



CPT/Inf (97) 5 [Part 2]

**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 12 to 21 May 1996

The Government of Cyprus agreed to the publication of this report.

Strasbourg, 22 May 1997

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Copy of the letter transmitting the CPT's report

Strasbourg, 17 December 1996

Dear Sirs,

In pursuance of Article 10, paragraph 1, of the European Convention for the prevention of torture and inhuman or degrading treatment or punishment, I have the honour to enclose herewith the report to the Government of Cyprus drawn up by the European Committee for the prevention of torture and inhuman or degrading treatment or punishment (CPT) after its visit to Cyprus from 12 to 21 May 1996. The report was adopted by the CPT at its 31st meeting held from 2 to 6 December 1996.

I would draw your attention in particular to paragraph 119 of the report, in which the Committee requests the Cypriot authorities to provide an interim and a follow-up report on action taken upon its report.

I am at your entire disposal if you have any questions concerning either the CPT's report or the future procedure.

Finally, I would be grateful if you could acknowledge receipt of this letter.

Yours faithfully,

Claude NICOLAY
President of the European Committee for
the prevention of torture and inhuman
or degrading treatment or punishment

**Directorate of European Affairs
Ministry of Foreign Affairs
NICOSIA
CYPRUS**

I. INTRODUCTION

A. Dates of the visit and composition of the delegation

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 visit to Cyprus from 12 to 21 May 1996. The visit formed part of the CPT's programme of periodic visits for 1996, and was the second periodic visit to Cyprus to be carried out by the Committee (the first having taken place in November 1992).

2. The delegation consisted of the following members of the CPT:

- Mr Claude NICOLAY, President of the CPT (Head of Delegation);
- Mr Vitaliano ESPOSITO;
- Mrs Pirkko LAHTI;
- Mrs Gisela PERREN-KLINGLER.

It was assisted by:

- Mr James McMANUS, Scottish Prisons Complaints Commissioner (expert);
- Mr Jean-Pierre RESTELLINI, Medical doctor, Specialist in Forensic Medicine and Internal Medicine, Geneva (expert);
- Mrs Françoise BRON-HADZINICOLAOU (interpreter);
- Mrs Maria LOUCA-HOUVARDA (interpreter);
- Mrs Myrto ROUSSOU-ATZITIRIS (interpreter);
- Mrs Dany TZAMTZIS (interpreter).

The delegation was also accompanied by the following members of the CPT's Secretariat:

- Mr Fabrice KELLENS;
- Mr Jan MALINOWSKI.

B. Establishments visited

3. The delegation visited the following places of detention:

Police establishments

- Police Prison, Nicosia (Block 10 of the Central Prisons)
- Larnaca Central Police Station
- Limassol Central Police Station
- Paphos Central Police Station

- Lykavitos Police Station, Nicosia
- Omorfitas Police Station, Nicosia
- Ayios Ioannis Police Station¹, Limassol
- Oroklini Police Station
- Paralimni Police Station⁵
- Xylotimbou Police Station

- Holding facilities for foreigners at Larnaca Airport

Prisons

- Nicosia Central Prisons

Military establishments

- Tasou Markou Barracks⁵, Klirou
- A Panagidis Military Police Barracks⁵, Nicosia

Psychiatric institutions

- Athalassa Psychiatric Hospital.

C. Consultations held by the delegation

4. The delegation held consultations with the national authorities and with representatives of non-governmental organisations active in the areas of concern to the CPT. Numerous meetings were also held with officials in charge of the places visited. In addition, the delegation discussed certain matters falling within the CPT's terms of reference with senior United Nations officials.

A list of the national authorities and non-governmental organisations with which the delegation held talks is set out in Appendix II to this report.

¹ Places of detention visited for the first time by the CPT

D. Cooperation between the CPT and the Cypriot authorities

5. At the outset of the visit, the delegation was received by Mr George Stavrinakis, Minister for Justice and Public Order. Further, at both the beginning and the end of the visit, it held fruitful discussions with senior officials from the Ministries of Foreign Affairs, Defence, Justice and Public Order, and Health. These consultations were marked by a spirit of openness and cooperation.

6. The delegation also had interesting exchanges of views with the Commissioner for Administration (the Cypriot ombudsman) and the Attorney General of the Republic, as well as with members of their respective staff.

7. More generally, the CPT's delegation received a very satisfactory reception from management and staff at the places of detention visited, including those which had not been notified in advance of the Committee's intention to visit them. In particular, it did not experience any significant delay in gaining access to places of detention.

However, it must be noted that the delegation did not receive comprehensive lists of places where persons are deprived of their liberty by a public authority, despite the CPT's requests to that effect, notably as regards detention facilities under the authority of the Ministry of Defence. In this context, **the CPT must recall the provisions of Article 8 (2) (b) of the Convention, according to which Parties to the Convention are to provide the Committee with "full information on the places where persons deprived of their liberty are being held".**

8. As regards the implementation of the recommendations made by the CPT with a view to strengthening the protection of detained persons, the Committee wishes to highlight at the outset that its delegation's findings suggest that there has been a very positive evolution since the Committee's first periodic visit to Cyprus, particularly as regards the treatment of persons detained by the police. It is also noteworthy that the remarks made by the CPT's delegation during the meeting held with the Cypriot authorities at the end of the second periodic visit received prompt and constructive responses. Reference shall be made to those responses in the relevant parts of this report.

II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED

A. Police establishments²

1. Torture and other forms of ill-treatment

9. The CPT would recall that the information gathered during the first periodic visit to Cyprus in November 1992 led it to conclude that persons held in certain police establishments - and, more particularly, in Limassol Town Police Station - ran a serious risk of severe ill-treatment/torture (cf. Part I, paragraph 21).

Consequently, the CPT recommended "that a body composed of independent persons be set up to conduct a thorough inquiry into the methods used by police officers at Limassol Town Police Station when holding and questioning suspects" (cf. Part I, paragraph 22). Subsequently, by a decision dated 3 September 1993, the Ministerial Council appointed an independent committee (Board of Inquiry) to investigate the methods used by police officers when arresting, holding and questioning suspects over the period 1 January 1990 through to 10 September 1993³.

In its report, submitted to the Council of Ministers on 3 November 1995, the Board of Inquiry concluded that "at least [...] in 1992, at Limassol Town Police Station there was in operation an organised system of [subjecting] detainees to inhuman torture with the aim of securing confessions of guilt by them." The methods employed were much the same as those described in Part I, paragraph 15.

The Board of Inquiry also found that "the brutality of certain members of the Larnaca Police, without reaching the degree of that of Limassol [was] equally criminal and unacceptable."

10. In the course of the second visit, the CPT's delegation spoke to many persons who were, or had recently been, detained by the police about their experiences while in custody. Such persons were interviewed in several of the police establishments visited and at the Nicosia Central Prisons.

Contrary to what had been the case in 1992, the persons interviewed during the May 1996 visit to Cyprus made no allegations of torture or severe ill-treatment by the police. Further, the delegation heard only few allegations of other forms of ill-treatment (slaps, twisting of the ear, menacing attitude).

² The legal position concerning the detention, treatment and questioning of persons detained by the police was set out in the report drawn up after the CPT's first periodic visit to Cyprus in 1992.

³ Date of publication of the decision of the Ministerial Council in the Official Gazette of the Republic.

11. However, both before and during the visit, the CPT received information concerning a number of relatively recent cases of alleged ill-treatment by police officers. In one of those cases (cf. Part I, paragraph 12, fifth sub-paragraph), the allegations - which were supported by medical evidence - involved severe physical ill-treatment/torture of a detained person. It should be added that all of the cases had been or were being investigated by the Cypriot authorities.

12. Following the 1994 amendment of the law governing the institution of the Commissioner for Administration, the latter investigated several cases of alleged ill-treatment by the police following the submission to him of a complaint or at the request of the Attorney General. The attention of the CPT was in particular drawn to four of them.

One case concerned the allegations made by a person who claimed that he had been ill-treated by police officers at his place of work in November 1994. The Ombudsman concluded that the person in question was unjustifiably assaulted while being interrogated. He recommended that a disciplinary investigation be carried out into the conduct of the police officer concerned.

A second case involved allegations of ill-treatment by Nicosia Criminal Investigation Department officers in November 1994. In the opinion of the Commissioner for Administration, the police failed sufficiently to explain the injuries apparently sustained by the person concerned during his custody. He considered that, despite the difficulties encountered during his investigation of the complaint (due to insufficient medical records) (cf. paragraph 17), the allegations were plausible and justified him sending the report to the Attorney General. Subsequently, the Attorney General gave leave for the institution of private criminal proceedings against the police officers involved.

In a third case, dating August 1995, the Commissioner for Administration concluded that the force used to arrest a man "exceeded that which was necessary" and that once he had been brought under control, the police officers in question "continued to hit him cruelly". It should be added that the person in question also alleged that he had been ill-treated while detained at Limassol Police Station.

Finally, in a case involving allegations of repeated instances of severe ill-treatment of a Cypriot of Turkish origin in October 1995 - allegations which were supported by abundant medical evidence - the Commissioner for Administration concluded that the complainant had been ill-treated at two different stages: at the time of his arrest - and after he had been brought under control - when he was attacked by a group of police officers, and subsequently while being transported from the place of arrest to the Larnaca Police Station. According to the Commissioner for Administration, the police officers acted on both occasions "with unprecedented brutality and complete lack of respect for human dignity and life".

13. The generally positive evolution observed by the CPT's delegation as regards the treatment of detained persons by the police demonstrates the effectiveness of the action taken by the Cypriot authorities to investigate allegations of ill-treatment. However, the persistence of some cases of ill-treatment indicates that those authorities must remain vigilant and place particular emphasis on prevention.

