Covid-19 and to quarantine suspected and convicted criminals prior to their transfers to NCP. At the time of the 2023 visit, police stations and detention centres were still being used for this purpose and, on the basis of this extension, the delegation also met several convicted persons serving their imprisonment sentences within police facilities due to the overcrowding situation at NCP.

113. In 2021, Cyprus adopted a new law concerning the detention of children in conflict with the law in Cyprus.⁶⁶ The law, which regulates the treatment of children without criminal responsibility and those who committed an offence under the age of 18 years of age, establishes a child-friendly justice system where the detention of a child found guilty of a crime is not only a measure of last resort but only applicable to a child who has reached the age of 16. The law provides that this detention can only be ordered within a “child detention facility”. During the visit, the authorities informed the delegation that the police would proceed with the construction of juvenile detention centres in Pissouri, Lakatamia and Aradippou.

Meanwhile, the delegation observed that children were no longer held in the police stations and detention centres visited by the delegation. This is positive.

The CPT would like to request clarification from the Cypriot authorities as to where children suspected of having committed a criminal offence are, or can be, held. The Committee would also like to receive details concerning the proposed layout, staffing requirements and timelines for the proposed child detention facilities.

2. Ill-treatment

114. During the visit, the majority of persons interviewed by the delegation stated that they had been treated correctly by the police.

However, the delegation did receive a number of allegations of physical ill-treatment of persons by police officers. The allegations related to the time of apprehension and during questioning by police investigators, notably in the Limassol Central Police Station and the Criminal Investigation Department (CID) of Nicosia.

66. [Law 55\(I\)/2021 on Children in Conflict with the Law](#), Article 119. In Cyprus, children under the age of 14 are not criminally responsible for their acts or omissions.

From the information provided during the interviews held with the delegation, it appeared that the alleged ill-treatment was inflicted to force the suspects to confess to particular crimes. The alleged ill-treatment consisted of slaps, punches to the head and, in one case, a beating with a metal bar during police questioning, which resulted in a fractured arm.

The delegation did not receive allegations of physical ill-treatment by police officers inside the police detention centres, but heard a number of allegations of verbal abuse by police officers, including comments of a racist nature towards foreign nationals, at the Limassol and Aradippou Police Stations.

115. The delegation wishes to highlight the following credible allegation of ill-treatment brought to its attention:

On 5 March 2023, a foreign national was apprehended by CID police officers on the street in Nicosia for allegedly committing robbery and extortion and was brought to the CID offices for questioning. He complained that, during his interrogation at the CID offices, two CID officers struck him at his arm with a metal bar/stick several times. He was subsequently taken to the General Hospital of Nicosia where an X-ray revealed that he had sustained a fracture of his right arm, which was put in a cast. This information was confirmed in his medical files at NCP, where he was being held at the time of the delegation's visit. The person filed a complaint with the Independent Authority for the Investigation of Allegations and Complaints against the Police (IAIACAP) **The CPT would like to be informed about the outcome of the investigation into this case and whether any disciplinary or criminal procedures were subsequently initiated.**

In 2017, the CPT already recommended that the Cypriot authorities promote a different approach towards methods of police investigation to seek for the truth, instead of trying to obtain confessions from persons presumed to be guilty. In order to prevent and investigate any allegations of ill-treatment, it was also recommended to involve more rigorous recruitment procedures in the police, to provide regular professional training for all police officers and to monitor police interviewing standards and procedures.⁶⁷

116. In light of the CPT recommendations issued following the 2017 visit, a series of measures was taken by the Cypriot authorities. In particular, the Code of Police Ethics was revised, thereby adding provisions on the protection of human rights and the prohibition of torture.⁶⁸ During the 2023 visit, the delegation was informed that the Code had been printed as a booklet and had been distributed to all members of the police.

Further, some efforts had been undertaken by the authorities to increase the awareness and knowledge of police officers regarding human rights protection, which is now included in training programs of the Cyprus Police Academy. An "Advisory Manual on Human Rights" was issued in 2022 by the Cyprus Police, aimed at guiding police officers on how to handle prisoners and arrested persons, issued as a guide to fight racism and xenophobia within the police.

In parallel, the Cypriot authorities enacted and distributed a series of instructions, alongside circulars, to all heads of detention centres and police stations related to, *inter alia* zero tolerance and prohibition of torture or inhuman or degrading punishment or treatment of persons detained by the police. Instructions issued related to the rights of detained persons were to be posted in the cells, including how to communicate and correspond with national and European human rights protection bodies.

67. [CPT/Inf \(2018\) 16](#), paragraph 16.

68. See Article 4 of the Code of Police Ethics which stipulates that "Members of the Police in the performance of their duties: [...] 2. Do not inflict, cause or tolerate acts of torture, inhuman or degrading treatment or punishment under any circumstances and report competently any violation of human rights."

117. The CPT recommends that the Cypriot authorities ensure that police officers throughout Cyprus are instructed, at regular intervals, that all forms of ill-treatment of persons deprived of their liberty – including verbal abuse, racist behaviour and threats – constitute disciplinary offences and, where appropriate, criminal offences and will be sanctioned accordingly.

Further, the CPT reiterates its recommendation that the Cypriot authorities take proactive measures to regularly provide professional training to police officers and investigators, notably on applying investigative interviewing techniques.⁶⁹

118. The experience of other countries demonstrates that issuing body worn video cameras to law enforcement officials, and their systematic use during any incidents, represent an additional safeguard against abuse by officials as well as a protection against unfounded allegations of ill-treatment. **The Committee would appreciate being informed whether the Cypriot authorities have considered issuing such devices or, alternatively, if they have planned to do so, and how their use would be implemented.**

119. The CPT considers that persons should not be held in police stations for longer than short periods (72 hours) and that any person remanded to pre-trial detention by a judge should be held in appropriate facilities designed for such a purpose which are not run by the police (see paragraph 151 of this report). Persons in pre-trial detention should be offered a purposeful regime of activities (such as education, sport, and recreation).

At the time of the visit to Limassol Central Police Station, there were 16 persons being held, including 11 persons on remand. On average, persons held under criminal law would be detained in this facility for periods of a few days to several weeks and up to two or three months. A few incidents of violence between detained persons at this station were reported to the delegation. Just before the visit to the facility, there had been a violent incident of a detained person attacked in his cell by three other detainees, and the police station had no risk assessment process in place or any contingency plans for keeping potentially incompatible persons apart. The police officers at Limassol Central Police Station felt they were not getting the necessary support to manage challenging and violent persons, notably those that were under the influence of drugs.

The CPT recommends that the Cypriot authorities introduce a proper risk and needs assessment for new arrivals at the police detention centres, to identify vulnerabilities and ensure the safe and secure allocation of persons to the cells available.

3. Safeguards against ill-treatment

a. introduction

120. In the course of the visit, the delegation examined the effectiveness of safeguards against ill-treatment offered to persons deprived of liberty by the police, namely the notification of custody to a third person, the rights of access to a lawyer and to a doctor and the right to be informed of these rights in a language a person can understand.

121. Upon arrest, persons must be informed of their rights under the 2006 Law on the Rights of Persons Arrested and Detained (RADP). It is positive that, since the last CPT visit, Cyprus has amended its legislation to strengthen certain safeguards, in particular reinforcing the right not to

69. See the [Principles on Effective Interviewing for Investigations and Information Gathering](#), also referred to as the “Méndez Principles,” which were adopted in May 2021. They provide guidance on obtaining accurate and reliable information in full respect on the human rights and dignity of all, by changing how public authorities conduct interviews and through the implementation of procedural safeguards in the first hours of police custody. The CPT has outlined the added value of the methodology of investigative interviewing in its 28th General Report, [CPT/Inf \(2019\) 9](#), paragraphs 73-81.

incriminate oneself, and allowing free legal aid to be granted during the investigative stage of criminal proceedings.⁷⁰

122. Further, the delegation found the presence of an unlabelled and out-of-use motorcycle helmet placed on top of shelves at the reception area of the Nicosia Central Police Station. Such an object is a potential source of danger to detained persons. In order to dispel speculations about improper conduct on the part of police officers and to remove potential sources of danger, **the CPT recommends that any non-standard issue objects be immediately removed from all police premises where persons may be held or questioned.**

b. notification of custody

123. Concerning the right to notify a third party of one's detention, the delegation noted that all persons detained by the police were notified of this right on paper, at the outset of their arrest and in compliance with the law.⁷¹ In practice however, there were delays in the execution of this right. In fact, most of the persons who were or had recently been held in police custody, with whom the delegation met, were only able to call a third party after the person had been brought before a judge and their detention prolonged, which could be up to 24 hours after their apprehension. This information was confirmed by the examination of the custody files, which showed some delays between the moment of arrest and the telephone call made to a third party. At Aradippou Police Station for instance, the files showed that, in the case of one criminal suspect, the family of the suspect was notified five days after the arrest.

The CPT recommends that the Cypriot authorities ensure that all persons detained by the police are systematically offered the possibility to notify a person of their own choice of their detention from the very outset of their deprivation of liberty.

124. As was the case in 2017,⁷² the right of notification of a third party proved problematic for foreign nationals who had no one in Cyprus with whom they could communicate, as it was generally not possible to call other countries from police stations.

However, at Polis Chrysochous and Aradippou Police Stations, officers offered their personal telephones to detained persons to call abroad in order to notify their relatives. Foreign nationals were asked to do so in a language understood by the police officers, generally English. At Limassol Central Police Station, the delegation was informed of a better practice in place, where persons could make a call in their native language in Cyprus as well as abroad via a phone card for which they had to pay, in the presence of an interpreter who would relay the conversation to the police officer monitoring the call.

125. The Law in Cyprus allows for foreign nationals who do not have a relative in the country and who do not want to contact their Consulate to have a phone call to the Ombudsperson. However, the delegation did not meet any detained persons who used or were even aware of this right.

126. In light of these findings, **the CPT recommends again that the Cypriot authorities ensure that any persons held in police custody (including foreign nationals) are able to notify (namely by making a free-of-charge phone call) the fact of their detention to their family or a third person of their choice as from the outset of their detention, including abroad.**

70. Amendments to the Law providing for the Rights of Persons Arrested and Detained (Law 163(I)/2005) were made in both 2018 and 2019. See also Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings; Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings; Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty.

71. Section 3 (2) of the RADP.

72. See [CPT/Inf \(2018\) 16](#), paragraph 36.

127. A form contained in each detained person's personal folder recorded all phone calls made by them. However, there was still no written record kept of when the detained persons had first requested to make a call to notify a third person of their detention, when this request had been granted or, if denied, the reasons for such refusal and when thereafter offered.⁷³ **The CPT recommends again that this shortcoming be remedied.**

c. access to a lawyer

128. Access to a lawyer from the very outset of deprivation of liberty has not improved since the 2017 visit.⁷⁴ The Cypriot law was amended in 2019 thereby extending in principle free legal aid to indigent arrested and detained persons during the investigative stage of the proceedings.⁷⁵ Under the amended law, the police officer in charge of the investigations calls the suspect to sign a statement, which is recorded in the investigative file, and provides the suspect with the list of lawyers. On this aspect, the Cypriot authorities informed the CPT that a Police Order 3/70 entitled "Legal assistance of Suspects During the Investigation of Criminal Offences" had been issued as well as related circulars with instructions from the Chief of Police.

