



2 October 2026

Case Document No. 5

Pan-Cyprian Trade Union *ISOTITA* v. Cyprus
Complaint No. 264/2026

**ADDITIONAL INFORMATION
FROM THE COMPLAINANT ORGANISATION
AFTER GOVERNMENT'S FURTHER
OBSERVATIONS ON ADMISSIBILITY
(ENGLISH)**

Registered at the Secretariat on 11 August 2026

PAN-CYPRIAN TRADE UNION ISOTITA

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EUROPEAN COMMITTEE OF SOCIAL RIGHTS

Collective Complaint No. 264/2026

Pan-Cyprian Trade Union ISOTITA v. Cyprus

RESPONSE OF THE COMPLAINANT ORGANISATION ON ADMISSIBILITY
AND ON THE REQUEST FOR IMMEDIATE MEASURES (Rule 29§3 · Rule 36)

ENGLISH VOLUME: ENGLISH TEXTS · BUNDLE OF EXHIBITS
(The Greek text constitutes the authentic version — Rule 24§2)

Nicosia, 10 August 2026

Time limit for filing: 9 September 2026 (Secretariat letter of 29.7.2026)

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ΜΕΡΟΣ Α — ΤΑ ΑΓΓΛΙΚΑ ΚΕΙΜΕΝΑ

PART A — THE ENGLISH TEXTS

PAN-CYPRIAN TRADE UNION ISOTITA

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To the Executive Secretary of the European Committee of Social Rights Directorate
General Human Rights and Rule of Law (DG I) Council of Europe, F-67075
Strasbourg Cedex

Nicosia, 10 August 2026

Subject: Collective Complaint No. 264/2026 — Pan-Cyprian Trade Union ISOTITA v. Cyprus — Response of the complainant organisation on admissibility and on the request for immediate measures, further to the Secretariat's letter of 29 July 2026 (Rule 29§3)

Dear Executive Secretary,

1. Further to the Secretariat's letter of 29 July 2026, the Pan-Cyprian Trade Union ISOTITA submits, within the time limit, its Response to the Government's observations on admissibility and on the request for immediate measures.

2. There are filed: **(a)** the **Response**, paragraphs 1–337, with its ten Annexes **A to J**; and **(b)** a bundle of **documentary exhibits**, with a schedule of correspondence and a page index.

3. The Response is filed in **Greek**, pursuant to **Rule 24§2**, and the Greek text constitutes the authentic version. For the convenience of the Committee and of the Secretariat, a complete **English translation of the Response (§§1–337)** is enclosed with this letter. Annex A (the Union's Constitution) is in its English original; Annex B is enclosed in both languages. The exhibits are filed in their original languages; an English translation of any exhibit will be supplied within whatever time limit the Secretariat may indicate (§336 of the Response).

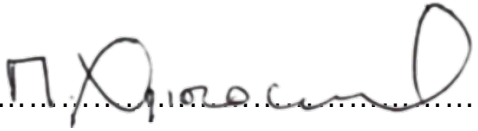
4. The Union has drafted the Response so as to be **self-contained**: every documentary passage on which an argument rests is quoted verbatim in the body of the text, with its source identified. The exhibits are produced for verification only; no point in the Response presupposes reading them.

5. For the convenience of the Committee:

- The **Preliminary Summary** and the **Map of the Evidence** (at the beginning of the Response) set out the entirety of the argument in ten propositions and match every evidential assertion to the document which supports it.
- **Part XII** concerns the request under Rule 36. It is noted that, after the filing of the Government's observations, the officer to whom the request relates was **dismissed, on 31 July 2026** (Part XIII; document No. 1 of the bundle).
- **Part XIV** formulates, and answers in advance, the objections which the Union anticipates, in their strongest form.

6. The Union remains at the disposal of the Committee for any clarification, supplementary document or information.

Yours faithfully,



.....