14. The Ministry of Justice and Public Order, which is responsible for the police force in Cyprus, has expressly informed police officers that they should abide by the Constitution and the Law, as well as by the European Convention on Human Rights, and be respectful of the rights of the persons with whom they have to deal⁴, and that the Government would not tolerate violations of the relevant laws and regulations⁵. **The CPT recommends that this message to police officers be recalled in an appropriate form at suitable intervals.**

15. Of course, the best possible guarantee against ill-treatment is for its use to be unequivocally rejected by police officers. Consequently, the CPT is pleased to note that new recruits attending the Police Academy receive training in human rights questions from the Attorney General and from independent lawyers/lecturers (who impress upon the recruits the prohibition of ill-treatment/torture of detained persons). Nonetheless, **if such education and professional training are to be fully effective, they should not be restricted to newly recruited police officers but extend to all levels of the law enforcement hierarchy and be ongoing.**

Further, the CPT would like to stress once again that **particular attention should be paid to training in the handling of - and more specifically talking to - detained persons (i.e. interpersonal communication skills) as well as in modern investigation techniques.**

16. Another important means of preventing ill-treatment by the police lies in the diligent examination of complaints of such treatment at the judicial and/or administrative level and the adoption of appropriate responses (cf. also Part I, paragraphs 23 and 24). This will have a strong dissuasive effect on law enforcement officials minded to ill-treat detained persons, who might otherwise have the impression that they could do so with legal impunity.

The CPT has noted, in this context, the support expressed by the Minister for Justice and Public Order and by the Attorney General in favour of widening the powers of the Commissioner for Administration, by conferring upon him the attributes of a criminal investigator when examining complaints lodged against the police.

The CPT would like to be informed of any developments as regards this matter.

It would also like to receive information on progress made in the investigation/prosecution of the cases referred to in paragraph 12.

17. The importance of the role to be played by doctors appointed to carry out forensic tasks should also be emphasised. The findings of such doctors will carry considerable weight in legal and/or disciplinary proceedings; it is therefore essential that they be closely involved in cases of alleged ill-treatment by the police. In this connection, the CPT has noted that, as from 1994, a forensic doctor (coroner) has inter alia the duty to examine cases of individuals "who claim to have been brutalised during their detention or arrest or in any other circumstances" and that it was envisaged to reinforce existing forensic medical services by appointing a small number of assistant forensic doctors.

In this context, **the CPT recommends that steps be taken to ensure that:**

⁴ cf. Message from the Minister of Justice and Public Order, Mr Alecos Evangelou, to the police, dated 2 April 1993.

⁵ cf. Document submitted by the Ministry of Justice and Public Order to the Board of Inquiry set up to conduct an inquiry into the methods used by the police when arresting, holding and questioning suspects, dated 8 May 1995.

- **whenever a public prosecutor or investigating judge receives a complaint of ill-treatment by the police, or observes that someone brought before him could have been the victim of ill-treatment, he immediately requests a forensic medical examination of the person concerned and brings the matter to the attention of the relevant public prosecutor;**
- **persons taken into police custody who are subsequently released without being brought before a public prosecutor or judge are able independently to solicit a medical examination/certificate from the relevant forensic doctor;**
- **the medical certificate drawn up after such a forensic examination contains:**
 - i) an account of statements made by the detainee which are relevant to the medical examination (including his description of his state of health and any allegations of ill-treatment),**
 - ii) an account of objective medical findings based on a thorough examination, and**
 - iii) the doctor's conclusions in the light of i) and ii).**

18. As indicated in the report on the CPT's first visit to Cyprus, prolonged periods of detention of suspects in police premises may lead to high risk situations. In the interests of the prevention of ill-treatment, it is far preferable for all persons remanded in custody by a judge to be placed in an establishment administered by the prison authorities and staffed by prison officers. Consequently, in its first report, the CPT expressed reservations as regards the power of judges to remand arrested persons in police custody in certain cases⁶, and recommended that it be reviewed.

In response to that recommendation, the Cypriot authorities merely stated that the power of judges to remand persons in police custody was in conformity with Article 11(2)(c) of the Constitution. This is not a convincing reply; the approach advocated by the CPT would also be perfectly in conformity with the Cypriot Constitution.

19. The delegation which carried out the second periodic visit to Cyprus observed that it was still commonplace for criminal suspects to spend weeks in police establishments.

In this context, the delegation was told that the possibility was being considered of centralising police detention facilities in a small number of purpose-built establishments. This could prove a most positive development from the standpoint of improving conditions of detention for persons remanded in custody. Nevertheless, with a view to preventing ill-treatment, the CPT considers that such purpose-built detention facilities should be administered by the prison authorities and staffed by prison officers.

The CPT would like to receive the views of the Cypriot authorities on the above remarks.

⁶ It should be recalled that, after the initial period of 24 hours within which a person detained by the police must be brought before a judge, the person concerned may be remanded in police custody - rather than to prison - for renewable periods of up to eight days, if the judge is satisfied that it is necessary for the purposes of the criminal investigation (cf. Section 24 of the Law on Criminal Procedure).

2. Conditions of detention in police establishments

a. introduction

20. The general criteria employed by the CPT about conditions of detention in police establishments should be reiterated. All cells should be of a reasonable size for the number of persons they are used to accommodate, and have adequate lighting (i.e. sufficient to read by, sleeping periods excluded) and ventilation; preferably, cells should enjoy natural light. Further, cells should be equipped with a means of rest (e.g. a fixed chair or bench), and persons obliged to stay overnight in custody should be provided with a clean mattress and clean blankets.

Persons in custody should be allowed to comply with the needs of nature when necessary in clean and decent conditions, and be offered adequate washing facilities. They should have ready access to drinking water and be given food at appropriate times, including at least one full meal (i.e. something more substantial than a sandwich) every day. Persons held for extended periods (24 hours or more) should, as far as possible, be offered outdoor exercise every day.

21. In most countries visited by the CPT, persons are held for only a relatively short time on police premises. However, as already indicated, in Cyprus, a criminal suspect can be remanded in police custody for up to a maximum of three months. Further, foreign nationals detained under the Aliens and Immigration Law can be held for prolonged periods in police establishments; several of the foreign nationals met by the delegation in 1996 had already been held for weeks, and the delegation heard of recent cases of foreign nationals having been held for months in police establishments awaiting expulsion. Such periods of detention call for a better material environment than that described above, as well as a suitable activities programme.

22. In its report on the 1992 visit to Cyprus, the CPT criticised certain aspects of the material conditions of detention observed in police establishments, and recommended that the situation be reviewed in the light of its comments. It also recommended that appropriate steps be taken to ensure that conditions of detention in police stations in general meet the criteria set out in paragraph 29 of that report. It was observed during the second periodic visit that certain steps had been taken to improve conditions of detention in police establishments but that a considerable amount remained to be done to bring the situation into line with the CPT's recommendations.

b. situation in the police establishments visited

i. *the Police Prison*

23. The new Police Prison (cf. Part I, paragraph 31), represented a distinct improvement as compared to the facilities which were being used in November 1992. Nevertheless, it replicated certain of the failings which had affected the previous premises.

24. It was noted that cells measuring 6 to 7m² were considered suitable - and often used - to accommodate two persons, and that a cell measuring approximately 21 m² was being used to accommodate seven persons. At those occupancy levels, they offered only cramped accommodation for the detainees concerned. This situation is all the more of concern in view of the extended periods of time during which persons may be detained in the Police Prison.

The CPT recommends that the permitted occupancy levels of the cells be lowered. The cells measuring 6 to 7m² should not be used as overnight accommodation for more than one person and the 21m² cell for more than five.

25. All detainees were provided with mattresses and blankets. However, **the state of cleanliness of bedding left room for improvement.** Further, **the delegation heard complaints that personal hygiene products had only been distributed two days before the visit** (apparently before that, only detainees in a position to pay for such products could obtain them).

Accommodation for detainees benefitted from good ventilation and access to natural light; artificial lighting also appeared to be adequate.

The general state of the premises left something to be desired. However, the CPT's delegation noted that a limited renovation programme had recently commenced; cells had been painted and work was in progress in order to repair windows and replace broken window panes, as well as to improve and renovate sanitary facilities. **The CPT trusts that steps will be taken to keep the premises in a satisfactory state of repair.**

26. At the time of the delegation's visit, an "open door" policy was in operation during the day (thereby enabling the detainees to circulate in the corridor) and detainees also had regular access to an outside exercise facility. Detainees did not have access to a call system at night, but the facility was sufficiently open to ensure that they could attract the attention of staff at all times. Nevertheless, **the delegation heard some allegations that staff members were slow to respond to requests to have access to a lavatory at night.**

ii. *police stations*

27. On the whole, the cells in the police stations visited were of a reasonable size for the numbers of persons they were intended to accommodate. However, at Omorfitas and Lykavitos Police Stations, cells measuring 6 to 8 m² were being used as overnight accommodation for two persons.

The CPT recommends that the above mentioned cells accommodate no more than one person overnight.

28. All cells were equipped with sufficient beds for the number of persons they were intended to accommodate; however, at Larnaca Central Police Station, the mattresses and blankets were dirty.

As was the case during the first periodic visit, lighting and/or ventilation in many of the cells visited (at Ayios Ioannis Police Station, Larnaca and Limassol Central Police Stations, Lykavitos Police Station) left room for improvement. It is particularly noteworthy that in certain police stations, cell windows had been completely screened or covered. In this respect, it should be pointed out that there are means of meeting security requirements without limiting detainees' access to natural light.

The CPT recommends that steps be taken to remedy the above-mentioned shortcomings.

29. Detainees were allowed to circulate freely during the day in the cell block corridors. However, the situation was far less favourable at night; detainees were locked in their cells and had no access to a call system. **The risk of a detainee in need being left unattended would be significantly reduced if a call system existed in all police cells (cf. also Part I, paragraph 38).**

Some police stations possessed a secure outdoor exercise area, whether a veranda or a courtyard (Larnaca, Limassol and Paphos Central Police Stations, and Paralimni Police Station). However, no such facilities were available at Ayios Ioannis, Lykavitos and Omorfitas Police Stations.