129. However, the majority of detained persons met during the 2023 visit stated that they did not have a lawyer present at their initial questioning by the police. Some apprehended persons met a lawyer for the first time when they appeared before the judge (within 24 hours of their apprehension) or after the judge had ordered their pre-trial detention. Many foreign nationals complained that they had signed a waiver of the right to legal assistance as they had not understood the form they signed. While police officers maintained extensive lists of names and telephone numbers of practising lawyers, including pro bono lawyers, in practice the arrested persons with whom the delegation spoke appeared unaware of their right to access a lawyer from the very outset of their deprivation of liberty.

130. All apprehended persons should have the right of access to lawyer as from the very outset of deprivation of liberty, including a lawyer free-of-charge, especially considering that it is during the period immediately following the deprivation of liberty that the risk of intimidation and ill-treatment is at its greatest. This right is also enshrined in the applicable Directive of the European Union, which must be respected and guaranteed by all Member States of the European Union.⁷⁶

In light of the above, **the CPT again calls upon the Cypriot authorities to take the necessary measures to ensure that all persons detained by the police understand and can effectively benefit, if they so wish, from access to a lawyer from the very outset of their deprivation of liberty as provided by law,⁷⁷ including during any police questioning. The legal provisions regarding the rights of detained persons to access a lawyer should be reiterated to all police officers.**

Further, a fully-fledged system of legal aid for persons in police custody should be effective from the very outset of police custody. **The CPT recommends that Cypriot authorities ensure that State-appointed lawyers can be contacted and can meet their clients at the very outset of the deprivation of liberty, including during police questioning. The legal aid system should be applicable as from the very outset of police custody. Practical arrangements should be put in place to ensure that *ex officio* lawyers are contacted and meet their clients while they are in police custody.**

In this regard, the CPT also recommends that, in association with the Bar Association, a list of *ex officio* lawyers which detained persons can consult be compiled for each police station.

73. See [CPT/Inf \(2018\) 16](#), paragraph 35. See also Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings.

74. See [CPT/Inf \(2018\) 16](#), paragraph 37.

75. See Law on Legal Aid (L. 165(I)/2002), as amended in 2019.

76. Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings.

77. Section 3 (1) of the RADP.

131. The law provides that any detained person has the right to communicate with their lawyer without the presence of any other person. However, at Polis Chrysochou Police Station and Lakatamia Police Detention Centre, the room made available for lawyers had CCTV cameras, which is unacceptable. At Aradippou and Germasogeia Police Stations the visitors' rooms, also used for lawyers' meetings, had windows looking directly onto the office of the police officers, thus making it difficult to hold a private conversation between the lawyer and the detained suspect.

The CPT recommends that the Cypriot authorities take appropriate steps to ensure that lawyers are able to meet confidentially with their clients.

d. access to a doctor

132. The right of access to a doctor, and to a hospital when required, appeared to be well implemented, in accordance with the law.⁷⁸ The right of access to a doctor was duly notified to all detained persons upon arrival at the police stations. In addition, a medical screening questionnaire had been put in place and was required to be filled in by each person upon admission at police stations. The questionnaire, which included questions related to their medical and psychological conditions, including if the person was ill-treated, was kept in the detained persons' individual files. It is also very positive that in 2021, the Cypriot authorities implemented the CPT's recommendation by repealing Article 30 of the RADP, which foresaw criminal sanctions for detained persons who abused their right to medical examination or treatment.

133. Detained persons with whom the delegation met reported having fairly easy access to a doctor. Medical assistance was organised by police officers, who would either call and bring a doctor to the police station or organise the transfer of the detained person to a nearby civil hospital. In the latter situation however, detained persons informed the delegation that their medical examinations took place in the presence of police officers.

The CPT recommends that the Cypriot authorities comply with the principle that all medical examinations of detained persons carried out at a police establishment or a civil hospital should be conducted out of the hearing and – unless the doctor concerned expressly requests otherwise in a given case – out of the sight of police staff.

134. The way in which medication was stocked, managed and dispensed at all police stations visited is problematic. Due to a lack of presence of medical staff, police officers had to dispense and even administer the medication to detained persons. The delegation was informed that police officers had received specific training for doing so, including how to administer injections. Nevertheless, many police officers met by the delegation expressed the urgent need to get medical staff present on the spot as some worried about carrying out medical tasks, even if trained. In addition, due to the lack of presence of a doctor at police stations, police officers informed the delegation that they had to organise the transfers of detained persons to the hospital when they needed to obtain a medical prescription from a doctor, which added additional constraints to the daily tasks of the police.

135. The CPT considers that having visiting doctors for small facilities or the on-site presence of a healthcare professional for bigger ones is necessary, taking into consideration the size of the establishment and the number of detained persons having pre-existing health problems, including drug use. The healthcare staff working in a police station should be supported by appropriate training. Police officers should not undertake the duties of nurses and pharmacy technicians.

The CPT recommends that the Cypriot authorities put in place a system of visiting doctors at police stations and detention centres. Further, the practice of police officers carrying out healthcare duties should be ended and the current system of storage and management of medication at police detention centres should be reviewed.

78. See Section 23 of the RADP.

e. information on rights

136. It remains positive that information on rights continued to be readily available to persons deprived of liberty by the police in a wide range of languages as provided by law.⁷⁹ Pursuant to the law, the notification of rights of arrested persons should be done immediately after the arrest, “without undue delay”.⁸⁰ Information on arrival should also include the right to make a complaint (see paragraph 143 of this report).

The examination of the records showed that the notification of these rights was done promptly. However, in some cases, the delegation noted that notification was made before the actual arrest.⁸¹ Interviews with foreign nationals deprived of their liberty by the police also revealed that some were provided with the notification of their rights in a language that they did not understand.⁸²

137. All police stations and detention centres visited by the delegation had booklets made available containing information on the rights of the arrested persons, namely information on how to inform the relevant Embassy, and the rights to be represented by a lawyer, to notify a third person and to access a doctor. The booklet had to be signed by the arrested person upon admission at the police stations and the signed form would then be entered into the arrested person’s personal file.

It is however fundamental that persons detained by the police be informed without delay of their rights, in a language they understand. Therefore, **the CPT recommends that the Cypriot authorities increase their efforts to ensure that persons deprived of their liberty by the police are notified of their rights in a language they understand and in an accessible form.**

f. custody records

138. The quality of custody records examined by the delegation, both on paper and in electronic format, were very well maintained at Lakatamia Police Detention Centre. However, this was not the case in other police stations. For example, at Nicosia Police Station, the delegation found files in which the information was incorrectly completed, inconsistent (such as the time of arrest) or inaccurate (such as regarding access to a lawyer). The delegation also consulted electronic files in which it found that the gender of detained persons was incorrectly entered at times and that information on the family situation of suspects was inaccurately entered.

The CPT recommends that the Cypriot authorities take steps to ensure that police custody records are accurately maintained.

g. conduct of interviews

139. At the time of the visit, only in cases involving a child victim or witness and for criminal offences of a sexual nature were interviews conducted in dedicated rooms equipped with audio and video recording systems. Such rooms were available in some of the police stations visited.

140. The CPT recalls that electronic recording of police interviews with audio-video recording equipment is an effective means of preventing ill-treatment during police interviews whilst presenting significant advantages for the police officers involved. Indeed, this provides a complete and authentic record of the interview process, thereby greatly facilitating the investigation of any allegations of ill-treatment. This is in the interest both of persons who have been ill-treated by the police and of police officers confronted with unfounded allegations that they have engaged in physical ill-treatment or psychological pressure.

79. See Section 3 (1) of the RADP.

80. See Sections 3 (1) and (7) of the RADP.

81. The examination of the custody records showed that, in some instances, detained persons signed the booklet on their rights minutes before their actual arrest. The examination of the personal custody files of the above-mentioned case of the foreign national allegedly ill-treated by the CID police officers showed that he was notified of his rights as an arrested person one hour and 30 minutes before his arrest.

82. The examination of the files of the foreign national who was allegedly subjected to ill-treatment by the police at CID Nicosia showed that he was notified of his rights in English, a language that he does not understand or speak.

In principle, systematic recording should cover all stages of police questioning, including the provision of information on rights at the beginning of the interview. Electronic recorded statements must be preserved as part of the criminal case files and made available to the prosecution authorities, the detained persons concerned and/or their lawyers, and be accessible to representatives of international and national monitoring bodies as well as to any officials responsible for investigating allegations or reports of police ill-treatment.⁸³

The CPT encourages the Cypriot authorities to extend the application of audio-visual recording of police interviews to the questioning of all detained persons. In the interim, consideration should be given to also using, to the extent possible, the existing juvenile interview rooms for police questioning of adults.

141. Throughout the visit, the delegation noticed that CCTV cameras had been installed in communal areas of police stations and detention centres visited. The CPT welcomes this development as a measure to prevent ill-treatment. **The Committee would like to receive clarification as to how long the recordings of the CCTV cameras are kept and who has access to such recordings.**

h. complaints procedures

142. As regards complaints, the delegation found that there was no formal written internal complaints system in place, nor any complaint forms or boxes in the police facilities visited, including as regards information about the IAICAP. Complaints, including on alleged ill-treatment by the police, had to be submitted to a police officer on site who would then register it into the police station's logbook, accessible to all police officers working within the facility. Police officers were under an obligation to inform the Attorney General and the IAICAP immediately, in compliance with the instructions they received. The law also guaranteed the right of arrested and detained persons to send a letter to the IAICAP without it being opened or read by any police member.⁸⁴

143. The CPT considers that all persons deprived of their liberty by the police should be informed in written format about their right to make a complaint against the police and appropriate complaints forms in relevant languages should be made available. This can have a significant preventive or deterrent effect as regards ill-treatment and provides management with feedback on potential problems. Further, the complaints procedure should guarantee the confidential treatment of complaints and observe certain basic principles, such as availability, accessibility, safety, effectiveness and traceability. The CPT also considers that staff who have persons deprived of their liberty directly in their charge should not be in a position to file the complaints of their charges.⁸⁵

The CPT recommends that the Cypriot authorities put in place a robust complaints system for persons detained by the police which should include the provision of information about the complaints procedures and mechanisms available in the initial written information given to detained persons on arrival, and the installation of locked complaints boxes with relevant confidential complaints forms in all police stations and detention centres, which are emptied regularly by an independent police body.

144. The mechanism in place to investigate complaints of ill-treatment against the police remained largely unchanged since the last visit, when the CPT issued a series of recommendations to guarantee the effectiveness of investigations conducted and supervised by the IAICAP, including increasing its budget and staffing resources.⁸⁶

In the course of the 2023 visit, the IAICAP informed the delegation that from April 2020 to April 2023, it had received 219 complaints related to ill-treatment of civilians by the police, several of which were submitted to the Attorney General, who conducted criminal prosecution against two members

83. See [CPT/Inf\(2019\)9-part](#), Preventing police torture and other forms of ill-treatment – reflections on good practices and emerging approaches, paragraph 81. See also Principles on Effective Interviewing for Investigations and Information Gathering of May 2021 (“Mendez Principles”).