Prodromos Christofi

President of the Board of Directors

For the Pan-Cyprian Trade Union ISOTITA

PAN-CYPRIAN TRADE UNION ISOTITA

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Mr Henrik Kristensen Executive Secretary of the European Committee of Social Rights Department of Social Rights Directorate General I — Human Rights and Rule of Law Council of Europe F-67075 Strasbourg Cedex

By e-mail only: DGI-ESC-Collective-Complaints@coe.int

Your ref.: 169/2026 GS/MS

Nicosia, 10 August 2026

Pan-Cyprian Trade Union ISOTITA v. Cyprus — Complaint No. 264/2026

RESPONSE OF THE COMPLAINANT ORGANISATION TO THE OBSERVATIONS OF THE RESPONDENT GOVERNMENT ON ADMISSIBILITY

Submitted pursuant to Article 6 of the Additional Protocol of 1995 and Rule 29§3 of the Rules of the European Committee of Social Rights, within the time limit of 9 September 2026 fixed by the President of the Committee

(English translation provided by the complainant organisation for the convenience of the Committee and the Secretariat. The Greek text filed on 10 August 2026 constitutes the authentic version. — Rule 24§2.)

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A note on paragraph numbering. Paragraphs are numbered continuously from 1 to 337. Some bear an additional Latin letter (e.g. 187A, 226C, 300A);

these are paragraphs added in the course of revision and do not correspond to any omission.

Annexes. The annexes to this Response bear **letters (A to J)**, so that they may be clearly distinguished from Annexes 1–14 of the Union’s bundle of 11 June 2026 and from the Government’s Annexes 1–23, which continue to bear numbers:

Annex A (Constitution of the Union — complete English translation); **Annex B** (Schedule of the provisions of the Constitution relevant to the questions raised); **Annex C** (Chronology); **Annex D** (Schedule of the assertions in the Government’s Annex, tested against the Prisons Department’s own file); **Annex E** (Note on the clinical standard of care in cluster headache); **Annex F** (Comparative schedule of the four elected officers of the Union and the measures taken against them); **Annex G** (Paragraph-by-paragraph reply to the one hundred and thirty paragraphs of the Government’s Annex); **Annex H** (Mapping of the Government’s twenty-three annexes against the documents which the Union holds and produces); **Annex I** (Analysis of the attendance records and the service notes of the Prisons Department, March – May 2026); **Annex J** (The December 2025 file: the public announcement of the Prison Officers’ Branch Council of 22 December 2025, its republication by a Cypriot news outlet, and the allegation of the allocation of posts and shifts by trade union affiliation — with an offer of proof); and the documents listed in the Schedule at the end.

PRELIMINARY SUMMARY

This summary is placed first so that the Committee may have before it, in two pages, the Union’s position on each of the questions of admissibility. It does not replace the analysis which follows; each proposition refers to the paragraphs which found it and to the document which proves it. The paragraphs of the summary are not numbered, so as not to disturb the continuous numbering 1–337 of the main text.

A. The subject-matter of the complaint is State practice, not individual redress. The Union does not ask the Committee to annul, review or compensate any individual administrative or disciplinary act. It asks whether the Republic secures, **in law and in practice**, the rights guaranteed by Articles 5, 6§§1–2 and 28. The complaint’s two principal requests — published criteria for the public funding of trade union organisations and for access to the machinery of joint consultation — concern neither of the two individuals and could not be satisfied by any measure addressed to them. (§§133, 260, 326; *complaint* §25(c)(iii)–(iv).)

B. The individual incidents are the means of proof, not the request. The distinction drawn by the Explanatory Report is not between complaints which mention individuals and complaints which do not, but between complaints whose **object** is an individual situation and complaints in which the individual situation is the **evidence** of a general question. (§§48–64; *ASPP/PSP v. Portugal*, No. 179/2019; *ASTI v. Ireland*, No. 180/2019; *ERRC v. Italy*, No. 244/2025.)

C. The Government’s own defence establishes generality. Called upon to explain why the measures were lawful, the Government produced **four general**

instruments: the opinion of the Department of Public Administration and Personnel of 2 April 2026, whose subject is “public servants”; the general composition of the officer corps; a general policy of rotation of duties; and, behind them, the Constitution of the Joint Staff Committee approved by the Council of Ministers on 28 July 1993, which confers **by name upon one organisation** the facilities which the instruction of 2 April 2026 denies to all others. **A State does not rebut the existence of a practice by producing the instrument which constitutes it.** (§§70–89.)

D. Article 28 cannot be engaged otherwise than through persons. The Government cannot at once accept that Article 28 protects “workers’ representatives” — that is, persons — and ask for the complaint to be rejected **precisely because** it concerns persons. The objection, if accepted, would render Article 28 inoperative in the collective complaints procedure. (§§136–150, 327.)