30. The position as regards the provision of food to persons in police custody had not changed since 1992. The food provided was adequate from a nutritional standpoint. However, unless supplemented by the detainee's family or at his own expense, the daily ration consisted invariably of a quantity of bread, cheese, tinned beef or eggs, accompanied by a tomato, a cucumber, olives, a piece of fruit and milk, the whole ration being distributed once a day (early in the morning or at midday). No hot meals were provided and no facilities for handling food in accordance with basic hygiene requirements were available on police premises.

Such a situation is not ideal, in particular as regards persons held in police custody for a prolonged period. **The CPT recommends that steps be taken to remedy the above-mentioned shortcomings.**

iii. holding facility for foreigners at Larnaca airport

31. The conditions which prevailed at the facility being used at Larnaca Airport to hold foreigners refused entry to the country were not acceptable; they posed a significant risk to the physical and mental well-being of the persons concerned.

The facility consisted of a 50 m² room in the departure area (a second room, intended to accommodate women, had not yet been brought into service). Equipped with four beds and five benches, it was holding 9 persons at the time of the delegation's visit, all of whom had spent the previous night there and would certainly spend at least one more night in the facility. The room had no access to natural light and ventilation was inadequate; there was artificial lighting, but it was out of order in the adjacent sanitary annexa. At the time of the visit, the room was dirty and the sanitary annexa was in a deplorable state of hygiene.

Arrangements for the provision of food to persons placed in the holding facility were also not satisfactory. The persons detained in the facility at the time of the visit had been there for over 16 hours, but it was only upon the delegation's arrival that they were provided with food for the first time.

It should be added that throughout their period of detention at the airport, foreign nationals were not allowed to leave the holding facility.

32. At the end of visit meeting held on 21 May 1996, the delegation requested that the Committee be informed within three months of the steps taken to remedy the situation described above.

The information subsequently transmitted to the Committee by the Cypriot authorities indicated that the necessary instructions had been issued. **The CPT wishes to receive information on the precise steps taken.**

In this connection, the CPT recommends in particular that:

- **all persons required to spend the night in the holding facility for foreigners at Larnaca Airport be supplied with mattresses and blankets;**
- **those detained for an extended period (24 hours or more) be offered, as far as possible, outdoor exercise every day;**
- **persons placed in the holding facility at Larnaca airport be given food at appropriate times, including at least one full meal every day.**

c. detention for prolonged periods

33. As had been the case in 1992, none of the police establishments visited offered the material conditions or the opportunities for activities that persons detained for prolonged periods are entitled to expect. The new Police Prison would offer adequate material conditions for prolonged stays if the issues raised in paragraphs 23 to 26 were addressed satisfactorily; however, even then, the problem of lack of activities would remain. In this connection, the CPT wishes to emphasise that it is not sufficient to provide a person deprived of his liberty for a prolonged period with generous out-of-cell time, if the only option open to that person during the time in question is to move idly about a corridor or yard.

34. The practice of placing persons remanded in custody in police premises has already been discussed (cf. paragraphs 18 and 19), the point being made that, in the interests of preventing ill-treatment, such persons should be placed in an establishment administered by the prison authorities and staffed by prison officers. Whether that establishment is the Nicosia Central Prisons or a decentralised purpose-built detention facility, **the objective should be to ensure that persons remanded in custody are able to spend a reasonable part of the day (eight hours or more) outside their cells engaged in purposeful activities.**

35. As regards persons detained under the Aliens and Immigration Law, the CPT considers that the practice of placing them in police detention facilities, together with criminal suspects, should be reviewed.

The Committee wishes to stress in this connection that the detention of persons under aliens legislation gives rise to particular problems. Firstly, there will inevitably be difficulties of communication due to linguistic barriers. Secondly, many such persons will deeply resent being deprived of their liberty, given that they are not suspected of any criminal offence. Thirdly, tensions may arise between detainees of different nationalities or ethnic groups. It follows that staff called upon to supervise such persons should be carefully selected and receive appropriate training. They should possess developed interpersonal communication skills and be familiar with the detainees' different cultures; further, at least some of them should have appropriate language skills.

In the light of the above, and bearing in mind that a large number of persons are detained in Cyprus under the Aliens and Immigration Law, **the CPT recommends that the Cypriot authorities explore the possibility of creating one or more specific centres for such persons, offering material conditions of detention and a regime appropriate to their legal situation and possessing suitably qualified staff.**

3. Safeguards against the ill-treatment of detained persons

a. introduction

36. In the report drawn up following the first periodic visit to Cyprus, the CPT examined in some detail the safeguards against ill-treatment offered to detained persons (including notification of custody, access to a lawyer and access to a doctor) and made a number of recommendations in this area (cf. Part I, paragraphs 47 et seq.). The Committee also indicated that detainees should be immediately informed of all their rights in a language which they understand.

The responses of the Cypriot authorities to the CPT's report did not remove all the doubts entertained by the Committee in this field; consequently, these issues were pursued further by the CPT during the second periodic visit.

b. notification of custody

37. The interviews with persons who were or who had recently been in the custody of the police, as well as the conversations held with officers in a number of police stations, suggest that detained persons are in general offered the possibility to have the fact of their detention notified to a close relative or third party of their choice. In some cases, detainees themselves were allowed to make a telephone call.

However, it would appear that the above situation is the result of a practice followed by the police rather than an obligation provided for by law; in other words, the matter remains at the discretion of the police. Moreover, the information gathered by the CPT's delegation clearly indicated that the offer to inform someone, and the ensuing notification of custody, was often delayed until the person concerned had given a statement or made a confession to the police.

38. The CPT must emphasise that the right of a detained person to inform a relative or a third party of his choice of his situation should be expressly guaranteed by law, and be accorded to the person concerned as from the very outset of custody; any possibility exceptionally to delay the exercise of that right should be clearly circumscribed and made subject to appropriate safeguards (e.g. any delay to be recorded in writing with the reasons for the decision, and the authorization of the prosecuting authorities or of a judge to be sought).

Accordingly, **the Committee recommends that steps be taken to bring the legal situation in Cyprus into line with the above remarks.**

c. access to a lawyer

39. In principle, all persons arrested by the police in Cyprus have the right of access to an independent lawyer, a right which includes the possibility to contact and to be visited by the lawyer in conditions guaranteeing the confidentiality of their discussions. However, certain factors appear to limit the effectiveness of this right in practice.

Firstly, certain police officers with whom the delegation spoke stated that a detained person would only be informed of his right of access to a lawyer when being cautioned (before the taking of a formal statement); the person detained might spend some time in police custody before this stage is reached. Secondly, in the event of a detained person not knowing a lawyer or not being in a position to pay for one, the process of appointing a lawyer could take a considerable time.

The CPT recommends that the Cypriot authorities take appropriate steps to ensure that all persons taken into police custody are placed in a position effectively to exercise their right to have access to a lawyer as from the outset of their custody.

40. It should also be noted that the information gathered by the CPT's delegation suggests that it is very rare for a lawyer to be present during police interrogations.

The CPT considers that in addition to the right to talk to a lawyer in private, a person in police custody should also be entitled to have the lawyer present during any interrogation conducted by the police (whether this be during or after the initial period of police custody). Naturally, the fact that a detained person has stated that he wishes to have access to a lawyer should not prevent the police from beginning to question him on urgent matters before the lawyer arrives. Provision might also be made for the replacement of a lawyer who impedes the proper conduct of an interrogation, though any such possibility should be closely circumscribed and made subject to appropriate safeguards.

The CPT would like to receive the comments of the Cypriot authorities on this question.

d. access to a doctor

41. The CPT's delegation was informed that a detainee needing medical treatment would normally be transferred to a general hospital; however, **allegations were received concerning a few cases where access to a doctor had apparently been delayed for a considerable period of time.**

As regards access to a doctor of the detainee's own choice, the Cypriot authorities informed the Committee in their response to the first CPT visit report that "if they wish, persons in custody can be examined by a private doctor of their choice, at their own expense".

The CPT recommends that this possibility be given a firm legal basis.

42. In their response, the Cypriot authorities also indicated that "the recommended procedure for the medical examination of persons in custody (out of the hearing of the police) is the one already followed". The information gathered by the CPT's delegation during the second periodic visit tended to confirm this state of affairs.

Nevertheless, **the CPT wishes to reiterate its recommendation that the results of every medical examination, as well as any relevant statements by the detainee and the doctor's conclusions, be recorded in writing by the doctor and made available to the detainee and his lawyer.**

e. information on rights

43. At the time of the second periodic visit, the "Notice to persons in custody" (cf. Part I, paragraph 57) was displayed in Greek, Turkish and English in police detention facilities and, in one establishment, also in Arabic.

To ensure that detainees are always informed in good time of their rights, **the CPT recommends that this notice be systematically handed to persons arrested by the police at the outset of their custody. Further, they should be asked to certify that they have been informed of their rights.**

f. conduct of interrogations

44. In the report drawn up after the first periodic visit, the CPT recommended that the Cypriot authorities draw up a code of conduct for interrogations by police officers and spelt out some of the key issues to be dealt with in such a code. In response to that recommendation, the Cypriot authorities referred to a series of "Administrative Instructions which are the subject of lectures at the Police academy".

As was pointed out in the CPT's first visit report, those administrative instructions did not appear to be widely known by police officers and, in any event, could be usefully supplemented. **The CPT must therefore reiterate its recommendation that a code of conduct for interrogations by police officers be drawn up.** The existence of such a code would inter alia help to underpin the lessons taught during police training.

45. **The CPT would also like to be informed of the outcome of the examination carried out by the Cypriot authorities into the possibility of introducing an electronic recording system for police interrogations.**

g. custody registers

46. In its report drawn up after the first periodic visit, the CPT recommended that the Cypriot authorities draw up a custody record for each person detained by the police. The Cypriot authorities subsequently indicated that such a record had been drawn up and that instructions for its use had been issued on 8 July 1994.