84. Law providing for the Rights of Persons Arrested and Detained (Law 163(I)/2005), as amended in 2021.

85. See [CPT/Inf \(2018\) 4](#), paragraph 84.

86. See [CPT/Inf \(2018\) 16](#), paragraph 32.

of the police. **The CPT would like to be informed of the number of cases which have led to disciplinary proceedings out of these 219 allegations of police ill-treatment investigated by the IAACAP between 1 April 2020 and 30 April 2023, and also of the number and type of disciplinary sanctions imposed. The Committee would also like to receive information for this same period on the outcome of the criminal proceedings in the pending cases, in which the Attorney General decided to prosecute the police officers concerned for alleged ill treatment.**

145. It is positive that, since the 2017 visit, the Cypriot authorities passed a new law establishing a Police Disciplinary Committee responsible for dealing with disciplinary proceedings in cases of alleged ill-treatment by members of the police. **The CPT would like to receive an update on the work of the Police Disciplinary Committee.**

However, it was not possible for the IAACAP to file an appeal against any disciplinary decisions rendered by the Police Disciplinary Committee. In 2017, there were draft amendments pending to the law which envisaged such a possibility. **The CPT would like to be informed when the amendments to the law will be adopted and to receive a copy of the adopted text in due course.**

146. The IAACAP informed the delegation that it remained understaffed. The IAACAP was relying on a roster of lawyers to conduct investigations, which often hindered their ability to carry investigations in a thorough, prompt and expeditious manner. There was a real need for the IAACAP to recruit its own independent investigators. **The CPT reiterates its recommendation that the Cypriot authorities provide the Authority with the requisite means to recruit and train its own team of internal and independent investigators.**

i. inspection procedures

147. Annual inspections of all police stations and detention centres throughout Cyprus were carried out by a Committee appointed by the police leadership, with the most recent one having taken place in 2022.

148. The National Mechanism on Prevention of Torture (NPM) had conducted unannounced visits to places of detention, including police stations and detention centres.⁸⁷

4. Conditions of detention

149. The delegation visited several police stations and detention centres designed for long-term detention periods (over 24 hours)⁸⁸ and others designed to detain persons for short-term duration (less than 24 hours).⁸⁹

150. The conditions of detention and regime imposed in police detention centres designed for long-term detention periods remained on the whole reasonably acceptable for periods of a few days. However, an examination of the custody registers revealed that criminal suspects as well as persons detained in relation to immigration (see section C. (ii) *Immigration detention in police stations* below) were held in police facilities for longer periods, ranging from days to weeks and sometimes months. The Committee had repeatedly asked the Cypriot authorities to end the practice of detaining persons in police custody for prolonged periods of time⁹⁰ and yet this continues.

Furthermore, in the course of the visit, the delegation also met with convicted persons who were held in police detention facilities pending their transfer to NCP as well as some serving their actual imprisonment sentences within police detention centres, including individuals placed under a witness protection programme. In one instance, a convicted person had been serving three and a half years

87. See for example the *ex officio* intervention of the Commissioner for Administration and Protection of Human Rights regarding the detention of a third country national in the Aradippou Police Station, dated 3 March 2021.

88. Namely, Aradippou, Kofinou, Lakatamia, Limassol, Paphos, Paralimni, Pera Chorio Nisou and Polis Chrysochous Police Stations and Police Detention Centres.

89. Namely, Germasogia, Nicosia and Oroklini Police Stations.

90. See [CPT/Inf \(2018\) 16](#), paragraph 45.

of his prison sentence in police custody, where access to outdoor exercise was very limited, and had 14 years left to serve.

Immigration detainees were also held within police stations pending deportation to their country of origin. The delegation met some who had spent several months within police facilities (see C. (ii) *Immigration detention in police stations* below).

151. The CPT recalls that, as a matter of principle, prisoners (both remand and sentenced) should not be held in police cells⁹¹ as they are not designed for lengthy periods of stay. Moreover, serving periods of a prison sentence within a police facility is not conducive to the resocialisation purposes associated with a prison sentence which should assist a person to prepare for reintegration into the community. Besides, prolonged detention on police premises increases the risk of intimidation and ill-treatment. Persons held on remand and convicted persons should always be promptly transferred to a prison; their return to police detention facilities should be sought and authorised only very exceptionally and when absolutely unavoidable, for specific reasons and for the shortest possible time.⁹² While it is understood that police stations in Cyprus were made *de jure* extensions of the prisons on the basis of a public health concern, the practice of detaining remand and convicted persons in police facilities for lengthy periods of time must be abolished as soon as possible.

In light of these remarks, the CPT once again calls upon the Cypriot authorities to end the current practice of detaining persons in police custody for prolonged periods (more than three days). The Committee recommends that national legislation be amended to guarantee a limitation of time of any placement in police custody. The Cypriot authorities must also take urgent action to remove sentenced prisoners from police custody and transfer them to NCP or another suitable facility.

152. In the meantime, and until such legislation is enacted, the Committee expects the Cypriot authorities to address some shortcomings. While the delegation found that police stations visited designed to detain persons for more than 24 hours offered satisfactory material conditions overall for short stays of a few days,⁹³ most of the police stations visited were dirty and certain installations such as call bells and artificial lighting were not functioning, while a door situated in a shared bathroom was broken at Aradippou Police Station.

The CPT recommends that the Cypriot authorities ensure that all police custody cells:

- **are maintained in a good state of repair and hygiene;**
- **are equipped with a functioning call bell; and**
- **have adequate and functioning artificial lighting.**

153. Access to natural light also remained a problem in all police stations and detention centres visited, where windows of cells and yards were covered with layers of metal mesh, wooden boards or opaque windows in order to prevent sunlight from directly entering the cells. This prevented detained persons from having access to natural light and rendered the cells very sombre. Access to fresh air remains problematic. All the police stations visited had recreational areas for out-of-cell time, equipped with tables, benches fixed to the floor and a television and all but one⁹⁴ were in fact indoor courtyards, with ceilings covered by opaque plastic sheeting. This meant that there was no fresh air circulating, which was exacerbated by the high temperatures in the yards.⁹⁵

91. See the [European Prison Rules](#), Rule 10.2.

92. See paragraph 69 of the 26th General Report on the CPT's activities [CPT/Inf \(2017\) 5](#).

93. The cells (both single and double occupancy) were of adequate size for short stays. The smallest cell visited measured 5.13 m² at Limassol Central Police Station, and the biggest cells measured 11.5 m² at Paphos Central Police Station. In Lakatamia Police Detention Centre and Polis Chrysochous Police Station, the cells measured on average 10.5 m². The cells were equipped with one or two beds with a mattress, a table with a fixed stool or chairs and a call bell. It was positive that a number of police stations, such as Lakatamia Police Detention Centre, Paphos Central Police Station and Polis Chrysochous Police Station, had cells designed to be accessible for persons with disabilities. At Lakatamia Police Detention Centre, the cell for persons with a disability was 13.7 m².

94. Kofinou Police Station had a recreational area located outside.

95. For instance, during its visit of Lakatamia Police Detention Centre, the delegation measured 34° Celsius in the yard.

At the end-of-visit talks with the Cypriot authorities, the delegation made an immediate observation under Article 8, paragraph 5, of the Convention, requesting that the Cypriot authorities remove at least part of the opaque plastic covering the roof of police stations' yards to allow access to fresh air and sunlight and to help regulate the high temperatures, while still providing shelter from the sun and rain. In their response dated 20 July 2023, the Cypriot authorities informed the CPT that a committee composed of competent Police officers, appointed by the Chief of Police, was planning to visit the detention areas and study the CPT's recommendation in order to find ways to allow access to fresh air and sunlight and to help regulate the high temperatures while still providing shelter in the event of inclement weather. **The CPT welcomes this action and would like to be informed of the steps taken to resolve this matter.**

154. Regarding the regime offered to persons held on remand, the CPT welcomes the fact that cells were open from early in the morning until late at night. Nevertheless, police detention centres did not offer to criminal suspects any type of structure or meaningful activities during their police detention, except for the provision of a television (placed in the common area of the facilities), a few books and some board games. There was no outdoor exercise on offer either. This is concerning for detained persons held on remand, who should benefit from similar programmes as those offered at the prison. In light of the above, **the Committee recommends that anyone detained in police stations for 24 hours or more be offered at least one hour of outdoor exercise every day in facilities of adequate size and possessing the necessary equipment. Should a person be detained for longer than a few days at a police station, they should be provided with activities and increased access to outdoor exercise.**

155. The delegation also visited police stations designed for short-stay,⁹⁶ which offered acceptable material conditions for a stay of a few hours. In such facilities, detained persons were placed in single-occupancy cells of different sizes depending on the police station.⁹⁷ All cells visited were equipped with a bed, a mattress, a table and a fixed stool or chairs. Some cells were equipped with in-cell sanitation, while others were not.

156. At Nicosia, Oroklini and Germasoglia Police Stations, the delegation noted that the facilities were poorly maintained and in a very poor state of cleanliness. At Germasoglia Police Station, while the police station was being totally refurbished, no work was undertaken to refurbish the detention area of the station, despite the fact that it was very old and in need of refurbishment. **The CPT recommends that the Cypriot authorities ensure that all police custody cells are maintained in a good state of repair and hygiene. Further, the CPT would like to receive detailed information as regards the planned works and the timeline for the refurbishment of the abovementioned police stations, including their respective detention areas.**

157. The examination of the records of the short-stay police stations visited revealed that persons were generally detained for longer than 24 hours. At Nicosia Police Station, the 2023 records showed that while the average length of stay was from one to three days, there were some instances where persons were detained for six, eight and, in one case, 13 days. Similarly, before its temporary closure for refurbishments, the 2022 records of Germasoglia Police Station showed that several persons held in the month of October stayed for more than 24 hours, including a man detained for 11 days.

In light of these remarks, **the CPT again calls upon the Cypriot authorities to end the current practice of detaining persons in police custody for periods of more than 24 hours in short-term facilities.**

158. In all police detention centres and stations visited, the delegation observed that hygiene kits were not systematically offered upon admission. For example, a woman detained at Nicosia Police Station and met by the delegation complained that she had not been given clean bedding or a pillow and that no personal hygiene items were provided to her upon arrival. Further, although food was provided three times a day, including one hot meal, several persons held in different police detention centres complained about the quality and quantity of food distributed.

96. Nicosia Central Police Station, Oroklini Police Station and Germasoglia Police Station.

97. The smallest cell visited measured a mere 5 m².

The CPT recommends that the Cypriot authorities take the requisite measures to ensure that police stations and detention centres ensure regular and adequate supplies of personal hygiene products, and that the quality and quantity of the food provided be reviewed. The Committee further recommends that all detained persons held overnight in police custody be provided with a clean mattress, pillow and clean bedding.