E. Representativeness is not in dispute, and is in any event established by the respondent’s own material. The Government’s Annex describes ISOTITA and PASYDY as two lawfully operating organisations with a common institutional purpose (its §24). A letter which the Republic itself produced in other proceedings records that **in the branch of prison officers ISOTITA represents more employees than any other trade union.** The criterion in Article 1(c) concerns substantive adequacy and a genuine capacity to contribute, not numerical superiority. (§§31–47, 178–180; Annexes A and B.)

F. The two persons affected are not members; they are the whole of the elected leadership of a Branch. Under Article 2.1 of the Constitution they are **officers**; under Article 14 the Branch Council is the organ through which the Union informs and consults the members of the Branch. Measures against both do not affect two employees; they suspend a function of the organisation. (§§178–180; Annexes A and B.)

G. The record on which the principal disciplinary prosecution rests does not agree with itself. The attendance records produced by the Government exist, for March and for April 2026, in **two irreconcilable versions** — one charges, the other credits; the dates on which the Investigating Officer founded his recommendation for prosecution are contradicted by the record itself (one of them was a **Saturday and a rest day**); and eighteen of the twenty service notes bear the signature of the **President of the branch of the competing trade union**, who is at the same time the direct superior of the officer prosecuted. (§§222, 226A–226E, 268–268B; **Annex I.**)

H. The harm is continuing and is not a “decision” capable of challenge. A cumulative debit balance of **95.50 hours** as at 31 May 2026, which absorbs compensatory rest already earned by night and holiday work, arose exclusively from the exercise of trade union office — **without any decision of a competent organ, without reasons and without a hearing.** Precisely because it is not a decision, it is invisible to the guarantees on which the Government relies. (§§266–278.)

I. The Union states expressly the limits of what it asks. It does not ask the Committee to determine whether any act was unlawful under Cypriot law; it seeks no finding as to the officers of the Game Wardens’ Branch and of the Police Body Branch, whose material is produced **only as evidence of generality**; it seeks no procedural measure in respect of the Government’s twenty-three annexes, nineteen

of which it itself places, in whole or in part, before the Committee; and it imputes bad faith to no one. (§§6–12, 152, 171, 174; Annex I §4.)

J. There is no ground of inadmissibility of “manifest ill-foundedness”. The expression appears in the Committee’s Rules **once only**, at Rule 28bis§4, and concerns summary rejection by the President. Parts III and IV of the Government’s observations are arguments on the merits. (§§19–30, 324.)

In conclusion: every one of the conditions of the Protocol and the Rules is met; the complaint raises a collective question as to the application of Articles 5, 6§§1–2 and 28, alone and in the light of Article E; and the Government’s objections should be rejected in their entirety.

MAP OF THE EVIDENCE

The eighteen documents which, in the Union’s submission, suffice for the decision on admissibility. Each comes from the Republic or from a public source, save where otherwise noted.

#	Document	What it proves	Where
1	Opinion of the Department of Public Administration and Personnel, 2 April 2026 (Government’s Annex 13; exhibit T.01-9)	A rule of general application whose subject is “public servants”: no fixed or predetermined trade union release	§§70–74 and 84–87
2	Constitution of the Joint Staff Committee, 28 July 1993, clause 10 — produced by the Republic in other proceedings	Facilities “both during and outside their hours of work” conferred by name upon one organisation	§§83, 99–111
3	Letter of the Prisons Department, 20 April 2026, §11 (Government’s Annex 16; exhibit T.01-1)	The officer’s trade union position is expressly advanced as an aggravating element	§§195, 222
4	Government’s Annex, §20	Admission that all the hierarchical superiors belong to PASYDY	§§76–80
5	Evidence on oath	The author of the	§§222–226

#	Document	What it proves	Where
	of the Inspector, 20 May 2026	absence reports is the President of the branch of the competing trade union and the direct superior of the officer prosecuted	
6	Attendance records, March–May 2026 (Government's Annexes 7, 8 and 18; exhibit T.01-4)	Two irreconcilable versions of the same record; manuscript movement of days; 95.50 hours charged	Annex I
7	Service note of the administrative Investigating Officer, 7 April 2026	Recommendation for prosecution on dates which the record itself records as a rest day or as presence	§226C; Annex I §§11–15
8	Manuscript note of the accounts office, 13 May 2026	Formulation of a rule: trade union time without prior case-by-case leave = absence without leave	§268A
9	Order No. 3/26, 3 February 2026 (Government's Annex 2; exhibit T.01-14)	An exchange of posts , not the application of a general rotation policy	§§215–217
10	Treasury statements, published 27 July 2026	State grant to one trade union alone; nothing to the complainant	§§95A–95E
11	Letter of the Republic, 17 August 2023 — produced by the Republic itself in other proceedings	ISOTITA is the largest organisation in the branch of prison officers	§§34(e), 42
12	Constitution of the Union, Articles 2.1 and	The persons affected are officers , and the	Annexes A, B