47. It was noted during the second periodic visit that the new custody record was being used in several of the police stations visited; a wide range of information (cell checks carried out by the officer on duty; visits by family members, lawyer or friends; transfers to hospital; etc.) was being registered in detail.

The CPT welcomes this development and **trusts that, in due course, the new custody record will be used in all police establishments.**

h. persons detained under the Aliens and Immigration Law

48. **The CPT wishes to stress that the recommendations in this section concerning safeguards against ill-treatment apply to all detained persons, including those deprived of their liberty under the Aliens and Immigration Law.**

49. In this context, it should be noted that many of the foreigners in police custody interviewed by the CPT claimed that they had not been informed of the procedure which was applied to them and had been deprived of the possibility to maintain contact with the outside world. The Committee perceived a distinct feeling of helplessness and uncertainty among the persons concerned.

The CPT recommends that persons detained under the Aliens and Immigration Law be systematically provided with a document explaining the procedure applicable to them and setting out their rights; this document should be available in the languages most commonly spoken by those concerned and, if necessary, the services of an interpreter should be made available. Further, such persons should have access to a telephone and be able to receive visits from relatives, lawyers, consular representatives, etc.

50. Finally, it is axiomatic that it would be in violation of both national and international legal obligations for persons to be returned to a country where they run a risk of being subjected to torture or to inhuman or degrading treatment or punishment. **The CPT would like to receive a detailed account of the precise practical steps taken by the Cypriot authorities to ensure that such a situation does not occur.**

B. Nicosia Central Prisons

1. Introduction

51. The essential characteristics of Nicosia Central Prisons were described in the report on the first periodic visit (cf. Part I, paragraph 72). The total number of persons held in the prison at the time of the visit was 214 (as compared to 231 in November 1992), including twelve women. Twenty-two of the prisoners were on remand and eighty-four were foreign nationals.

2. Torture and other forms of ill-treatment

52. The CPT's delegation heard no allegations of torture of prisoners by prison staff. Further, with one exception, no allegations of other forms of physical ill-treatment of inmates by prison staff were received, nor any other evidence of such treatment gathered.

53. The exception consisted of the alleged ill-treatment by prison officers of two inmates of Turkish origin following their attempted escape on the evening of 27 January 1996. The delegation received information concerning that incident from the very outset of its visit to Nicosia Central Prisons. Subsequently, the delegation spoke to the two inmates concerned and examined the relevant prison records (including various registers, a video recording of part of the events on 27 January 1996 and medical files).

54. The two prisoners stated that after their escape had been thwarted, they were taken to an office, where they were handcuffed to window bars and repeatedly struck by prison officers using batons. The delegation was told by other prisoners that the two inmates displayed clearly visible injuries when they were transferred to the segregation unit (Wing 4) of the prison about one hour after the attempted escape.

A video recording of the attempted escape showed that one of the prisoners had been struck several times by a prison officer after being pulled down from the perimeter fence, but the aftermath was not recorded.

The medical records cast little additional light upon the matter. One of the inmates was examined in his cell by the prison doctor two days after the incident (on 29 January 1996) and apparently complained only of backache. No external signs of internal injuries or fractures were observed by the doctor, but the presence of a haematoma on the right thigh in the process of reabsorption was recorded. The second prisoner was seen by the prison doctor six days after the incident (on 2 February 1996) and complained of pain in the right shoulder blade and ribs; however, no internal injuries or fractures were recorded.

55. An administrative inquiry was carried out into the attempted escape. The two inmates made a formal statement to the prison director; further, one of them spoke to a United Nations representative, apparently in the presence of the director. On neither of those occasions did they make any allegations of ill-treatment.

The two inmates claimed that, prior to the CPT's visit, they had wished to file a complaint but, for various reasons (e.g. lack of independence of the potential interlocutors and confidentiality of their contacts not being guaranteed), had been reluctant to do so.

The CPT understands that a disciplinary investigation has subsequently been ordered into the "alleged use of violence" following the attempted escape referred to above. **It would like to be informed of the results of that investigation and of any further action taken concerning the incident.**

56. As already indicated, the above mentioned prisoners were only seen by the prison doctor some considerable time after the events in question.

In this context, **the CPT recommends that legal provisions be adopted to ensure that a prisoner against whom any means of force have been used is immediately offered a medical examination and, if necessary, medical treatment. This examination should be conducted out of the hearing - and preferably out of the sight - of non-medical staff, and the results of the examination (including any relevant statements by the prisoner and the doctor's conclusions) should be formally recorded and made available to the prisoner.**

57. Reference should also be made in this section to the fact that a number of inmates held in the segregation unit alleged that they had been threatened with being moved to Block 11 of the prison. The cells in this block were very small (4 m²), deprived of any form of lighting and poorly ventilated; moreover, they were situated in a remote part of the prison complex. The delegation observed that three of the cells were equipped with a mattress, blankets and sheets. To place a prisoner in such a cell, no matter what the grounds or for how short a period, or to threaten him with such a measure, would be unacceptable.

The Director of the prisons stated that the cells in Block 11 had never been used - and that he had no intention to use them - as prisoner accommodation. **The CPT recommends that the cells in question be rendered unusable as places of deprivation of liberty.**

3. Conditions of detention

58. As had been the case in November 1992, material conditions of detention in the Central Prisons were on the whole acceptable⁷.

59. In the report on the 1992 visit, the CPT made certain remarks and recommendations, particularly as regards occupancy levels within the prison's cellular/dormitory accommodation. In this connection, the CPT recommended that individual cells measuring up to 7m² be used to accommodate only one person and that 20m² dormitories be used to accommodate no more than four to five persons.

In their response, the Cypriot authorities indicated that, as at November 1993, occupancy levels in prisoners' accommodation were in accordance with the Committee's recommendations. In the course of the second periodic visit, the CPT's delegation observed that, with few exceptions, this remained the case.

60. The delegation observed that a number of other significant improvements to material conditions of detention had been made since 1992. In particular, sanitary facilities had been upgraded, a heating system had been installed throughout the establishment, new kitchen facilities had been brought into service and the reception area had been modernised. However, as regards the latter point, **the CPT invites the Cypriot authorities to give further consideration to means aimed at ensuring a suitable degree of privacy during searches and reception procedures.**

61. The position as regards access to a lavatory at night for inmates not wishing to use a bucket or pot in their cells remained unchanged; the prisoner concerned had to seek to attract a prison officer's attention by banging on the cell door and/or shouting. The CPT's delegation was informed that the installation of integral sanitation in the cells was foreseen. **The CPT considers that this measure should be accorded a high priority; it would like to receive further details on this subject.**

As regards the recommendation made by the CPT after the first periodic visit that all cells be equipped with a call system, the Committee has noted that work to install such a system in all cellular accommodation will commence in 1997.

62. The situation as regards activities offered to prisoners remained on the whole satisfactory. In particular, all convicted male prisoners who wished to work had a job. Moreover, remand prisoners likely to remain in the establishment for a prolonged period could apply for - and would apparently be provided with - work. A variety of educational activities were also offered (computing, English, Greek, French, basic arithmetics, psychology, etc.), in which a significant number of inmates participated.

⁷ For further details as to the situation observed in November 1992, cf. paragraphs 75 and seq.

63. The CPT's delegation heard certain complaints about the limited range and interest of activities offered to inmates held in the segregation unit, a matter which was brought to the attention of the prison authorities. In response, the delegation was informed by the Director of prisons that, although work opportunities were limited to cleaning duties, gardening and handicraft, prisoners held in the segregation unit were entitled to participate in educational activities offered in the closed prison and, subject to his authorization, in the recreational activities organised within the establishment. He added that "we shall always pay much attention towards the effort of improvement and enrichment of all creative recreational programmes for the benefit of the inmates of Wing four".

The CPT recommends that the Cypriot authorities persist in their attempts to provide prisoners in Wing 4 with more stimulating activities. As regards more particularly work, consideration might usefully be given to the suggestions made in paragraph 87 of the Explanatory Memorandum to the Recommendation (No. R (82) 17) on the custody and treatment of dangerous prisoners, adopted by the Committee of Ministers of the Council of Europe on 24 September 1982.

64. In its report on the first periodic visit, the CPT indicated that the activities offered to female prisoners were not entirely satisfactory. The delegation which carried out the second periodic visit found that improvements had also been made in this area. Educational activities were being offered to female prisoners (inter alia English, French, computing) and certain other activities were available to them (cooking, painting, cleaning, gardening, sewing). Further, books could be ordered from the library and female inmates could watch television or listen to the radio.

4. Health-care services

a. health care in general

65. The Nicosia Central Prisons medical staff comprised one general practitioner, who held four surgeries every week, each lasting up to three hours, a psychiatrist and a dentist, who held weekly surgeries, and a psychologist, present in the establishment on weekdays.

The time spent by the general practitioner at the Nicosia Central Prisons was insufficient; an establishment with a theoretical capacity of nearly 300 inmates and an actual population of over 200 remand and sentenced prisoners should have the equivalent of at least one half-time doctor (e.g. holding five four-hour surgeries every week). This state of affairs was bound to have repercussions on the standard of care offered in the establishment.

Among the predictable consequences of the limited time spent by the general practitioner at the prisons, the CPT would draw particular attention to the cursory nature of the medical consultations⁸ and a doctor-patient relationship which left something to be desired. By way of illustration, a typical session with the doctor took place as follows: upon entering the consulting room, a patient would pick up his record (which would be lying on a table) and hand it to the doctor and, without being offered a seat, tell him about his complaints; certain prisoners were given a brief examination and, if necessary, the doctor completed a prescription - often prepared in advance by a medical orderly. The whole process lasted three to four minutes.

The CPT recommends that the Cypriot authorities take appropriate steps to provide general practitioner coverage in Nicosia Central Prisons amounting to the equivalent of at least one half-time post.

66. Medical staff were assisted by six prison officers acting as medical orderlies, who had received some training in first aid and basic care (a two to three month course in Nicosia Central Hospital). The medical orderlies carried out various tasks which are normally reserved for qualified nurses or even doctors (dressing wounds, giving intravenous injections and taking blood samples, stitching, managing the pharmacy and distributing medicines, and keeping medical records).