159. Regarding police staffing, the delegation noted that there was a lack of dedicated police custody staff in all police stations visited. Several police officers complained of being understaffed, which not only impacted on the wellbeing of police officers, but also on the quality of the assistance offered to persons deprived of their liberty. While 240 persons had just been recruited in the police force in 2022, there remained 700 vacant posts at the time of the visit. **The CPT recommends that more efforts be made to increase the presence of police custodial staff in police stations and detention centres.**

160. At the time of the visit, the delegation noticed certain Covid-19 restrictions were still applicable to visits. At Paphos Central Police Station, visitors had to provide a negative Covid test of less than 72 hours in order to visit a detained person while at Kofinou Police Station, the right to visit had just been reintroduced in the facility a few days before the delegation's visit, on 5 May 2023. On the other hand, at Polis Chrysochous Police Station, such restrictions were lifted at the end of 2022. The delegation raised this issue at the time of the visit and would like to receive confirmation from the Cypriot authorities that **all police officers and detained persons had been made fully aware of the most up-to-date regulations in place in respect of visits. In this regard, the CPT would like to be informed whether any Covid-19 restrictions persist.**

C. Immigration establishments where persons were deprived of their liberty

(i) Preliminary remarks

161. At the time of the 2023 visit, the Cypriot immigration reception system was struggling to manage the arrival of a steadily increasing number of foreign nationals.⁹⁸ There were increasing backlogs and long delays in processing asylum applications⁹⁹ and a reception system that was strained to breaking point – with many foreign nationals, including those seeking international protection, *de facto* deprived of liberty for an initial period in reception centres. The number of refugees and asylum seekers in Cyprus is now one of Europe's largest *per capita*.¹⁰⁰ The immigration reception system in Cyprus was clearly under considerable strain, despite the various measures and initiatives underway to try to alleviate the pressure.¹⁰¹

162. During the 2023 visit, the CPT visited foreign nationals being held in immigration reception centres (see section (iv) *First Reception Centre Pournara* below), police long-term detention stations (see section (ii) *Immigration detention in police stations* below) and the Menoyia Detention Centre (see section (iii) *Menoyia Immigration Detention Centre* below). In the First Registration and Reception Centre Pournara (Pournara Centre), the asylum seekers and migrants were, in the CPT's view and, as the Cypriot authorities acknowledged, *de facto* initially deprived of their liberty for several months. This is due to persons having to fulfil several conditions prior to being authorised to exit the Centre, notably medical screening test results, a new QR code and registration card. The Centre was surrounded by a high perimeter fence and private security and police patrolled the entry points.

163. The CPT acknowledges that the challenges of the arrival of relatively high numbers of foreign nationals cannot be underestimated and requires a pan-European and multi-stakeholder approach to assist Cyprus in implementing its strategy on the reception of foreign nationals. Nonetheless, the State cannot derogate from its duty to ensure that all migrants who are deprived of their liberty are treated with dignity and held in humane and safe conditions.

On this visit, the delegation found a system that was beginning to struggle to cope, and which currently relied on a purely "containment" approach to immigration detention, with some appalling conditions of detention and associated regimes for those held in reception centres and long-term police detention.

164. Concerted action is required to change this situation radically. To begin with, there needs to be a shift of approach towards persons on the move, recognising that the act of migration is not, in itself, a criminal offence. Consequently they should not be held in prison-like conditions, such as those found in long-term police custody for foreign nationals suspected of irregular migration, at Menoyia Detention Centre or Pournara Centre. The push factors for migrants to undertake such hazardous journeys are far greater than any dissuasive effect harsh conditions might have. On the other hand, subjecting foreign nationals to appalling living conditions and regimes in reception

98. The generic term "foreign nationals deprived of their liberty" is used to describe persons on the move and includes refugees, asylum seekers and migrants, regardless of their legal status; see also the CPT's 32nd General Report, [CPT/Inf \(2023\) 7](#), paragraph 69.

99. At the end of 2022, the backlog of pending cases reached 29 715 (compared to 8 545 in 2018), according to official statistics from the Cypriot Asylum Service. In 2021, overall, some 18 808 persons' applications for international protection were pending at the asylum service at the end of 2021, while another 6 537 were pending at the International Protection Administrative Court (IPAC).

100. In 2022, of the 22 182 applications for protection status at the first instance the vast majority came from Syria (18%), Nigeria (14%), Democratic Republic of the Congo (14%), Pakistan (9%), Afghanistan (7%), and Bangladesh (6%). Asylum-seekers faced multiple challenges upon arrival. Newly arrived asylum-seekers face multiple challenges regarding their first reception and subsequent transition to the community. The asylum examination procedures, which can take up to five years, further exacerbate the challenges faced by asylum-seekers in Cyprus.

101. In 2021, Cypriot authorities reached out to the European Commission for temporary and longer-term measures to help it deal with the steady increase in third-country nationals arriving at its shores. They are working to cope with the situation. The Cypriot authorities established an Action Plan in 2022 to undertake various measures to make the asylum and protection application process more efficient, including recruiting more asylum case workers. In 2023, the authorities plan to alleviate the situation by building new accommodation to increase the overall reception capacity. Plans are underway to turn an open reception centre (Limnes) into a semi-open, semi-closed reception centre with an extra 800 places and increase capacity in Pournara First Registration and Reception Centre with an extra 1 000 places.

centres and police stations (see section (ii) *Immigration detention in police stations* below) found during the CPT's visit is contrary to European values and international human rights law. In reviewing how to reform and restructure immigration detention policy and facilities, the dignity of the human person must be borne in mind. The immigration reception and detention estate must be upgraded and policies revamped to ensure that migrants who are detained are held in clean and decent conditions, in open-plan centres (that is, with a layout facilitating an open-door regime), and provided with access to a purposeful regime and the necessary support services.

165. A concerted European approach is required to meet the challenges of increased migration into the continent of Europe. Given its position, Cyprus requires a European coordinated approach, and in particular it needs the European Union¹⁰² to play a more supportive role in accommodating the foreign nationals, and in facilitating their transfer to other European countries, safe third countries and/or back to their countries of origin in conformity with international human rights and refugee law.

(ii) Immigration detention in police stations

166. Despite repeated recommendations issued by the CPT since its first visit to the country in 1992, Cyprus has continued to use police stations and detention centres for holding irregular migrants under the aliens and immigration law for longer than 24 hours.

Having found in 2017 that the conditions of detention offered were inadequate, the Committee called upon the Cypriot authorities to make every effort to keep the period of time spent by immigration detainees in police establishments to the absolute minimum (namely, less than 24 hours).¹⁰³ In response, the Cypriot authorities informed the CPT that instructions had been issued by the Chief of Police that all immigration detainees be transferred to the Menoyia Detention Centre, unless they were going to be deported within a period of 48 hours. Their detention in police detention centres for more than 48 hours would be permitted only in exceptional cases, with the permission of the Assistant Chief of Police.¹⁰⁴

167. Regrettably such instructions had not been applied in practice. During the course of the 2023 visit, the delegation met a number of foreign nationals who were detained in police stations under immigration legislation for more than 48 hours and even for prolonged periods of time. The examination of custody records showed that some lengths of stay were excessive, and varied from days, weeks, months and in rare occasions could even last for more than one year.¹⁰⁵

168. The conditions of detention and the regime offered to immigration detainees in police custody were almost identical to those applied to criminal suspects. The only differences identified by the delegation were that they were allowed to keep their personal telephone during the day and order take-away food at their own expense. However, in line with its administrative nature, the CPT recalls that immigration detention must not be punitive in character and immigration detainees should be afforded both a regime and material conditions appropriate to their legal situation.¹⁰⁶

The CPT has long advocated that persons deprived of their liberty under aliens legislation should be held in centres specifically designed for that purpose. While it is positive that Cypriot authorities took the necessary measures to separate strictly administrative detainees from criminal suspects, police stations are not suitable places to accommodate persons in immigration detention.

102. The CPT is aware that FRONTEX (the European Border and Coast Guard Agency), the European Union Agency for Asylum (EUAA) and other specialist bodies currently provide some support to the Republic of Cyprus in managing the European Union's external borders. However, in the CPT's view, the amount of support for Cyprus is still insufficient.

103. See [CPT/Inf \(2018\) 16](#), paragraph 50.

104. See [CPT/Inf \(2018\) 17](#), page 30.

105. For instance, the delegation met a foreign national who had been detained at Lakatamia Police Detention Centre for eight months. Another administrative detainee had been detained some six months, since November 2022, awaiting his deportation order. In 2021, a foreign national had been detained in police custody for a period of 111 days, until his return to his country of origin. See [Ex Officio Statement of the Commissioner for Administration and the Protection of Human Rights regarding the detention of a third-country national at the Aradippou Police Station](#), dated 3 March 2021.

106. See also the CPT Immigration Detention Factsheet, [CPT/Inf\(2017\) 3](#), section 3.

Therefore, the CPT reiterates its recommendation that the Cypriot authorities make every effort to ensure that the period of time spent by persons detained under immigration legislation in police establishments be the absolute minimum (that is, less than 24 hours).

169. From the interviews held with the delegation at police stations and detention centres, it was apparent that there was a lack of information provided to immigration detainees as most of the persons interviewed by the delegation did not know the status of their immigration procedure. Further, they were not provided with information in a language that they understand on how to contact relevant and competent national, international and non-governmental organisations and bodies for assistance. Benefiting from free legal aid was also an issue for persons detained under immigration legislation; most of the persons with whom the delegation discussed were not legally represented in their immigration procedure and claimed they could not benefit from the free legal aid system. Moreover, unlike criminal suspects held in the same facility, persons detained under immigration legislation were not provided with the list of rights of persons under arrest and detention although they should be entitled, from the very outset of their deprivation of liberty, to be informed, without delay and in a language they understand, of all their rights, their legal situation and the procedure applicable to them, including on how to make a complaint.

In light of these remarks, the CPT calls upon the Cypriot authorities to ensure that all persons held under immigration legislation:

- are fully informed of their situation, their rights, their obligations and responsibilities and the procedure applicable to them. This should be ensured by the provision of clear information at the very outset of deprivation of liberty and by a document setting out all this information so that the persons concerned can attest that they have been informed of their rights, in a language and manner that they can understand and in an accessible format;
- have an effective right of access to a lawyer as from the very outset of their deprivation of liberty and at all stages of the proceedings. To this end a fully-fledged and properly funded system of legal aid for persons in police custody who are not in a position to pay for a lawyer – including persons detained under the aliens legislation – must be implemented so that this right may be effectively enjoyed; and
- receive, when necessary, the assistance of a qualified interpreter.

(iii) Menoyia Immigration Detention Centre

1. Preliminary remarks

170. The CPT paid a follow-up visit to Menoyia Detention Centre¹⁰⁷ (“Menoyia”) to examine the treatment and conditions for detained persons and to see whether the Committee’s previous recommendations on the establishment had been implemented.¹⁰⁸ It was pleased to note that the current operational capacity of the Menoyia Centre remains a maximum of 128 persons. At the time of the delegation’s visit, there were 99 detained persons, including 17 women and no juveniles. The length of time detainees spent in detention in Menoyia was generally lower than in 2017, averaging at around two to three months.¹⁰⁹

171. Some renovations had occurred such as upgraded exercise yards and a new secure perimeter fence, but little had been done to mitigate the carceral environment. The high-security fence had been reinforced, heavy metal shuttered slats remained on all windows, heavy cell doors, association rooms with metal tables and stools fixed to the floor, and a lack of any decoration perpetuated a sterile and carceral environment which the CPT had criticised in both 2013 and 2017.

107. See [CPT/Inf \(2018\) 16](#), paragraphs 53 to 71.

108. The CPT also undertook an ad hoc targeted visit to Menoyia Detention Centre in November 2022, however this was in the context of deportations and the monitoring of a joint return operation. The 2022 report [CPT/Inf \(2023\) 18](#) focussed on the preparations, collection and transfer of the foreign nationals from the Menoyia Detention Centre to Larnaca International Airport. The report concerned the flight preparations in Cyprus, including at the Menoyia Detention Centre, where the foreign nationals were held prior to removal. The report had a special emphasis on the safeguards and the prevention of ill-treatment during the deportation procedure.