#	Document	What it proves	Where
	14	Branch Council is the organ for informing and consulting the members	
13	Public press release of the Branch Council, 22 December 2025	The future superior is publicly named forty-three days before the reassignment	§§187–187B
14	Letter of the Law Office of the Republic, 6 July 2026 (ref. ΓΕ 93/1984/350)	The criminal avenue was closed without a single recorded investigative act	§§124–128
15	Decision of dismissal, 31 July 2026 (file ref. 15.30.008.010)	The stated grounds are, exclusively, days of trade union absence; the reasoning at its §3(d) reproduces §11 of the letter of 20.4.2026 without the words which named the trade union office	§§279–300, 320–334
16	AlphaNews.live, 22 December 2025, 09:16 — republication of the announcement in full	A public source, independent of the Union, evidencing the content and the date	§§187, 187C; Annex J
17	Public page of the Prison Officers' Branch Council, posting of 22 December 2025	The same announcement, published by the organ itself; a second independent verification of date and content	§187C; Annex J
18	Service Note of the Prisons Department, 7 July 2023 (to the then Press Spokesperson of	The doctrine that public statements by an officer of the Union require the Director's permission was	§§321A–321B

#	Document	What it proves	Where
	the Branch Council, Prison Officer No. 539)	applied, in identical terms, as early as 2023 — against the then holder of the same office	

PART I — SCOPE OF THIS RESPONSE; A PROCEDURAL MATTER REQUIRING THE COMMITTEE'S ATTENTION

1. By letter of 29 July 2026 the Executive Secretary transmitted to the complainant organisation (“the Union”) the observations of the Government of the Republic of Cyprus, registered on 28 July 2026, and informed the Union that the President of the Committee had decided to invite it to respond to those observations **on admissibility** by 9 September 2026. This response is submitted within that time limit and is confined to that invitation.

2. The Government’s transmission comprises two documents: observations running to some six pages, and, annexed to them, a letter of the Prisons Department to the Permanent Secretary of the Ministry of Justice and Public Order, in English translation, running to one hundred and thirty numbered paragraphs (“the Annex”).

3. The Government’s document is addressed to two distinct questions: the admissibility of the complaint and the request for immediate measures under Rule 36. The Union addresses admissibility in Parts II to XI below. It addresses Rule 36 in Part XII only to the extent necessary to prevent the Government’s submissions on that subject from standing unanswered, and expressly reserves its position, in full, both on the merits and on any further submissions the Committee may invite on immediate measures.

4. Nothing in this response is to be taken as acceptance of any factual assertion contained in the Government’s observations or in the Annex. Where the Union engages with those assertions below, it does so because the Government has invited the Committee to determine admissibility on the strength of them. The Union’s answer on the facts, in full and with supporting documents, is reserved to the merits.

4A. Terminology. The complaint was lodged in English, with a Greek translation annexed. In that Greek translation certain terms of the Charter were rendered otherwise than they are rendered in this Response, which follows the **official ratifying text of Law 27(III)/2000**. So that no doubt may arise that the basis of the complaint has been altered, the Union states the three correspondences: «αντιπρόσωποι των εργαζομένων» (this Response, the ratifying text of Article 28) = «εκπρόσωποι των εργαζομένων» (the Greek translation of the complaint) — in English, *workers’ representatives*; «επιζήμιες πράξεις / επιζήμια μέτρα» (Article 28(a)) = «βλαπτικές πράξεις / βλαπτικά μέτρα» — *acts prejudicial to them / prejudicial measures*; «θεσμική διαβούλευση και διαπραγμάτευση» = «κοινές διαβουλεύσεις» and «εκούσιες διαπραγματεύσεις» (Article 6§§1–2) — *joint*

consultation and *voluntary negotiations*. These are the same terms of the Charter and the same claims; no enlargement or alteration whatever is attempted. Where this Response **quotes** the complaint, it quotes its Greek text verbatim.