The CPT considers that, in addition to medical orderlies, an establishment the size of Nicosia Central Prisons should also have qualified nursing staff. The role of such staff should include supervising the work of medical orderlies and transmitting to them the necessary knowledge.

The CPT recommends that the Cypriot authorities take steps to provide the Nicosia Central Prisons' health-care service with at least one full-time qualified nurse.

⁸ The doctor informed the delegation that he saw some 220 to 240 patients per week at his surgeries.

67. By contrast, the CPT's delegation noted that, as compared to 1992 (cf. Part I, paragraph 89), the health-care facilities and equipment had improved significantly. The health-care service disposed of a consulting room, a dental surgery, a small room for examinations and dressings, a waiting room, an archives room and a pharmacy, all of which were suitably equipped.

b. confidentiality

68. The medical members of the delegation observed that the confidentiality of medical information at Nicosia Central Prisons was not guaranteed.

Such information was recorded in two documents. One was completed upon an inmate's medical examination on admission and contained certain basic information, including a case history and details of any transmissible diseases; it was then incorporated into the prisoner's administrative records, held by the prison management. The other document - the inmate's medical file - was opened when a prisoner had his first medical consultation. It was kept in a small archives room in the premises used by the health-care service; however, both medical orderlies and other prison officers had free access to that room.

In this context, the CPT wishes to stress that medical confidentiality must be observed in prison under the same conditions as those which prevail in the community at large; this implies inter alia that the keeping of medical records should be the doctor's responsibility.

69. The CPT's delegation was also concerned about the conditions under which medical consultations and examinations took place at Nicosia Central Prisons. In particular, a medical orderly was always present during consultations, and other prison officers entered and left the consulting room of their own accord.

The CPT wishes to recall that all medical examinations of prisoners, whether on admission or at a later stage, should be conducted out of the hearing and - unless the doctor requests otherwise - out of the sight of prison officers.

70. The CPT recommends that the Cypriot authorities take immediate steps to guarantee the confidentiality of medical information and consultations at Nicosia Central Prisons. Respect of confidentiality is a basic right of the individual and is essential to the atmosphere of trust which is a necessary part of the doctor-patient relationship, especially in prisons, where a prisoner cannot freely choose his own doctor.

c. transmissible diseases

71. The CPT is very concerned about the situation which prevailed at Nicosia Central Prisons regarding transmissible diseases, and more particularly hepatitis B and HIV infection. The recommendations made following its first visit (cf. Part I, paragraph 93) had not been implemented; the segregation of hepatitis B and HIV positive prisoners was still the rule and there appeared to be no programme worthy of the name to inform prisoners and staff about transmissible diseases (i.e. risks of transmission and means of protection).

72. At the time of the visit, four hepatitis B positive prisoners were being accommodated in the former prison infirmary. Material conditions were acceptable. However, the inmates concerned complained of a total absence of activities⁹ as well as of a lack of information concerning transmissible diseases and the precautions to be observed. Further, it appeared that they were not kept informed of the evolution of their medical condition.

73. The establishment's doctor informed the delegation that the medical examination of newly admitted inmates included in all cases the taking of a blood sample (with a view to performing serological tests for hepatitis and HIV). It appeared that at least some prisoners, particularly those of foreign origin, were not informed of the nature of the tests to be carried out. Once the results were known - two to three weeks after arrival in prison - hepatitis B and/or HIV positive prisoners were segregated in the former infirmary.

74. The CPT must once again emphasise that there is no medical justification for the segregation of prisoners who have tested positive for hepatitis B or HIV but who are well. This view - which the CPT's delegation made known to the Cypriot prison authorities - was shared by the competent officials in the Cypriot public health service with whom the delegation had discussions.

The CPT therefore recommends that the Cypriot authorities:

- **put an end to the segregation of hepatitis B and HIV positive prisoners in Nicosia Central Prisons;**
- **ensure that similar segregation policies are not applied in any other establishments in Cyprus where persons are deprived of their liberty.**

More generally, **the CPT recommends that the Cypriot authorities take steps to ensure that suitable information on transmissible diseases (risks of transmission and means of protection) is provided to both prisoners and staff at Nicosia Central Prisons.**

⁹ The delegation was told that these prisoners could take part in sporting activities with other inmates for up to three hours per day. However, the hostility displayed by other prisoners rendered this option largely meaningless.

75. Finally, the CPT wishes to draw the attention of the Cypriot authorities to the fact that, given the current state of scientific knowledge, both the World Health Organisation¹⁰ and the Council of Europe¹¹ consider that the compulsory screening of prisoners for HIV infection should be proscribed since it is ineffective and discriminatory, and therefore unethical. The same approach should be followed for hepatitis B.

The CPT would welcome the comments of the Cypriot authorities on this subject.

5. Other issues related to the CPT's mandate

76. As had been the case in November 1992, the delegation was not provided with a clear explanation as to the criteria employed (nor, indeed, of the legal basis) for the placement of a prisoner in the segregation unit (Wing 4) on security grounds. Further, in the absence of a formal procedure accompanied by appropriate safeguards, the inmates concerned were not given the opportunity to express their views before the relevant decision was taken, nor the possibility to appeal against such a decision.

77. The CPT's delegation also found that *de facto* cellular isolation could occur without the application of a formal disciplinary procedure. This had been the case, for instance, in respect of the two persons who had attempted to escape on 27 January 1996 (cf. paragraphs 53 and 54). According to the records kept in Wing 4, they had been confined to their respective cells for 22 hours a day (the remaining two hours they were allowed to walk in the corridor) throughout a period of twenty days. However, no trace was found of a disciplinary procedure/administrative decision in their respect.

78. The Cypriot authorities have informed the CPT that, within the context of revising the prison rules following the adoption of a new prison law on 3 May 1996, account would be taken of the remarks and recommendations made in the report on its first visit to Cyprus (cf. in particular Part I, paragraph 101, second sub-paragraph) concerning the development of safeguards offered to prisoners involuntarily separated from other inmates for security or disciplinary-related reasons.

The CPT would like to receive further information on this matter.

79. In the report on its first visit to Cyprus, the CPT stressed that complaints and inspections procedures are basic safeguards against ill-treatment in prisons. In that context, the Committee examined the functions and the work of the Prison Board and made a number of remarks. The CPT welcomes the arrangements subsequently made to enable inmates to address complaints to the Prison Board in a sealed envelope and the Board's decision to publish annual reports on its activities.

¹⁰ WHO guidelines on HIV infection and AIDS in prisons, Global programme on AIDS, WHO, Geneva, 1993.

¹¹ Prison and criminological aspects of the control of transmissible diseases including AIDS and related health problems in prison, Recommendation N° R (93) 6 of the Committee of Ministers of the Council of Europe, Strasbourg, 18 October 1993.

80. Information for prisoners was available in Greek, Turkish, English and Arabic. However, the content of the information leaflet was basically the same as that available in 1992 (cf. Part I, paragraph 109), and it did not appear to be systematically handed out to newly admitted inmates. The adoption of new prison rules (cf. paragraph 78) should facilitate the drawing up of an appropriate information notice explaining the regime in force in the establishment and setting out prisoners' rights and duties. **The CPT recommends that such an information notice be drawn up and systematically handed out to all newly admitted inmates.**

Aside from the information supplied to prisoners on arrival, **it would be useful if a description of the main features of the prison's regime, a list of prisoners' rights and duties and an outline of the avenues of appeal open to them were to be posted on a permanent basis in suitable places within the detention facilities.**

81. Finally, the CPT wishes to underline that it attaches considerable importance to the training of prison officers. As indicated in the report on its first visit to Cyprus, there can be no better safeguard against ill-treatment than a properly trained prison officer who knows how to adopt the right attitude in his relations with prisoners.

The delegation observed that steps had been taken to improve the training of prison officers. For example, the prison's psychologist now contributed to the training of prison officers by imparting a course in general psychology (including topics such as the management of difficult situations, concentration at work, interpersonal communication skills). Moreover, it was intended that specific training be organised for 17 new staff to be recruited in the course of 1996. In addition, the Attorney General had taken an interest - and offered his cooperation - in the training of prison staff.

The CPT welcomes these measures and **recommends that the Cypriot authorities continue to develop the training (both initial and ongoing) of prison staff. It would like to receive detailed information on the training offered to staff recruited in 1996 and on any structured training programmes established for newly recruited officers and for those already in service.**

C. Military establishments

82. It should be said at the outset that the delegation heard no allegations of ill-treatment of persons detained by the Cypriot military forces.

83. The CPT visited two military establishments which possessed detention facilities, Tasou Markou Barracks in Klirou and A Panagidis Military Police Barracks at Nicosia. Military personnel could be detained in those facilities as a disciplinary sanction or awaiting trial. Periods of detention normally did not exceed 10 days, although there were exceptions (cf. for example, paragraph 85, third sub-paragraph).

84. The ten cells at the Tasou Markou Barracks were in an impeccable state of cleanliness and had access to natural light, adequate artificial lighting and good ventilation. The sanitary facilities - including a shower - serving the cell block were also in a satisfactory state of cleanliness. The cells had a sleeping platform, equipped with a mattress, and the delegation was told that bedding was provided to detained persons. Further, the delegation was informed that a detainee would be allowed out of his cell for up to five hours every day (to have his meals in the personnel dining room, to take outdoor exercise, etc.).

To sum up, conditions of detention at Tasou Markou Barracks were satisfactory for relatively short stays (one to two weeks); however, **the rather limited size of the cells (approximately 5.5 m²) rendered them scarcely suitable for lengthy periods of detention.**

85. Conditions of detention were less good at the A Panagidis Military Police Barracks. This establishment possessed three sets of nine cells situated in a courtyard. Only a few of the cells were used for detention purposes, the rest serving as storage space.