109. The longest stay, at the time of the delegation’s visit, was eight months, a decrease from the longest period of 1 year and four months, seen in 2017.

The strict rules accentuated the prison-like atmosphere, as did the distant and impersonal staff-detainee relations, with staff remaining outside the unit doors apart from routine rounds and with a limited regime of activities in place. The CPT maintains that the environment remains unnecessarily restrictive, given the nature and purpose of the administrative detention of migrants.

The CPT reiterates its recommendation that the Cypriot authorities take steps to promote a less restrictive environment at the Menoyia Detention Centre.

2. Ill-treatment

172. The delegation did not receive any allegations of physical ill-treatment by staff towards detained persons, either by Menoyia staff or by police transferring detained persons to Menoyia from police stations.

3. Living conditions and regime

173. The living conditions remained substantially the same as those described in the CPT's report on the 2017 visit;¹¹⁰ the 17m² rooms contained two sets of bunk beds for a maximum of four persons, as well as reasonable access to natural light and sufficient ventilation, and were adequately equipped with a cupboard and a table and chairs. The sanitary facilities were not in a good state of repair, with over half of the showers in Block C (Women's section) not working, as well as many showers and toilets in Block A.

174. As regards the regime, apart from a weekly visit by the Red Cross with some art classes, there were no other organised activities. Cell doors remained open during the day and there was ready access to association rooms where the detained persons could watch television or play board games.

175. In principle, access to the outside exercise yard was permitted for two 90 minute slots per day. However, in practice, this was only available for one 90 minute slot per block, per day, despite the existence of two well-maintained outdoor exercise yards, in order to ensure separation of the women (Block C) from the men (Blocks A, B and D). This is surprising given that the existence of two separate exercise yards means that a second outside period could be readily envisaged. Such limited access to outdoor yards is overly restrictive. The CPT maintains that there is no reason why access to the yards cannot be permitted throughout the day with detained persons having free access.

176. Many detained persons complained of having too little to occupy their day, spending their time wandering listlessly down the corridors or sitting idle in the association rooms or using their mobile phones. In sum, the regime remains extremely limited, especially given the lengths of time that detainees may be held there (up to 18 months). The Committee believes that the longer the period for which persons are detained, the more developed should be the range of activities which are offered to them. Conditions of detention for irregular migrants should reflect the nature of their deprivation of liberty, with limited restrictions and a varied regime of activities. Within the detention facility, detained persons should be restricted in their freedom of movement as little as possible, and detained persons should in principle have free access to outdoor exercise throughout the day.

177. The CPT notes that the Cyprus police in 2022 had requested funding and provision from the Ministry of Education to provide more activities for detained persons at Menoyia, but these were not apparent during the 2023 visit.¹¹¹ Nevertheless, the onus to provide a purposeful regime, including educational classes, is on the detaining authority and the necessary costs should be factored into the operating budget for the Menoyia Centre.

110. [CPT/Inf \(2018\) 16](#), paragraph 58.

111. 01 August 2022 letter from the Cypriot Police to the Minister for Education.

178. The CPT reiterates its recommendation that the Cypriot authorities should further develop the range of, and increase access to, more structured, organised, purposeful activities for persons held at the Menoyia Detention Centre. It also recommends that detained persons be restricted in their freedom of movement as little as possible and that they have free access to outdoor exercise throughout the day.

4. Staff

179. The custodial staffing complement appeared generally adequate for a detained population of up to 128 persons. At the time of the visit, there were 86 staff, with 17 officers (male and female) on duty per shift, and a further 20 police officers were expected to be deployed to Menoyia in the coming months.

180. The CPT recalls the importance of the careful selection and appropriate training of supervisory staff in centres for immigration detainees. As well as possessing well-developed techniques of interpersonal communication, the staff concerned should be familiarised with the different cultures of the detained persons, and at least some of the staff should have relevant language skills.

As was the case in 2017, it was clear to the delegation that there remained little dynamic interaction between staff and detained persons. Staff remained behind the opaque block accommodation unit glass doors and continued to address foreign nationals by their number and not by their name. This was despite repeated CPT recommendations to cease this impersonal mode of communication and previous written directives issued by the management of Menoyia, terminating the practice of calling detainees by their number, instead of their name.

181. The lack of a dynamic and interactive approach by staff towards the foreign nationals was not surprising given the training and structure of the staffing of the centre. Staffing the establishment with regular police officers, with minimal training on working with foreign nationals, on a compulsory and routine rotation of duty basis, is inherently problematic. The CPT considers that such an establishment should be run by professional and specially trained custodial staff designated and trained to work with foreign nationals in the specific environment of an immigration detention centre, together with a range of multi-disciplinary staff.

182. **The CPT reiterates its recommendation that staff be encouraged to interact more with persons in immigration detention, to prevent and proactively resolve potential problems. To this end, officers should be present more regularly inside the accommodation areas.**

Further, the CPT recommends that the Cypriot authorities review the current training and staffing deployment arrangements for the Menoyia Centre to ensure that staff are carefully selected and trained. Staff should have well-developed qualities in the fields of interpersonal communication and cultural sensitivity, given the diverse backgrounds of persons in Menoyia Centre. At least some of them should have relevant language skills, and all staff should be generally suited to work with foreign nationals in an immigration detention context at the establishment.¹¹²

183. Further, the primary source of deep frustration for persons held at Menoyia was the lack of clarity and readily available information regarding the progress of their immigration status or appeals, and on the precise lengths of time they would have to spend at Menoyia. Menoyia had a complement of two Immigration Officers. At the time of the delegation's visit, there was only one immigration officer on duty. One immigration case official on duty was insufficient to respond regularly and promptly to the evolving cases of around 100 detained persons at Menoyia.

The CPT recommends that the number of Immigration Officers be increased to respond adequately to the population's needs at Menoyia.

112. See [CPT/Inf \(2017\) 3](#), Factsheet on Immigration Detention, part 6. Qualified staff.

5. Healthcare services

184. At the time of the visit, one general practitioner (GP) worked at the establishment from Monday to Friday from 07:30 to 14:30.¹¹³ Additionally, access to specialists was through referrals to local clinics, as required. A psychiatric nurse and clinical psychologist visited regularly.

185. Upon arrival, every detained person is systematically medically examined and is offered tests for HIV, syphilis, and hepatitis, and a Mantoux test is conducted for tuberculosis. Risk assessments for behavioural and other risks are undertaken by police staff, with a view to room allocation concerning the mental health team where required.

186. The situation was adequate regarding medical confidentiality; while a nurse is present during medical consultations, no police staff are permitted. Equally, police staff did not have access to the medical files of detainees.

187. The CPT noted that while there had been no deaths in the past three years at Menoyia, there had been a few instances of self-inflicted harm and the delegation had the opportunity to interview one of the detained persons concerned. In each case, the person concerned was referred to a psychiatrist for review. However, no central registers were kept that recorded self-harm incidents or trauma. Such registers are essential to ensure that management accurately oversees the key issues. **In this respect, the CPT recommends that all instances of self-harm be recorded in a dedicated register.**

188. Further, in one of the cases, Ms A, who was suffering physically and psychologically as a result of having been repeatedly gang raped just before she had fled her country of origin, had been self-harming and had attempted suicide while in the centre. While her file mentions her statements of the incidents in her country of origin, various follow-up incidents involving fainting after her return from seeing the psychiatrist [...], followed by panic attacks and suicidal behaviour [...], she had not been given any specific trauma screening on arrival or follow-up, and had only been seen by a psychiatrist after she had self-harmed and attempted suicide, despite repeated requests for help to address the symptoms of trauma (insomnia – nightmares, panic attacks, constant anxiety, etc.).

The CPT requests confirmation that Ms A has been seen regularly by psychiatric and psychologist specialists and that she be given the requisite follow-up care. More generally, as a measure of Menoyia's suicide and self-harm prevention policy, more thorough and effective trauma screening should be implemented upon entry to Menoyia for vulnerable categories of detained persons, with subsequent detailed and regular support and follow-up care provided.

6. Other issues

a. discipline and good order

189. The delegation found little resort to measures for maintaining good order. None of the detained persons interviewed had been subject to any disciplinary measures. It found that there was daily recording of instances of discipline in the form of unaggregated daily logs, but no central register with a complete record of the frequency, duration, and type of sanction. Nor was any record kept on other measures such as the use of restraints, use of force, or even of any extraordinary incidents. The numbers, and not the names, of the detained persons was entered in the logs. There were no central incident or discipline registers (any incident was registered at the time of the incident on the individual file). Such registers are essential to ensure management retains an accurate oversight of the key events in the establishment, and for reasons of accountability.

113. The full-time GP was away on leave at the time of the delegation's visit, but a replacement GP was in place.

190. The CPT reiterates its recommendation that if any form of disciplinary sanction is imposed, the person concerned should be provided with a copy of the relevant decision and information on the possibilities of appealing the measure to an outside authority. If separation is used, it should be time-limited, and a separate register should be established with time of arrival and exit. The decision to separate should also systematically trigger a visit by a medical professional to the separated person to assess whether they have urgent medical needs and to take any necessary action. Further, the CPT recommends that the frequency, duration and use of any isolation or room for separation (such as the waiting room), or any other measures such as the use of means of restraints, use of force, or other extraordinary incidents, should be systematically recorded in a central register.

b. complaints

191. An internal and external complaints system existed, in theory, at Menoyia. The internal complaints avenue included the possibility for detained persons to complain directly to the Head of the establishment or the internal Complaints' Commission, using locked complaints boxes on each Wing. While the complaints were reflected in the daily logs, there nevertheless remained no central register for complaints. The delegation was informed that no complaints had been received about the actions of staff at the establishment, but that complaints had been made against police involved in escorts to and from the airport for deportation, or after failed deportations. The latest one involved an incident of alleged ill-treatment on 26 July 2022 by escorting immigration police of a foreign national, who was returned to the Menoyia after a failed forced removal attempt. The allegation had been referred to the Independent Authority for the Investigation of Allegations and Complaints Against the Police (IAIACAP), but had not been concluded at the time of the report's publication.¹¹⁴

192. **The CPT reiterates its recommendation that the management of Menoyia introduces a central register of complaints to ensure that management retains an accurate oversight of critical issues. It also recommends that detainees due to be escorted for deportation or returned from failed deportations to the establishment are made fully aware of the complaints processes in place.**

c. contact with the outside world

193. It was positive that possibilities for detained persons to remain in telephone contact with the outside world were adequate. Telephones were available on each wing, and detained persons could keep and use their mobile phones and laptops and had access to Wi-Fi. Further, several fax machines were available, including in the visiting room, and no payment was required for communications to the European Court of Human Rights.

However, the restrictions on detained persons' visitation rights were excessive. While visits were allowed from lawyers, no other visits were allowed, ostensibly due for Covid-19 reasons stemming from old directives from the Cyprus Police.¹¹⁵ Although the management had superseded these directives to reflect the current reality in 2023, the new policy had not been implemented in practice, and detained persons were still unaware that they were allowed visits. No personal visits were logged in the visitor's book.

