



20 March 2008

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REVISED EUROPEAN SOCIAL CHARTER

REPLY TO SUPPLEMENTARY QUESTION

Fifth report on the implementation of
the Revised European Social Charter

submitted by

THE GOVERNMENT OF CYPRUS

(for the period 1 January 2003 to 31 December 2006:
Articles 15§1)

Report registered at the Secretariat on 18 March 2008

CYCLE 2008

Council of Europe

European Social Charter (Revised)

Additional Answers for questions raised by the ECSR in respect of the 5th report of Cyprus.

Article 15§1

Question 1: Does Act No 113(I)/1999 on education and Training of Children with Special needs prohibit discrimination on the ground of disability? What remedies are available to parents wanting to oppose the decision of exclusion and segregation of their children from mainstream education facilities?

Answer: In accordance with the Education and Training of Children with Special Needs Law 113(1)/1999 children with special needs have equal rights and opportunities to education and training as all other children at all educational levels, from pre-school to higher education. Furthermore, the Law clearly states that educational institutions must provide all structural and educational facilities necessary for catering and meeting all children's needs.

Decisions on suitable educational pupil placements are taken by the Special Education and Training District Committees based on multi-disciplinary child assessments. Parents of children with special educational needs are notified in advance of the time and place of the scheduled assessment and are informed of their right to be present during the assessment. Once the Committee reaches their decision on a child's placement, this is forwarded to parents with a report, informing them of their right to appeal (within thirty days) to the Committee, against their decision, providing any information and evidence to support their appeal. Should the parents exercise their right to appeal and, following a re-evaluation of the case the Committee consider that, in the child's best interest, their decision cannot be reversed, they inform the parents of their decision, in writing, and they also inform them that they have the right to appeal to the higher Body, namely the Central Committee for Special Education and Training. It must also be added that parents have, by law, the right to apply for child reviews within much shorter periods to the usual practice of on a two year period basis.

In a minority of cases the Special Education and Training Committee might consider it imperative, based on a child's personal needs, that the most suitable educational environment in meeting those needs would be a special school. However, support is offered to parents through multidisciplinary meetings, arranged by a special needs co-ordinator, in order to help parents make informed decisions. The co-ordinator also escorts parents on visits to different types of educational establishments (special units within ordinary schools, special schools, etc). As a result, special school placements are decided, usually, with parental consent.

Question 2: What steps, if any, have been taken to remedy the situation of dyslexic children in the exams following the equality Body decision of 31 October 2006?

Answer: With regards steps taken to remedy the situation of dyslexic children in exams, the 22(I)/2006 Education Law has been amended with regards National Exams, with 51(I)/2007 Law, in accordance with the Equality Body recommendations. Furthermore, at school, pupils are entitled to the use of a computer with a speller, and are given exemptions for ongoing and final exams in spelling, grammar, and punctuation whilst pupil grades take such pupil difficulty into consideration. Instructions have been circulated to all Special Education and Training Committees updating them.

Question 3: It has been drawn to the attention of the Committee that some children considered too disruptive to handle are housed in special institutions such as Stegi Nea Eleousa. The Committee asks the Cypriot authorities to provide information on the education facilities in such institutions.

Answer: Three out of six children living in the Nea Eleousa Home (one of whom visits the Home on a day-care basis) attend school everyday. The school (“Evangelismos”) operates under the Ministry of Education and Culture for children with special needs. For the rest of the children who do not attend the special school, there is an individualized educational programme set up for them everyday by a special education teacher who is seconded by the Ministry of Education to the Nea Eleousa Home. A specially equipped room in the Home is used solely for educational purposes.

APPENDIX

SECRETARIAT GENERAL

**DIRECTORATE GENERAL OF HUMAN RIGHTS
AND LEGAL AFFAIRS**

DIRECTORATE OF MONITORING

DEPARTMENT OF THE EUROPEAN SOCIAL CHARTER
THE HEAD OF DEPARTMENT
*EXECUTIVE SECRETARY OF THE EUROPEAN COMMITTEE OF
SOCIAL RIGHTS*

ESC 52
RPS/SF



Mr Costas Chrysostomou
Ministry of Labour and Social
Insurance
Senior Administrative Officer
7 Byron Avenue
CY – 1463 NICOSIA

Strasbourg, 12 February 2008

Dear Mr Chrysostomou,

The European Committee of Social Rights (ECSR) is currently examining the 5th Cypriot report on the Revised European Social Charter and has instructed me to forward to you the enclosed questions concerning Article 15§1.

The ECSR would be grateful if you could reply to these questions before 31 March 2008 in order to allow the information to be taken into account in Conclusions 2008.

Yours sincerely,

Régis Brillat

**EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITÉ EUROPÉEN DES DROITS SOCIAUX**



12 February 2008

Question in respect of the 5th report of Cyprus

Article 15§1:

1. Does Act No. 113(I)/1999) on Education and Training of Children with Special Needs prohibit discrimination on the ground of disability? What remedies are available to parents wanting to oppose the decision of exclusion and segregation of their children from mainstram education facilities?
2. What steps, if any, have been taken to remedy the situation of dyslexic children in exams following the Equality Body decision of 31 October 2006?
3. It has been drawn to the attention of the Committee that some children considered too disruptive to handle are housed in special institutions such as Stegi Nea Eleousa. The Committee asks the Cypriot authorities to provide information on the education facilities in such institutions.