The cells measured a mere 4.5 m², a size which borders on the unacceptable for overnight stays. Further, they had very limited access to natural light (through a 21 by 21 cm grilled window in the cell door), had no artificial lighting and were poorly ventilated. They were not equipped with a bed, though a mattress was placed directly on the concrete floor and bedding was provided to detainees.

At the time of the visit, a seventeen year old recruit was being detained; he had already served 15 days of a 20-day disciplinary sanction. He indicated that he was allowed out of his cell for two to three hours every day (for his meals, which he ate in the mess, to take outdoor exercise, to take a shower, as well as to receive visits from his family and lawyer). Nevertheless, this still meant that the prisoner was for the greater part of the day - up to 22 hours - locked in a small and obscure cell.

The CPT's delegation indicated at the end of the visit that such conditions of detention are not acceptable. The Cypriot authorities subsequently informed the CPT that the Military Police would soon be relocated in new Barracks, possessing modern detention facilities, and that the existing detention facilities would cease to be used. **The CPT would like to receive confirmation that the Military Police has now been relocated to the new Barracks.**

D. Athalassa Psychiatric Hospital

1. Introduction

86. At the time of the first periodic visit to Cyprus, a reform of psychiatric care was underway (involving the gradual move away from traditional, mainly hospital based, practice towards a new approach, termed community psychiatry, in which services are no longer focused on the psychiatric hospital). The trend towards greater use of alternatives to hospitalisation had subsequently continued, with a further reduction in the number of patients being cared for at the Athalassa Psychiatric Hospital (cf. paragraph 87).

However, the legal framework governing involuntary admission to and treatment in psychiatric institutions in Cyprus had not changed since the CPT's November 1992 visit (cf. Part I, paragraphs 116 et seq.). The drafting process of the new law on compulsory treatment and after-care, which appeared to be well advanced in November 1992 and was nearly concluded by the end of 1993, had been temporarily shelved at the time of the CPT's second periodic visit to Cyprus. **The CPT would like to receive the comments of the Cypriot authorities on this subject.**

87. The essential characteristics of Athalassa Psychiatric Hospital were described in the report on the CPT's first periodic visit to Cyprus (cf. Part I, paragraphs 121 to 123). However, the number of patients being cared for at the hospital (approximately 430 in November 1992) had by May 1996 been reduced to less than 350, distributed among 16 buildings/wards.

Some 170 of the residents were psycho-geriatric patients and over 100 were mentally handicapped. It would appear that most of the 274 patients admitted in 1995 were readmissions.

88. The Cypriot health authorities intimated to the CPT that between 60 and 70 patients continued to reside at the hospital, merely for want of places in suitable community-based institutions.

The CPT welcomes the aspiration of the Cypriot mental health authorities that persons currently cared for at Athalassa Psychiatric Hospital who do not - or no longer - require hospitalisation be transferred to suitable community-based establishments, and **trusts that the necessary resources will be made available in order to realise fully this objective.**

2. Living conditions and treatment

89. The CPT's delegation observed that efforts had been made to improve material conditions at Athalassa Psychiatric Hospital. The improvements concerned inter alia ventilation and heating of dormitories, bedding, clothing, food, hygiene and activities offered to patients.

The most dilapidated wards had received a face-lift (though certain wards soon to be withdrawn from service had continued to deteriorate) and some renovation work had been carried out in sanitary facilities. Moreover, the state of cleanliness in most parts of the premises was acceptable, and certain of the dormitories were in a pristine condition.

90. By contrast, little progress had been made towards substituting the dormitories by smaller living units (cf. Part I, paragraph 129). In this connection, the CPT wishes to reiterate its view that **the accommodation of patients in large capacity dormitories is difficult to reconcile with modern standards of treatment.**

91. The CPT must also point out that the rooms situated at the far end of certain dormitories continued to be used to accommodate disruptive patients, whether on a permanent or an ad hoc basis (cf. Part I, paragraph 132). As had been the case in November 1992, the material conditions in these rooms were on occasion extremely poor; moreover, their fittings could easily be used by a disturbed patient to hurt him/herself.

The CPT would again stress that, in the light of their current state of maintenance and level of equipment, the said rooms are hardly suitable for accommodating disruptive patients.

92. Efforts were being made to provide appropriate activities and treatment to patients who were likely in the near future to be discharged or relocated in community-based establishments. Some 45 of them participated in the occupational therapy workshop. Further, the delegation was told that a number of other activities (e.g. of a recreational or cultural nature) were being offered to patients. However, the delegation gained the impression that little attempt was being made to provide certain patients (principally the psycho-geriatric and mentally handicapped) with appropriate activities.

The CPT would like to receive the comments of the Cypriot authorities on this subject.

93. As regards patients held under a criminal warrant (cf. Part I, paragraph 136), the CPT is pleased to note that their treatment was decided exclusively on medical grounds. One of them had been placed in normal (non secure) hospital accommodation, while the remaining five (held in a secure ward) could participate in certain activities, under suitable staff supervision. In the CPT's opinion, **there is still room for developing further the activities offered to patients held in the secure ward.**

3. Other issues

94. At the time of the second periodic visit, a register was being used to record the use of loose canvas restraint jackets. However, no centralised register was being kept of use of seclusion.

The CPT would recall its recommendation that any use of seclusion or physical restraint in respect of a patient be recorded in both the patients' file and in an appropriate register, with an indication of the times at which the measure began and ended as well as of the circumstances of the case and the reasons for resorting to such means.

The Committee wishes to add that its delegation received assurances from both nursing and medical staff to the effect that such measures are always expressly ordered by a medical doctor or immediately brought to the attention of such a doctor with a view to seeking his approval.

95. The CPT's delegation found that there was still no clearly defined arrangement for the reception of complaints by patients. Certainly, most patients had ready access to a pay phone and, apparently, there was no censorship of the patients' correspondence. However, in the opinion of the CPT, specific arrangements enabling patients to lodge complaints with a clearly designated body, and to have confidential access to a competent authority, are essential. **It accordingly recommends that the Cypriot authorities take the requisite measures, which should include the provision of information to patients on the possibility of making a complaint.**

96. The CPT is also concerned to note that the Mental Hospital Board had fallen into disuse. As a result, there was no system of regular visits by an external body to Athalassa Psychiatric Hospital. **The CPT recommends that an appropriate supervision/inspection body for Athalassa Psychiatric Hospital be created.**

97. Finally, in the report on the first periodic visit to Cyprus, the CPT indicated that persons admitted compulsorily to a psychiatric institution should be entitled to an automatic review procedure on a regular basis, to establish whether the placement is still necessary. By May 1996, such procedure had not yet been established.

However, the CPT has noted that the continuing hospitalisation of a patient can be reviewed by the competent judge following a request to that effect made by the patient concerned, a family member or third party. Moreover, it has been noted that a one-off review of each patient's situation was being carried out in order to establish whether it was appropriate for the person concerned to remain a certified mental patient. In addition, a hospitalised patient can be discharged by decision of the institutions' doctors on medical grounds.

While welcoming these measures, the CPT considers that it is highly desirable that an independent review be carried out on a regular basis to determine whether the placement in hospital of a patient is still necessary. **The CPT recommends that such a procedure be established in Cyprus.**

III. RECAPITULATION AND CONCLUSIONS

A. Police establishments

98. The findings of the CPT's delegation suggest that there has been a very positive evolution in Cyprus since the first periodic visit carried out by the Committee in November 1992, particularly as regards the treatment of persons detained by the police.

The information gathered during its first visit led the CPT to conclude that persons held in certain police establishments - and, particularly, in Limassol Town Police Station - ran a serious risk of severe ill-treatment/torture. The conclusions of the independent committee (Board of Inquiry) subsequently set up to investigate the methods used by police officers when arresting, holding and questioning suspects were fully consistent with the Committee's assessment.

Contrary to what had been the case in 1992, no allegations of torture or severe ill-treatment by the police were made by detained persons interviewed during the May 1996 visit to Cyprus, and only few allegations of other forms of ill-treatment.

99. However, both before and during the visit, the CPT received information concerning a number of relatively recent cases of alleged ill-treatment by police officers. In one of those cases, the allegations - which were supported by medical evidence - involved severe physical ill-treatment/torture of a detained person.

The persistence of some cases of ill-treatment indicates that the Cypriot authorities must remain vigilant. Consequently, the CPT has made a number of recommendations and comments aimed at preventing ill-treatment (instructions to be given to police officers; training of police officers, particularly in human rights questions, interpersonal communication skills and modern investigation techniques) and reinforcing the safeguards against ill-treatment offered to detained persons.

100. As regards safeguards against ill-treatment, the CPT has inter alia recommended that the right of a detained person to inform a relative or a third party of his choice of his situation should be expressly guaranteed by law, and that any possibility exceptionally to delay the exercise of that right should be clearly circumscribed and made subject to appropriate safeguards. Further, the Committee has recommended that steps be taken to ensure that all persons taken into police custody are placed in a position effectively to exercise their right to have access to a lawyer as from the outset of their custody. In addition, the CPT has stressed once again the importance of drawing up a code of conduct for interrogations by police officers.

101. Particular emphasis has been placed on the role to be played by doctors appointed to carry out forensic tasks, given the considerable weight that their findings will carry in legal and/or disciplinary proceedings. The CPT has recommended that whenever a public prosecutor or investigating judge receives a complaint of ill-treatment by the police, or observes that someone brought before him could have been the victim of ill-treatment, he should immediately request a forensic medical examination of the person concerned and bring the matter to the attention of the relevant public prosecutor. It has also been recommended that persons taken into police custody who are subsequently released without being brought before a public prosecutor or judge should be able independently to solicit a medical examination/certificate from the relevant forensic doctor.

102. The delegation which carried out the second visit observed that it was still commonplace for criminal suspects to spend weeks in police facilities, a situation which had been criticised in the report on the CPT's first visit to Cyprus. The Committee has reiterated that prolonged periods of detention of suspects in police premises may lead to high risk situations; in the interests of the prevention of ill-treatment, it is far preferable for persons remanded in custody by a judge to be placed in an establishment administered by the prison authorities and staffed by prison officers.