By communication of 20 July 2023, the Cypriot authorities informed the CPT that detained persons were provided with oral and written information about the new order permitting visits to the Menoyia Centre by family and friends. The CPT welcomes this prompt action.

194. Equally, it was clear that the lack of information on detained persons' immigration and legal status was a source of frustration, exacerbated by too few immigration officers at Menoyia (see section 4. *Staff* above). In addition to the provision of more immigration officers, **the CPT also recommends that the Cypriot authorities undertake more awareness-raising among detained persons regarding the existence of civil society bodies, which could provide free legal advice to persons in immigration detention, and facilitate access so that such bodies can visit and advise detained persons on their rights.**

114. See [CPT/Inf \(2023\) 18](#), paragraph 12.

115. Issued on 31 May 2022.

(iv) First Reception Centre Pournara

1. Preliminary remarks

195. The CPT visited the Pournara Centre for the first time since it became operational in 2018 as a registration and reception centre. At the time of the visit, the centre was accommodating some 1 300 foreign nationals, for a nominal capacity of 2 000 (500 in prefabricated units (plastic accommodation containers) in the main camp and 1 500 in tents in the perimeter and buffer zones).

196. The centre was composed of a main camp, five quarantine zones (no longer used for quarantine purposes), four “safe zones” for vulnerable persons, and a buffer zone located on the perimeter. Infrastructural changes were planned to restructure and increase the capacity of the centre in late 2023, led by the International Organisation for Migration (IOM) and the Cypriot authorities, which would result in a further 1 183 places in prefabricated units and 984 places in tents in the Buffer Zone, in addition to the 500 places in the main camp.

197. At the time of the delegation’s visit, there were approximately 1 000 adults (800 men and 200 women) and around 300 minors (some 200 boys and 100 girls), of whom 200 were unaccompanied or separated (see section 6. *Unaccompanied minors, vulnerable adults and protective safeguards* below). Nigeria, Syria, Somalia, Cameroon, Pakistan, and Bangladesh were the primary countries of origin. New arrivals were not permitted to leave the centre before registration and the results of mandatory entry assessments, including vulnerability assessments, age assessments, and medical results were received. Specific tests, such as the Mantoux test results, took over six weeks to return to Pournara from the local health services. The average length of stay for adults was around two months, with one detained person at the time of the visit still waiting after 407 days. Age assessments took several months, and unaccompanied minor asylum seekers stayed an average of three months.

198. Pournara recruited private security and, if necessary, contacted the police to secure the perimeter and keep foreign nationals registered within the centre and other persons outside. High barbed wire fencing surrounded the perimeter of the centre. The CPT considers that persons held in the centre were *de facto* deprived of their liberty until they were permitted to leave, which was only once the various medical and other compulsory assessment results were received back from the specialist agencies and bodies (see section C. 6. *Unaccompanied minors, vulnerable adults and protective safeguards* below).

199. The persons in the centre were accommodated in severely overcrowded and poor conditions, often having less than 2m² of personal living space (see section C.3. *Living conditions and regime* below).

200. By letter dated 20 July 2023, the Cypriot authorities shared plans to restructure and increase the capacity of the centre which should alleviate the severely overcrowded conditions, notably in the tented Quarantine Zones as well as in the pre-fabricated containers in the Eastern Section and in the Main Camp. The CPT also notes positively that the aim of the renovations is to provide more pre-fabricated units rather than to rely on tents. Nevertheless, in parallel with this restructuring of the centre, **the CPT recommends that the Cypriot authorities take steps to decongest the Pournara Centre as much as possible, notably by transferring vulnerable groups, such as the unaccompanied and separated minors, to more suitable accommodation. Detained persons accommodated at Pournara must be offered decent living conditions in structures which are fit for purpose with adequate living space.**

2. Ill-treatment and inter-detainee violence

201. The delegation did not receive any allegations of physical ill-treatment by staff towards detained persons at Pournara Centre.

By contrast, there had been ongoing and very frequent incidents of inter-detainee violence on a daily basis in the year prior to the CPT’s visit. Cumulatively, the severe level of overcrowding, poor conditions and lack of any structured regime or provision of purposeful activities, as well as the frustration and uncertainty regarding the length of stay at the centre had fomented a breeding ground

for tensions among the detainee population. This had led to outbreaks of violence and clashes between different national groups. The incidents included verbal and frequent physical altercations between detained persons, occasionally involving weapons (knives and other sharp objects and stones).

202. There had also been incidents of inter-detainee sexual harassment and alleged abuse, including the alleged gang rape of a Nigerian woman on 20 November 2022 by five male detained persons, which was still under investigation at the time of the CPT's visit. **The CPT would appreciate an update on the outcome of this investigation by the Cypriot authorities.**

203. Moreover, there were also frequent verbal and often physical attacks against the personnel of Pournara Centre (see Section 4. *Staff* below), of which there were 17 during the day and 15 at night. Further, holes in the perimeter fence around Pournara allowed non-detained persons to enter the facility and, according to staff, threatened the order and security of the establishment. Staff considered that they were insufficient in number to protect all detained persons fully; they underlined that the conditions (foul smells, human faeces on the ground) were so dire that they did not wish to do their patrols too frequently, they did not feel entirely safe or capable to fully prevent the violence and often had to rely on local police to intervene.

204. There were limited effective violence prevention strategies in place and officers from local police stations had to be called to restore order on several recent occasions, involving fights that broke out between foreign national groups and frequent violence. The Committee underlines that when a State deprives persons of their liberty, there is a fundamental duty to protect all persons – detained persons and staff alike – from violence. It considers that the Cypriot authorities had not sufficiently discharged this duty to protect all persons at the Pournara Centre or adequately ensured the prevention of future violence.

205. The CPT wishes to recall the positive obligation incumbent on Cyprus to secure to everyone within its jurisdiction the rights and freedoms defined in the ECHR and, taken in conjunction with Article 3 of the ECHR, the requirement to take measures designed to ensure that individuals within its jurisdiction are not subjected to ill-treatment administered by other private persons.¹¹⁶

The CPT recommends that:

- **increased attention be paid to conducting thorough risk assessments and allocation procedures for newly arrived foreign nationals;**
- **security and custodial staffing numbers be increased (see also section 4. *Staff* below) and ongoing training established to ensure the frequency of patrols/rounds is strictly adhered to; and**
- **a comprehensive prevention of inter-detainee violence strategy be put in place, with appropriate resources allocated in order to be fully implemented, including additional personnel such as psychologists, counsellors and social workers.**

3. Living conditions and regime

206. Newly arrived migrants and asylum-seekers were registered and provided with a first-arrival kit¹¹⁷ before being provided with accommodation, often crammed into tents and prefabricated plastic containers, measuring some 11 m², some of which contained three sets of bunk beds. All bags also went into the tents or pre-fabricated containers, contributing to the lack of space, and in most there was only one small locker available, while in others there were none at all. There were no chairs, tables or wardrobes. Many of the tents and pre-fabricated containers were in a dilapidated and worn-out condition, with broken doors and earth floors in the case of the tents. There was a lack of windows

116. See the case law of the European Court of Human Rights, notably *Milanovic v. Serbia*, no. 44614/07, paragraph 83 citing *A. v. The United Kingdom*, judgment of 23 September 1998, Reports of Judgments and Decisions 1998-VI, paragraph 22; *Z. and Others v. The United Kingdom*, no. 29392/95, paragraphs 73-75, ECHR 2001-V; *E. and Others v. The United Kingdom*, no. 33218/96, 26 November 2002.

117. Including a blanket, bedsheets, toilet paper, toothbrush and paste, hygiene packs and a towel, but no pillow or pillow-case, which detained persons fashioned from their bags.

in all types of accommodation, and many of the pre-fabricated containers' air-conditioning units were malfunctioning, making them poorly ventilated, mouldy, and humid.

207. The tented accommodation in the Quarantine Zones was inappropriate for the long lengths of stay due to various unhygienic conditions. There was a lack of electricity and natural light, and only poor artificial lighting was provided with battery powered lamps or torches. Detained persons were crammed into tents of an average of 12 m²,¹¹⁸ with up to 10 people per tent forced to sleep on worn out, dirty mattresses or even only bedsheets placed directly on the earthen floor, which absorbed ground water and humidity, causing mould on the walls and in the corners of the tents. Vermin (rats, bed-bugs, lice and cockroaches) were commonplace, and many of the detained persons complained about getting itchy skin and skin diseases from living in these conditions. The temperature inside these facilities was well over 32° Celsius in the springtime, when the temperatures in Cyprus are still not even close to their maximum. Due to the lack of electricity, there was no air conditioning and some detained persons illegally siphoned off electrical current to their own tents, increasing fire risks.

208. The chemical toilets and showers in the Main Camp and Quarantine Zones (that is, almost all parts of Pournara Centre) were filthy and dilapidated, causing the wastewater to leak everywhere, including outside, creating puddles of stagnant water. No hot water was provided in the Quarantine Zones, or other tented outside areas, or the Safe Zones. Some detained persons refused to use the dirty toilets and showers, so used the communal areas for their toilet needs, resulting in piles of faeces, rivulets of urine, and piles of rubbish littered around the centre.

209. These factors in the Main Camp and Quarantine Zones led to a foul-smelling unsanitary situation, representing a clear health hazard. Due to this situation, security staff were unwilling to do their patrols, as noted many times in the official records. In the CPT's view, such dire living conditions are an affront to human dignity and may amount to inhuman and degrading treatment contrary to Article 3 of the European Convention on Human Rights.

210. The Safe Zones provided better conditions, notably in the unaccompanied girls' area. The zones comprised several two-storey buildings, with girls' rooms offering an adequate amount of space and containing sets of bunk beds, cupboards, and lockers. Windows and air conditioners provided sufficient ventilation and light. A separate laundry room was in the Safe Zone, and the children were provided with soap, shampoo, and detergent. In contrast, the boys' Safe Zone C did not meet such standards. Safe Zone C consisted of 15 operational containers of an average size of 13 m² each, accommodating a total of 142 boys at the moment of the visit, thus offering less than 1.5 m² of living space per child. All containers were dilapidated, dirty and battered, in which the delegation found insects and other vermin. The air conditioners were broken in almost all the containers and the artificial light was not functional. Floors and windows were dilapidated and destroyed. Unlike the girls' Safe Zones, the boys did not have a laundry room, thereby forcing them to wash their clothes by hand in dilapidated wash basins. Most of the showers and toilets present on Safe Zone C were destroyed and the sinks were leaking all over the facility.

211. Moreover, there was little to no regular regime of structured or purposeful activities provided for any of the detained persons, including the children. A limited number of activities were organised with the Red Cross and the NGO War Child one day per week, including some arts and crafts. While there was a covered playground in the centre of the main camp, only children in the main camp could access it, thus excluding children held in the safe zones; no other form of entertainment or schooling was available. Many detained persons wandered outside among the tents, looking for ways to find electricity to charge their mobile phones. There was no library, activities centre, sports yard, or place for religious worship, and all detained persons complained about having nothing to do to structure their days while they were waiting for news about their immigration status or medical entry test results.

212. It was particularly deplorable that the children detained in Pournara Centre were not provided with any games, recreational activities, or educational classes, and many did not even have access to the small equipped outdoor area with swings.