4B. Numbering. The subparagraphs of the complaint bear the Latin letters (a), (b), (c) in the English original and the Greek letters (α), (β), (γ) in the Greek translation annexed to it. This Response, being in English, follows the English original and cites the subparagraphs by their Latin letters; they are the same subparagraphs.

5. One matter of method should be stated at the outset, because it governs the whole of Parts V, VIII and IX. Where the Government's account and the Union's account diverge, the Union does not ask the Committee to prefer its own account. On every matter in dispute between the parties as to what the Prisons Department did, it relies on **documents authored by the respondent's own services**: the disciplinary investigation file opened against Mr Maltezos (Ministry of Justice and Public Order, file ref. T.Φ. 18.05.004), which is in the Union's possession; the letter of the Department of Public Administration and Personnel of 2 April 2026; Order No. 3/26 of the Prisons Department; the attendance records already before the Committee with the Union's letter of 21 July 2026; and the letter of the Law Office of the Republic of 6 July 2026. Every proposition of fact about the conduct of the Prisons Department is traced to one of those documents. Where the Union relies on other material — the Constitution of the Joint Staff Committee and the two letters annexed by the Republic to its Opposition in Case No. 450/2024; the Treasury statements of grants; the judgment of the Assize Court; the report of the CPT; the Union's own public announcements; the written statements of its officers; and the medical literature at **Annex E** — the source is identified at the point where it is used.

A procedural matter requiring the Committee's attention

6. The Annex relies, expressly and repeatedly, on twenty-three documents of its own, numbered Annex 1 to Annex 23, and ascribes to each of the principal facts which it asserts a specific documentary source. Those documents were received by the Union numbered and described, but not in copy.

7. The Union **makes no procedural complaint, invites the Committee to draw no adverse inference, and seeks no measure** upon that point. It has no reason to doubt that the documents were filed with the Committee, and it does not doubt it. It raises the matter once only, in order to close it.

8. It closes it in the only way which assists the Committee: **by producing the documents itself**. The great majority of the Government's twenty-three annexes are exhibits of disciplinary file **T.Φ. 18.05.004**, which the Union holds because they were placed before the Investigating Officer in the proceedings against its own officer. The complete mapping is at **Annex H**.

9. The result of that mapping is that **eighteen of the twenty-three** annexes of the Government are placed, in whole or in part, before the Committee together with this Response. Of the remaining five, one is not in dispute in any event and one is not capable of contradiction. **Three** remain genuinely in issue and not held. The Union states this rather than passing it over, and finds no argument of its own upon them.

10. The benefit is not procedural; it is evidential. Where the Annex **describes** a document, the Committee may now read **the document itself**. In five instances —

all five analysed in Part C of **Annex H** — the description and the document do not coincide. Two examples suffice here.

11. The first is the Government's **Annex 13**, the opinion of the Department of Public Administration and Personnel. The Annex relies on it as the institutional foundation of everything that followed (its §§75–78), and does not quote a single word of it. The Union holds it as **exhibit T.01-9** and quotes it verbatim at §§70–74 below. It says that **no public servant has any fixed or predetermined entitlement to trade union time**, and it is addressed to the whole of the public service. The Government, that is to say, founds its defence upon an instrument of general application.

12. The second is the Government's **Annex 16**, the letter of 20 April 2026 by which the appointment of an Investigating Officer was requested. The Annex describes it in four paragraphs as the next prescribed procedural step. The Union holds it as **exhibit T.01-1**. Its **paragraph 11** expresses “particular concern” that the prison officer “holds a trade union position”, a fact which “reinforces the negative impact of his conduct, since it is capable of operating as a model ... among other members of staff”. That paragraph is not quoted in the Annex. The document which set the disciplinary process in motion invokes trade union status as an aggravating element, and it is in the hands of both parties.

PART II — THE CONDITIONS OF ADMISSIBILITY ARE EXHAUSTIVE, AND EVERY ONE OF THEM IS MET

13. The Government's principal submission is that the complaint is “in substance, a disguised individual complaint rather than a genuine collective complaint within the meaning of the Additional Protocol of 1995”. The submission is advanced without any reference to the conditions of admissibility which actually govern the question.