103. The CPT has noted that certain steps have been taken to improve conditions of detention in police establishments; in particular, the new Police Prison represents a distinct improvement as compared to the facilities which were being used in November 1992.

However, lighting and ventilation in many of the police cells visited was still inadequate, and the state of cleanliness of bedding also on occasion left something to be desired. The CPT has addressed these matters in its report and has also recommended that the permitted occupancy levels in certain police cells be lowered.

104. The conditions which prevailed at the facility being used at Larnaca Airport to hold foreigners refused entry to the country were not acceptable; they posed a significant risk to the physical and mental well-being of the persons concerned. The Cypriot authorities subsequently informed the CPT that instructions had been issued with a view to remedying this situation. The Committee has sought further information on this subject and made a number of specific recommendations.

More generally, the CPT considers that the practice of placing persons detained under the Aliens and Immigration Law in police detention facilities, together with criminal suspects, should be reviewed. It has recommended that the Cypriot authorities explore the possibility of creating one or more specific centres for such persons, offering material conditions of detention and a regime appropriate to their legal situation and possessing suitably qualified staff.

B. Nicosia Central Prisons

105. The CPT's delegation heard no allegations of torture of prisoners by prison staff. Further, with one exception, no allegations of other forms of physical ill-treatment of inmates by prison officers were received, nor any other evidence of such treatment gathered.

106. The exception consisted of the alleged ill-treatment some five months previously of two inmates who told the delegation that, following an attempted escape, they had been taken to an office, where they were handcuffed to window bars and repeatedly struck by prison officers using batons. A disciplinary investigation had subsequently been ordered into the "alleged use of violence" following the attempted escape, and the Committee has asked to be informed of the results of that investigation.

The CPT has also recommended in this connection that a prisoner against whom any means of force have been used should be immediately offered a medical examination and, if necessary, medical treatment.

107. Material conditions of detention in Nicosia Central Prisons were on the whole acceptable, and the delegation observed that a number of improvements had been made in this area since 1992 (inter alia as regards occupancy levels in prisoners' accommodation, sanitary facilities, the heating system, kitchen facilities and the reception area). Nonetheless, the situation as regards access to a lavatory at night remained unsatisfactory. The CPT has stressed that the installation of integral sanitation in the cells should be accorded a high priority.

Material conditions of detention in Block 11 of the establishment were quite unacceptable; the cells were very small, dark and poorly ventilated. The prisons' management indicated that there was no intention to use these cells as prisoner accommodation. Nevertheless, the CPT has recommended that the cells be rendered unusable as places of deprivation of liberty.

108. The situation as regards activities offered to prisoners was also on the whole satisfactory. However, the CPT has recommended that the Cypriot authorities persist in their attempts to provide prisoners in the establishment's segregation unit (Wing 4) with more stimulating activities.

109. The facilities and equipment available to the prison health-care service had improved significantly; however, staffing levels remained modest. As a consequence of the limited time spent by the general practitioner in the establishment, medical consultations were cursory and the doctor-patient relationship left something to be desired. Further, medical orderlies carried out various tasks which are normally reserved for qualified nurses or even doctors. The CPT has recommended that steps be taken to provide the health-care service with at least one full-time qualified nurse as well as with general practitioner coverage to the equivalent of at least one half-time post.

In the light of its delegation's findings, the CPT has also recalled that medical confidentiality must be observed in prisons under the same conditions as those which prevail in the community at large.

110. The recommendations concerning transmissible diseases made by the CPT following its first visit had not been implemented. The segregation of hepatitis B and HIV positive prisoners was still the rule, and there appeared to be no programme to inform prisoners and staff about transmissible diseases. The Committee has once again emphasised that there is no medical justification for the segregation of prisoners who have tested positive for hepatitis B or HIV but who are well.

111. Finally, the CPT has underlined the importance of suitable training for prison officers. Some progress had been made in this area since the Committee's first visit, and the Committee has encouraged the Cypriot authorities to continue to develop the training (both initial and ongoing) of prison staff.

C. Military establishments

112. The CPT's delegation heard no allegations of ill-treatment of persons detained by the Cypriot military forces.

113. At Tasou Markou Barracks, conditions of detention were satisfactory for relatively short stays, though the rather limited size of the cells rendered them scarcely suitable for lengthy periods of detention.

Conditions of detention at A Panagidis Military Police Barracks were not acceptable; a prisoner would remain for the greater part of the day locked in a small, obscure, poorly ventilated and practically bare cell. However, the Cypriot authorities subsequently informed the CPT that the Military Police would soon be relocated in new Barracks, possessing modern detention facilities, and that the existing detention facilities would cease to be used.

D. Athalassa Psychiatric Hospital

114. The trend towards greater use of alternatives to hospitalisation in psychiatric cases, already noted in 1992, has continued. However, at the time of the visit, a significant number of patients continued to reside at Athalassa Psychiatric Hospital, for want of places in suitable community-based institutions. The CPT has expressed the hope that the necessary resources will be made available to remedy this situation.

115. Certain improvements to material conditions at the hospital (e.g. concerning ventilation and heating of dormitories) were observed. However, little progress had been made towards substituting dormitories by smaller living units; in this connection, the CPT has reiterated that the accommodation of patients in large capacity dormitories is difficult to reconcile with modern standards of treatment.

The CPT was also concerned to note that the rooms situated at the far end of certain dormitories continued to be used to accommodate disruptive patients. As had been the case in November 1992, their state of maintenance and level of equipment rendered them scarcely suitable for accommodating such patients.

116. Efforts were being made to provide appropriate activities and treatment to patients who were likely in the near future to be discharged or relocated in community-based establishments. However, it appeared that little attempt was being made to provide certain other patients (principally the psycho-geriatric and mentally handicapped) with appropriate activities. Further, the CPT has expressed the view that there is still room for developing further the activities offered to patients held in the secure ward.

117. In the light of its delegation's findings, the CPT has also addressed once again the issues of the recording of any use of seclusion or physical restraints and the establishment of a formal complaints procedure. Finally, it has recommended that an appropriate supervision/inspection body for Athalassa Psychiatric Hospital be created.

E. Action on the CPT's recommendations, comments and requests for information

118. The various recommendations, comments and requests for information formulated by the CPT are summarised in Appendix I.

119. As regards more particularly the CPT's recommendations, having regard to Article 10 of the Convention, the CPT requests the Cypriot authorities:

- i) to provide within six months an interim report giving details of how it is intended to implement the CPT's recommendations and, as the case may be, providing an account of action already taken;
- ii) to provide within twelve months a follow-up report providing a full account of action taken to implement the CPT's recommendations.

The CPT trusts that it will also be possible for the Cypriot authorities to provide in the above-mentioned interim report reactions to the comments formulated in this report which are summarised in Appendix I as well as replies to the requests for information made.

APPENDIX I

**SUMMARY OF THE CPT'S RECOMMENDATIONS, COMMENTS
AND REQUESTS FOR INFORMATION**

A. Police establishments

1. Torture and other forms of ill-treatment

recommendations

- the message to police officers that they should abide by the laws and Constitution, as well as by the European Convention on Human Rights, and be respectful of the rights of the persons with whom they have to deal, to be recalled in an appropriate form at suitable intervals (paragraph 14);
- whenever a public prosecutor or investigating judge receives a complaint of ill-treatment by the police, or observes that someone brought before him could have been the victim of ill-treatment, he should immediately request a forensic medical examination of the person concerned and bring the matter to the attention of the relevant public prosecutor (paragraph 17);
- persons taken into police custody who are subsequently released without being brought before a public prosecutor or judge to be able independently to solicit a medical examination/certificate from the relevant forensic doctor (paragraph 17);
- the medical certificate drawn up after such a forensic examination to contain:
 - i) an account of statements made by the detainee which are relevant to the medical examination (including his description of his state of health and any allegations of ill-treatment),
 - ii) an account of objective medical findings based on a thorough examination, and
 - iii) the doctor's conclusions in the light of i) and ii) (paragraph 17).

comments

- if human rights education and professional training are to be fully effective, they should not be restricted to newly recruited police officers but extend to all levels of the law enforcement hierarchy and be ongoing (paragraph 15);
- particular attention should be paid to training in the handling of - and more specifically talking to - detained persons (i.e. interpersonal communication skills) as well as in modern investigation techniques (paragraph 15).

requests for information

- any developments regarding the idea of conferring upon the Commissioner for Administration the attributes of a criminal investigator when examining complaints lodged against the police (paragraph 16);
- progress made in the investigation/prosecution of the cases referred to in paragraph 12 (paragraph 16);
- the views of the Cypriot authorities on the remarks set out in paragraph 19 (paragraph 19).

2. Conditions of detention in police establishments

recommendations

- the permitted occupancy levels of the cells in the new Police Prison to be lowered; the cells measuring 6 to 7m² should not be used as overnight accommodation for more than one person and the 21m² cell for more than five (paragraph 24);
- the cells at Omorfitas and Lykavitos Police stations measuring between 6 and 8m² not to accommodate more than one person overnight (paragraph 27);
- steps to be taken to improve the cleanliness of mattresses and blankets at Larnaca Central Police Station and lighting/ventilation in cells at Larnaca and Limassol Central Police Stations and at Ayios Ioannis and Lykavitos Police Stations (paragraph 28);
- steps to be taken to remedy the shortcomings mentioned in paragraph 30 concerning the provision of food to persons in police custody (paragraph 30);
- all persons required to spend the night in the holding facility for foreigners at Larnaca Airport to be supplied with mattresses and blankets (paragraph 32);
- persons detained for an extended period (24 hours or more) in the holding facility for foreigners at Larnaca Airport to be offered, as far as possible, outdoor exercise every day (paragraph 32);
- persons placed in the holding facility for foreigners at Larnaca Airport to be given food at appropriate times, including at least one full meal every day (paragraph 32);
- the Cypriot authorities to explore the possibility of creating one or more specific centres for persons detained under the Aliens and Immigration Law, offering material conditions of detention and a regime appropriate to their legal situation and possessing suitably qualified staff (paragraph 35).

comments

- the state of cleanliness of bedding in the cells at the new Police Prison left room for improvement (paragraph 25);
- complaints were heard at the Police Prison that personal hygiene products had only been distributed two days before the visit (paragraph 25);
- the CPT trusts that steps will be taken to keep the Police Prison's premises in a satisfactory state of repair (paragraph 25);
- the delegation heard some allegations at the Police Prison that staff members were slow to respond to requests to have access to a lavatory at night (paragraph 26);
- the risk of a detainee in need being left unattended would be significantly reduced if a call system existed in all police cells (paragraph 29);
- the objective should be to ensure that persons remanded in custody are able to spend a reasonable part of the day (eight hours or more) outside their cells engaged in purposeful activities (paragraph 34).

requests for information

- the precise steps taken to remedy the situation observed at the holding facility used at Larnaca Airport to hold foreigners refused entry to the country (paragraph 32).