118. There were three types of tents of 17 m², 14 m² and 12 m², with mattresses all over the floor.

The CPT recalls its position¹¹⁹ that every effort should be made to avoid depriving children of their liberty. It considers that in line with the principle of the best interest of the child, unaccompanied or separated children should not, as a general rule, be detained. When, exceptionally, children are held with their parents in a detention centre, the deprivation of liberty should be for the shortest possible period of time, held in centres designed to cater for their specific needs and staffed with properly trained men and women and offered a range of constructive activities. **In light of this, the CPT recommends that the Cypriot authorities immediately develop a range of constructive activities for children (with particular emphasis on enabling a child to continue their education and to undertake sports).**

It also recommends that a regular programme of purposeful and structured activities (educational, recreational and sports) be implemented for persons detained for longer than a few days.

213. Overall, the CPT recommends that steps be taken to improve the living conditions in the Pournara Centre, by:

- ensuring that material conditions and accommodation are adequately furnished with basic furniture (table and chairs), working lockers and wardrobes (to keep personal belongings), clean and in a good state of repair, including the showers and washing facilities, and offer sufficient living space for each person (a minimum of 4m² per person);
- ensuring access to a communal room (equipped with a television and board games, and facilities to make a hot drink) where they can associate;
- ensuring that there are separate showering and toilet areas for men, women, and children and that deep cleaning and refurbishments of the shower and washing facilities is undertaken regularly, including replacement of shower heads;
- providing a deep clean and refurbishment of the whole centre, including each of the prefabricated containers and tents, as well as the washing facilities, and ensuring that litter, debris and detritus are removed regularly;
- offering free access to all migrants to outdoor exercise throughout the day, and providing outdoor exercise areas with sufficient space for the number of migrants detained, appropriately equipped with sports or recreational equipment, shelter, and means of rest; and
- in line with the refurbishment programme, removing the tents and replacing them with pre-fabricated housing.

214. The CPT is not convinced that the authorities' proposals to merely build extra accommodation, as set out above, will serve to address the deep-set problems besetting the Centre. The appalling conditions and lack of a structured and purposeful regime was particularly difficult for the unaccompanied minors and families with young children and vulnerable persons, such as pregnant women, held in the centre. At the end of the visit, the delegation invoked Article 8, paragraph 5, of the Convention. It urged the Cypriot authorities to take immediate action to provide decent living conditions to unaccompanied and separated children, as well as other vulnerable categories of persons, families and single mothers with small children, elderly persons, foreign nationals with mental health, psychiatric problems and serious medical problems, survivors of trafficking in human beings, survivors of sexual and gender-based violence, torture victims and persons with disabilities. Persons of these categories should be removed from Pournara and provided with alternative accommodation and support that meets their needs. The CPT requested to be informed by 31 July 2023 of the actions taken.

On 18 October 2023 the Cypriot authorities informed the Committee that categories of vulnerable persons had been removed from Pournara. **The CPT welcomes this action and would like to receive further details and clarification in this regard** (as requested in paragraphs 11-13 of this report).

119. See the CPT Factsheet on Immigration Detention, CPT/Inf(2017)3, 2017.

4. Staff

215. Pournara Centre was run by the Asylum Services, including a coordination team, three asylum officers, staff from the CODECA management partner,¹²⁰ and 92 externally contracted perimeter and security staff members, which provided for 15 staff members on a duty shift, along with 10 police officers responsible for external security. There was a medical team (see section 5. *Healthcare* below) and an 11 person social welfare services team¹²¹ on any given shift. There was a regular presence of stakeholders and partners, including Civil and Migration Department, the Police, European Union Agency for Asylum (EUAA), UNHCR, and Frontex, among others.

216. Staff appeared to be cool and distant with detained persons and unwilling to regularly enter the centre's interior premises to do their patrols (see above). Staff were neither trained nor sufficient in number to manage and support the persons detained in the centre, notably vulnerable categories of persons and children. Detained persons complained to the delegation that many were unhelpful and unfriendly towards them.

The CPT considers that staff in immigration reception and detention centres should be carefully selected and receive appropriate training. Staff should possess well-developed qualities in interpersonal communication and cultural sensitivity, given the diverse backgrounds of the foreign nationals. Further, at least some of them should have relevant language skills. This was not the case at Pournara.

The CPT recommends that the Cypriot authorities take steps to increase staff numbers and provide all staff with specific training on working with foreign nationals in an immigration detention setting. The staff should be carefully selected and trained, with well-developed qualities in the fields of interpersonal communication and cultural sensitivity, given the diverse backgrounds of persons in Pournara. At least some of them should have relevant language skills, and all staff should be generally suited to work with foreign nationals in an immigration detention context at the establishment.¹²²

5. Healthcare

217. The Ministry of Health provides healthcare services at Pournara Reception Centre. There are four GPs, however, at the time of the visit, only two doctors were on duty, with full-time working hours during weekdays.¹²³ There was a pool of 12 nurses employed by the Ministry of Health, with two nurses on duty in the morning during weekdays and one nurse on duty at all other times, including at weekends. Regarding access to specialist treatment, a health visitor visits the centre daily and undertakes childhood immunisations. A full-time dentist and dental nurse were employed at the Centre, and there was a generally well-equipped dental surgery.¹²⁴

218. No mental healthcare services were available at the centre, and thus there was no psychologist or psychiatrist input into initial medical screenings or ongoing necessary treatment. Those patients needing to be seen at the hospital are referred and generally seen within a week, including referrals to an external psychologist or psychiatrist.

The CPT considers that adequate access to psychological assistance and psychiatric care should be provided to persons deprived of their liberty in immigration centres and **recommends that access to mental healthcare services, including regular visits by specialists such as psychologists and psychiatrists, be established at the Pournara Reception Centre.**

120. One co-ordinator, two assistant co-ordinators, four administrative officers, two social workers, one vulnerability officer, one IT officer, two to five reception officers, 17 persons on shift 24/7, three food distributors, one maintenance staff, one storage keeper, one messenger and 10 cleaners.

121. Two social workers, four guardians, two to three secretarial staff and two institutional officers on shift.

122. See [CPT/Inf \(2017\) 3](#), Factsheet on Immigration Detention, part 6. Qualified staff.

123. Doctors' working hours are 07:00 to 16:00, Monday to Friday.

124. Treatments available included extractions, emergency treatment, deep scaling and root canal treatment. If an unaccompanied and separated minor requires dental (or medical) treatment, they are accompanied by one of the functionary officers.

219. There was no routine comprehensive medical screening for all newly arrived migrants and asylum seekers. However, on arrival, all persons over 12 years of age were given blood tests concerning Hepatitis B & C, syphilis, and HIV. Moreover, at the time of the visit, no comprehensive medical record was established for every new entrant, although the delegation was informed that one was planned in the future. Instead, medical interventions were annotated individually by the doctor or nurse in their notes, making it impossible to consult the annotations of medical colleagues in respect of their previous consultations.

220. The CPT has long considered that routine medical screening of all newly arrived detainees is in the interests of both detained persons and staff, and is particularly beneficial for identifying those at risk of self-harm, screening for transmissible diseases, and the timely recording of any injuries.

It recommends that:

- **all newly arrived detained persons should benefit from comprehensive medical screening (including screening for transmissible diseases) by a doctor, or a fully-qualified nurse reporting to a doctor, as soon as possible after their admission; and**
- **the record drawn up after a medical examination of a detainee, whether newly arrived or not, should contain:**
 - i) **a complete account of objective medical findings based on a thorough examination;**
 - ii) **an account of statements made by the persons concerned which are relevant to the medical examination, including any allegations of ill-treatment made by them;**
 - iii) **the doctor's observations in light of (i) and (ii), indicating the consistency between any allegations made and the objective medical findings.**

In addition, the results of every examination, including the statements mentioned above and the doctor's observations should be made available to the detained persons and their lawyer.

221. Interpretation was available, if required, for medical consultations, and medical confidentiality appeared generally well observed. Moreover, there was generally an adequate range of emergency medical equipment available within the medical centre.

222. One notable concern was the backlog and delays regarding the Mantoux tests. Many detained persons at Pournara Centre were not allowed to leave until the results of obligatory Mantoux tests, which were sent to local health centres for analysis, were returned. Delays and backlogs in the processing of these tests meant that many persons with whom the delegation spoke were deeply frustrated about the fact that they had to wait four to eight weeks, and in some cases several months, before being informed by healthcare staff of the results of these tests, with the significant consequence of extended compulsory stays at the centre. The CPT acknowledges the importance of Mantoux testing of new arrivals at the centre. Nevertheless, **it recommends that the Cypriot authorities review the current test dispatch system and ensure that measures are taken to render it quicker and more effective. This will also mean that detained persons are not required to stay as long at Pournara Centre.**

6. Unaccompanied minors, vulnerable adults and protective safeguards

223. There were around 200 unaccompanied minors (136 boys and 64 girls) in Pournara Centre. The management informed the delegation that 21 of them had been at the Centre for more than 200 days, 70 had stayed between 150 and 200 days, 58 had stayed 50 to 100 days, and 27 had stayed up to 50 days. The reasons given for such lengthy stays were that the age assessments were taking a long time to conclude; in the meanwhile, the children were required to stay in the centre with few support mechanisms, no education and few activities, which led to deepening frustration and various escape attempts.

224. The CPT considers that a professional qualified person should conduct an initial interview, in a language the child understands, as soon as possible after the presence of an unaccompanied minor becomes known to the authorities. An assessment should be made of the child's particular vulnerabilities, including age, health, psychosocial factors and other protection needs (including those deriving from violence, trafficking or trauma). Every effort should be made to facilitate their rapid placement in an appropriate support facility.

225. The CPT found that the initial assessments, including the vulnerability assessments and the age assessment, were being conducted systematically upon arrival by multi-disciplinary teams. These enabled early identification of the different vulnerabilities among detained foreign nationals, notably unaccompanied and separated children, families and single mothers with small children, elderly persons, foreign nationals with mental health, psychiatric problems, persons with disabilities, survivors of trafficking in human beings, survivors of sexual and gender-based violence and torture victims. Nevertheless, there were several problems. The lengthy delays in the age assessment process meant that on average children spent far longer than adults deprived of their liberty in Pournara Centre.

The CPT recommends that the Cypriot authorities urgently take measures to reduce the delays in the age assessment procedure. The CPT also wishes to be informed of the measures taken to transfer unaccompanied asylum-seeker minors out of Pournara into appropriate structures that can offer them the necessary support (see also paragraphs 11-13 and 214 above).

226. Further, while it is positive that vulnerability screening was being systematically undertaken, there was no apparent follow-through and regular check-up on those persons found to be vulnerable, other than placement in one of the Safe Zone for vulnerable persons.

The CPT recommends that persons considered vulnerable at entry screening should be regularly visited and checked upon by qualified specialists and staff to ensure that their distinct needs are adequately met.

227. The Committee has long considered that a proper individual detention order should cover every instance of deprivation of liberty, readily available in the establishment where the person concerned is being held. The detention order should be drawn up at the outset of the deprivation of liberty. This basic requirement should apply equally to foreign nationals who are deprived of their liberty while awaiting medical or entry test results. Detained foreign nationals, just as all other categories of persons in detention, should enjoy from the very outset of their deprivation of liberty three basic rights: access to a lawyer, access to a medical doctor, and to be able to inform a relative or third party of one's choice about the detention measure.

228. The Committee was of the view that the persons held in the Pournara Centre were *de facto* deprived of their liberty for a certain amount of time upon their arrival (see above). Given this, the consequent safeguards applicable to the deprivation of liberty should be applied, including the establishment of a formal decision on their deprivation of liberty issued by the relevant authority in a legally prescribed procedure, setting out the criteria for imposing, extending, and ending the detention, or the possibility of challenging the lawfulness of their detention before a judicial authority, and also taking into account any categories of vulnerability. The Committee noted that foreign nationals are being held in Pournara without any such formal decision.

Further, access to legal aid appeared problematic, despite recent amendments to the relevant legislation to allow detained foreign nationals free legal aid in the first instance proceedings to challenge their detention orders in front of the Supreme Court. In practice in the Pournara Centre, it was clear that legal assistance was not available free of charge for indigent foreign national detained persons. Moreover, given the *de facto* nature of the detention of foreign nationals without detention orders, it was impossible per se to exercise the right to challenge their detention order.

Overall, the CPT considers that placement in Pournara may amount to arbitrary deprivation of liberty, undermining access to basic safeguards against ill-treatment, and could last for an undefined period from several weeks to several months and even longer than a year, leaving detained persons in a state of uncertainty as to how long they would have to wait before release; indeed the situation was worse for minors undergoing age assessments, who on average stayed for more extended periods than the average adult.

229. Further, access to Pournara Centre was hindered for some civil society bodies. For others, it was restricted to the provision of limited activities and not the provision of pro bono legal advice. Indeed, many detained persons with whom the delegation spoke complained of their deep frustration about the limited information on their immigration status and the uncertain duration of their required stay at the centre.

230. Overall, therefore, if the Pournara Centre remains an establishment where persons are *de facto* deprived of their liberty, the status of the centre and of the persons held there should be changed accordingly. In this case, **the CPT recommends that the Cypriot authorities take measures to ensure that:**

- **arrangements be made to enable detained foreign nationals to consult a lawyer on an ongoing basis, to receive visits from NGO representatives and family members or other persons of their choice; and**
- **to have access to legal aid and an effective legal remedy enabling persons held at Pournara Centre to have the lawfulness of their deprivation of liberty decided speedily by a judicial body. This judicial review should entail an oral hearing with legal assistance, provided free of charge for persons without sufficient means, and interpretation (if required). Moreover, detained persons should be expressly informed of this legal remedy in an accessible format. The need for continued detention should be reviewed periodically by an independent authority.**

231. Effective complaint procedures are basic safeguards against ill-treatment in immigration reception and detention centres. Immigration detainees should have avenues open to them, both internally and externally, and be entitled to confidential access to an appropriate complaints authority. The CPT found no complaints registered, and no detained persons had presented any form of written complaint. Persons interviewed at the Pournara Centre were unaware of any measures available to complain other than orally to Asylum Service staff and coordinators.

The CPT recommends that the Cypriot authorities take measures to ensure that avenues are readily accessible to persons held at Pournara Centre, both internally and externally (to an appropriate complaints authority), to make complaints confidentially; that detained persons are informed, orally and in writing (in the most commonly spoken languages), of such avenues of complaint; and that the Asylum Services management team establishes a central register of complaints.

(v) Airport short-term point of entry facilities

232. The delegation visited the short-term point of entry facilities at Larnaca and Paphos International Airports.

233. At Larnaca Airport, any person suspected of having committed a criminal offence due to an illegal stay in Cyprus, or in possession of forged documents, or subject to an arrest warrant, was brought to one of two waiting rooms available at the departures and arrivals areas of the airport. Each room was equipped with a table and wooden benches. If arrested, the persons were provided with a list of their rights, which at the time of the visit was available in many different languages. The arrested persons would generally wait for a few hours, until the competent police department officer arrived to transfer them to a police station.

If denied entry into Cyprus, foreign nationals would generally be placed in a waiting room for a few hours, until the next return flight would be available. Those who had been refused entry into Cyprus upon arrival but could not be sent back on a return flight were held in one of the three holding rooms of Larnaca Airport designated for *de facto* short-term deprivation of liberty. One room was reserved for men, one for women and one for families, with an overall capacity to hold 22 persons. Each room had several sets of bunk beds, a table with benches, a television set, and a call bell. A separate sanitary annexe in each room contained a shower, toilet, and basin. There was a bell in every room. Three meals a day were provided by the airline company since they were considered to still be under the responsibility of the company who flew them to Cyprus, otherwise the police would provide food. The persons held could also order food of their choice, at their own expense.

None of the three rooms had windows or access to natural light and, for security reasons, there was no possibility for those persons to access fresh air or an outdoor exercise area. The rooms were locked at all times. Upon request, the persons could access the hallway, which was covered by CCTV cameras, where they could find a few books available in different languages and some board games. As the persons were not considered detained persons according to Cypriot authorities, they could use their phones and laptops. They had free access to wi-fi and could communicate freely with the outside world.

Between January and April 2023, a total of 148 foreign nationals were refused entry into Cyprus and 67 were arrested on suspicion of having forged their documents. According to the registers consulted by the delegation, they were usually kept in the holding facilities for no more than 24 hours. During their stay, they were provided with a list of their rights available in many different languages. A folder with an extensive list of lawyers was also at their disposal. Based on information provided to the delegation, the longest stay registered in the holding rooms was one week.

At the time of the visit to Larnaca Airport, three persons were held in two rooms. A man and a woman, believed to be husband and wife, arrived from a repatriation flight coming from the Republic of the Sudan. The woman was suspected of possessing forged documents. When the delegation met them, they had been held in the holding facilities for 10 days,¹²⁵ during which they did not have access to fresh air. The third person held was an Indian national who had come from the Republic of Serbia. At the time of the visit, he had been held in the facilities for one day and was waiting to be sent to the Republic of Austria, where he had filed an asylum request. He confirmed to the delegation that legal aid was provided to him.

234. At Paphos Airport, a similar system was in place and the delegation was informed that persons arrested would usually be held for a few hours in the airport before being transferred to Paphos Central Police Station.

The holding facilities at Paphos Airport also consisted of three rooms: one room reserved for men, one for women and one for families. Each room had four beds, and was equipped with a television set, with an adjoining sanitary annexe in each room. The delegation was informed that since the rooms did not have any windows or access to fresh air, detained persons were taken outside by police officers to get fresh air. This is positive. There were a few board games and books available

125. The Cypriot authorities were waiting to receive some information from the German embassy.

on offer. The files consulted by the delegation showed that the average length of stay in 2023 was one day and the maximum stay registered was two days.

235. As already stated by the Committee in its previous report,¹²⁶ the conditions of detention in the holding facilities at Larnaca and Paphos Airports are only acceptable for holding persons for a few hours. Regrettably, the Cypriot authorities did not take the necessary measures to implement the CPT's recommendation to ensure that the detention of foreign nationals in the airports' holding facilities would not exceed 24 hours and, if not possible, that they be transferred to another suitable holding facility. In their response to the report on the 2017 visit, the Cypriot authorities informed the CPT that it was not possible to transfer these persons to another facility outside the airport because they were refused landing and entry into the territory.¹²⁷ At the same time, the authorities did not undertake any efforts to improve the conditions of detention at either airport.

236. The CPT recalls that all persons held at an airport for periods beyond 24 hours should be offered at least one hour of access to fresh air every day. In addition, arrangements should be put in place for these persons to be able to receive visits from relatives, close acquaintances, and a lawyer.

While the conditions at the holding facilities at both airports are adequate for short stays of fewer than 24 hours, they are not acceptable for holding persons for longer periods.

The CPT reiterates its recommendation that the Cypriot authorities take steps to ensure that foreign nationals deprived of their liberty at Larnaca and Paphos Airport holding facilities in excess of 24 hours be transferred to another suitable holding facility. Further, the Committee recommends that all legal safeguards offered to persons deprived of liberty should also be made available, in a language they understand and in an accessible format, to persons placed in the short-term points of entry facilities in Cyprus.

126. See [CPT/Inf \(2018\) 16](#), paragraph 72.

127. See [CPT/Inf \(2018\) 17](#), page 42.

APPENDIX I – ESTABLISHMENTS VISITED

The delegation visited the following places of detention:

Law enforcement establishments

Ammochostos Division

- Paralimni Police Station

Larnaca Division

- Aradippou Police Station
- Kofinou Police Station
- Oroklini Police Station

Limassol Division

- Germasogia Police Station
- Limassol Central Police Station

Nicosia Division

- Criminal Investigation Department (C.I.D.) Nicosia
- Lakatamia Police Detention Centre
- Nicosia Central Police Station
- Pera Chorio Nisou Police Station

Paphos Division

- Paphos Central Police Station
- Polis Chrysochous Police Station

Prisons

- Nicosia Central Prisons

Immigration Detention Facilities

- Short-term point of entry facility at Larnaca Airport
- Short-term point of entry facility at Paphos Airport
- Kokkinotrimithia Initial Registration Centre "Pournara"
- Limnes Multi-purpose Immigration Centre
- Menoyia Detention Centre for Illegal Immigrants
- Various police custody facilities where foreign nationals may be held under Aliens legislation (listed above)

**APPENDIX II –
LIST OF THE NATIONAL AUTHORITIES AND ORGANISATIONS MET BY THE CPT**

A. National authorities

Ministry of Justice and Public Order

Anna Koukkides-Procopiou	Minister of Justice and Public Order
Louis Panayi	Permanent Secretary
Aristos Tsiartas	Head of Human Rights Department
Ioannis Kapnoullas	Then Acting Director, Prisons Department
Maris Shiali	Senior Officer, Prisons Department
Constantina Philippou	Liaison Officer & Administrative Officer

Ministry of the Interior

Stylios Papatheodorou	Chief of Cyprus Police
Ioannis Georgiou	Assistant Chief of Police, Crime Prevention and Combat
Marios Christofides	Assistant Chief of Police, Borders Protection
Maria Adamidou	Director, Civil Registry and Migration Department
Savvas Stephanides	Deputy Commander of Support, Aliens and Immigration Unit
Loukia Frangou	Migration Officer, Civil Registry and Migration Department
Natasa Andreou	Administrative Officer, Asylum Service
Michalis Beys	Administrative Officer, Civil Registry and Migration Department
Laura Iacovides	Administrative Officer, Asylum Service
Elena Neokleous	Administrative Officer, Office of the Permanent Secretary
Natasa Antoniou	Police Officer, Human Rights and Combating Discrimination Office

B. Other authorities

Independent Authority for the Investigation of Allegations and Complaints Against the Police

Andreas Paschalides	President
George Karas	Director

Prison Board

Andreas Hadjipakkos	President of the Cypriot Prison Board, District Officer of Nicosia
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Office of the Commissioner for Administration and Human Rights (Ombudsperson, NPM)

Maria Stylianou-Lottides Commissioner for Administration and Human Rights (Ombudsperson)

Office of the Commissioner for Children’s Rights

Despo Michaelidou Commissioner for Children’s Rights

Christina Pasa Educational Officer

C. International and civil society organisations

United Nations High Commissioner for Refugees (UNHCR) Office in Cyprus

Caritas Cyprus

Cyprus Refugee Council

Future World Centre

KISA