3. Safeguards against the ill-treatment of detained persons

recommendations

- steps to be taken to bring the legal situation in Cyprus into line with the remarks concerning notification of custody set out in paragraph 38 (paragraph 38);
- appropriate steps to be taken to ensure that all persons taken into police custody are placed in a position effectively to exercise their right to have access to a lawyer as from the outset of their custody (paragraph 39);
- the possibility for detainees to be examined by a doctor of their choice to be given a firm legal basis (paragraph 41);
- the results of every medical examination, as well as any relevant statements by the detainee and the doctor's conclusions, to be recorded in writing by the doctor and made available to the detainee and his lawyer (paragraph 42);
- the notice to persons in custody to be systematically handed to persons arrested by the police at the outset of their custody; further, they should be asked to certify that they have been informed of their rights (paragraph 43);
- a code of conduct for interrogations by police officers to be drawn up (paragraph 44);

- persons detained under the Aliens and Immigration Law to be systematically provided with a document explaining the procedure applicable to them and setting out their rights; this document should be available in the languages most commonly spoken by those concerned and, if necessary, the services of an interpreter should be made available. Further, such persons should have access to a telephone and be able to receive visits from relatives, lawyers, consular representatives, etc. (paragraph 49).

comments

- allegations were received concerning a few cases where a detained person's access to a doctor had apparently been delayed for a considerable period of time (paragraph 41);
- the CPT trusts that, in due course, the new custody record will be used in all police establishments (paragraph 47);
- the recommendations concerning safeguards against ill-treatment set out in Section II.A.3. apply to all detained persons, including those deprived of their liberty under the Aliens and Immigration Law (paragraph 48).

requests for information

- the comments of the Cypriot authorities on the question of the presence of a lawyer during police interrogations (paragraph 40);
- the outcome of the examination carried out by the Cypriot authorities into the possibility of introducing an electronic recording system for police interrogations (paragraph 45);
- a detailed account of the precise practical steps taken by the Cypriot authorities to ensure that persons are not returned to a country where they run a risk of being subjected to torture or to inhuman or degrading treatment or punishment (paragraph 50).

B. Nicosia Central Prisons

1. Torture and other forms of ill-treatment

recommendations

- legal provisions to be adopted to ensure that a prisoner against whom any means of force have been used is immediately offered a medical examination and, if necessary, medical treatment; this examination to be conducted out of the hearing and preferably out of the sight of non-medical staff, and the results of the examination (including any relevant statements by the prisoner and the doctor's conclusions) to be formally recorded and made available to the prisoner (paragraph 56);
- the cells in Block 11 to be rendered unusable as places of deprivation of liberty (paragraph 57).

requests for information

- the results of the disciplinary investigation concerning the "alleged use of violence" following the attempted escape of two prisoners on 27 January 1996, and information on any further action taken concerning that incident (paragraph 55).

2. Conditions of detention

recommendations

- the Cypriot authorities to persist in their attempts to provide prisoners in Wing 4 with more stimulating activities. As regards more particularly work, consideration might usefully be given to the suggestions made in paragraph 87 of the Explanatory Memorandum to the Recommendation (No. R(82) 17) on the custody and treatment of dangerous prisoners, adopted by the Committee of Ministers of the Council of Europe on 24 September 1982 (paragraph 63).

comments

- the Cypriot authorities are invited to give further consideration to means aimed at ensuring a suitable degree of privacy during searches and reception procedures (paragraph 60);
- the installation of integral sanitation in cells should be given a high priority (paragraph 61).

requests for information

- further details on the subject of the installation of integral sanitation in cells (paragraph 61).

3. Health-care services

recommendations

- steps to be taken to provide general practitioner coverage in Nicosia Central Prisons amounting to the equivalent of at least one half-time post (paragraph 65);
- the necessary steps to be taken to provide the Nicosia Central Prisons' health-care service with at least one full-time qualified nurse (paragraph 66);
- immediate steps to be taken to guarantee the confidentiality of medical information and consultations at Nicosia Central Prisons (paragraph 70);

- the Cypriot authorities to:
 - . put an end to the segregation of hepatitis B and HIV positive prisoners in Nicosia Central Prisons;
 - . ensure that similar segregation policies are not applied in any other establishments in Cyprus where persons are deprived of their liberty (paragraph 74);
- steps to be taken to ensure that suitable information on transmissible diseases (risks of transmission and means of protection) is provided to both prisoners and staff at Nicosia Central Prisons (paragraph 74).

requests for information

- the comments of the Cypriot authorities on the subject of proscribing compulsory screening of prisoners for hepatitis B and HIV infection (paragraph 75).

4. Other issues related to the CPT's mandate

recommendations

- an information notice to be drawn up and systematically handed out to all newly admitted inmates (paragraph 80);
- the Cypriot authorities to continue to develop the training (both initial and ongoing) of prison staff (paragraph 81).

comments

- it would be useful if a description of the main features of the prison's regime, a list of prisoners' rights and duties and an outline of the avenues of appeal open to them were to be posted on a permanent basis in suitable places within the detention facilities (paragraph 80).

requests for information

- information on the development of safeguards for prisoners involuntarily separated from other inmates for security or disciplinary-related reasons (paragraph 78);
- detailed information on the training offered to staff recruited in 1996 and on any structured training programmes established for newly recruited officers and for those already in service (paragraph 81).

C. Military establishments

comments

- the rather limited size of the cells at Tasou Markou Barracks (approximately 5.5 m²) rendered them scarcely suitable for lengthy periods of detention (paragraph 84);
- conditions of detention at the A Panagidis Military Police Barracks were not acceptable (paragraph 85).

requests for information

- confirmation that the Military Police has now been relocated to the new Barracks (paragraph 85).

D. Athalassa Psychiatric Hospital

recommendations

- any use of seclusion or physical restraint in respect of a patient to be recorded in both the patients's file and in an appropriate register, with an indication of the times at which the measure began and ended as well as of the circumstances of the case and the reasons for resorting to such means (paragraph 94);
- the requisite measures to be taken to enable patients to lodge complaints with a clearly defined body and to have confidential access to a competent authority; these measures to include the provision of information to patients on the possibility of making a complaint (paragraph 95);
- an appropriate external supervision/inspection body to be created for Athalassa Psychiatric Hospital (paragraph 96);
- an independent review of the involuntary placement in hospital of a patient to be carried out on a regular basis (paragraph 97).

comments

- the CPT trusts that the necessary resources will be made available in order that persons currently cared for at Athalassa Psychiatric Hospital who do not - or no longer - require hospitalisation are transferred to suitable community based establishments (paragraph 88);
- the accommodation of patients in large capacity dormitories is difficult to reconcile with modern standards of treatment (paragraph 90);

- in the light of their current state of maintenance and level of equipment, the rooms situated at the far end of certain dormitories are hardly suitable for accommodating disruptive patients (paragraph 91);
- there is still room for developing further the activities offered to patients held in the secure ward (paragraph 93).

requests for information

- the comments of the Cypriot authorities on the adoption of a new law on compulsory treatment and after-care (paragraph 86);
- the comments of the Cypriot authorities on activities for psycho-geriatric and mentally handicapped patients (paragraph 92).

APPENDIX II

**LIST OF THE NATIONAL AUTHORITIES AND
NON-GOVERNMENTAL ORGANISATIONS WITH WHICH THE
DELEGATION HELD CONSULTATIONS**

A. National authorities

Ministry of Justice and Public Order

Mr George Stavrinakis	Minister for Justice and Public Order
Mrs Anni Siakalli	Administrative Officer A'
Mr George Anastasiades	Director of Prisons
Mr Andreas Christofides	Chief Superintendent of the Police
Mr Andreas Lemonaris	Chief Superintendent of the Police

Ministry of Foreign Affairs

Mrs Thalia Petrides	Director for European Affairs
Mr Andreas Zenonos	Attache

Ministry of Defence

Mr Charis Zachariades	Defence Officer
Lieutenant Colonel Andreas Markides	National Guard
Lieutenant Colonel Ioannis Christides	National Guard
Major Andreas Papacharalambous	National Guard

Ministry of Health

Dr Marios Onisiforou	Director of Mental Health Services
Dr Agrotou Androulla	Principal Medical Officer
Dr Papantoniou Lora	Senior Medical Officer
Dr Hadji Anastassiou Cristalla	Senior Medical Officer
Dr Antoniou	Forensic Doctor (Coroner)

Office of the Commissioner for Administration

Mr Nicos Charalambous
Mrs Eliza Savvidou

Commissioner for Administration (Ombudsman)
Officer A'

Legal Office (Office of the Attorney General)

Mr Alecos Markides
Mrs Leda Koursoumba

Attorney General of the Republic
Senior Counsellor of the Republic

B. Non-governmental organisations

Committee for the Restoration of Human Rights in Cyprus
International Association for the Protection of Human Rights in Cyprus