14. Those conditions are exhaustively defined, and they are few. Under **Article 1(c) of the 1995 Additional Protocol**, a national trade union may lodge a complaint if it is a *representative* national trade union *within the jurisdiction* of the Contracting Party against which it complains. Under **Article 4**, the complaint must be *lodged in writing*, must *relate to a provision of the Charter accepted by the Contracting Party concerned*, and must *indicate in what respect the latter has not ensured the satisfactory application of this provision*. Under **Rule 23** it must be addressed to the Executive Secretary and signed by the person or persons with competence to represent the complainant organisation. **Rule 24** governs language.

15. It is to be noted that **Article 3 of the Protocol** — the requirement of “particular competence” — applies only to the international non-governmental organisations referred to in Article 1(b) and to the national non-governmental organisations referred to in Article 2. It has no application to a trade union proceeding under Article 1(c). The Union mentions this because the Government's observations, at several points, appear to assume a threshold of subject-matter competence which the Protocol does not impose upon it.

16. To those textual conditions the Committee's practice adds one further requirement, drawn from paragraph 31 *in fine* of the Explanatory Report to the

Protocol, which records what was agreed in the course of the negotiations within the Charte-Rel Committee:

“because of their ‘collective’ nature, complaints may only raise questions concerning non-compliance of a state’s law or practice with one of the provisions of the Charter. Individual situations may not be submitted.”

17. There is nothing else. The Protocol contains no requirement of exhaustion of domestic remedies; no requirement that the complainant be a victim; no time limit; and — this is decisive for Parts III and IV of the Government’s observations — **no ground of inadmissibility corresponding to the “manifestly ill-founded” filter of Article 35§3(a) of the European Convention on Human Rights.** No such expression appears anywhere in the Protocol. It appears in the Committee’s Rules exactly once, at Rule 28bis§4, and there it concerns the summary rejection of a request for the recusal of a member of the Committee. It has nothing to do with complaints.

18. Each of the applicable conditions is satisfied, and — save for the single point addressed in Part IV — none is in fact disputed by the Government:

- **(a)** The complaint is in writing and was registered on 11 June 2026.
- **(b)** It is signed by the **President of the Board**, who is the officer in whom Article 15.3 of the Union’s Constitution vests the representation of the Union “before the courts and wherever else may be required”. Rule 23 requires signature “by the person or persons with competence to represent the complainant organisation”; the complaint and this Response are so signed. Should the Committee wish to have any further evidence of authority, the Union will supply forthwith a certified copy of the decision of its Board to institute and to conduct these proceedings, together with any further signature the Committee may indicate. The complete English translation of the Constitution is at **Annex A**.
- **(c)** The Union is a representative national trade union within the meaning of Article 1(c). This is developed at Part III below.
- **(d)** Cyprus is a State in which the Revised Charter is in force (ratified 27 September 2000) and which has accepted the collective complaints procedure: the Republic ratified the 1995 Additional Protocol on **6 August 1996**, and the Protocol has been in force in its respect since **1 July 1998**. The facts complained of occur from December 2025 onwards.
- **(e)** The complaint concerns **Articles 5, 6§§1–2 and 28** of the Revised Charter, **read alone and in the light of Article E** (complaint, paragraphs 5, 8 and 22, and request 25(b)). By section 4 of the Cypriot ratifying statute, the Revised European Social Charter of 1996 (Ratifying) Law of 2000 (Law 27(III)/2000, as supplemented in 2011), the Republic declared itself bound by, among others, “Articles 1, 5, 6, 9, 10, 11, 12, 14, 15, 19, 20, 24, 28”. None of the three substantive provisions invoked appears in the exhaustive list of provisions not accepted by Cyprus set out in the Committee’s own Fifth Report on the non-accepted provisions of the Revised European Social Charter in respect of Cyprus (10 October 2025). **Article E requires no separate acceptance:** it stands in **Part V** of the Revised Charter, secures the enjoyment of “the rights set forth in this Charter” without discrimination, and is not among the provisions from which a Contracting Party may select under

Article A. It is not a free-standing right; it is invoked, as it is here, in conjunction with the substantive provisions relied on. The condition in Article 4 of the Protocol is therefore met in respect of each.

- (f) The complaint identifies the respects in which the Republic is alleged to have failed to apply those provisions, with evidence and argument, over the three limbs summarised at Part VI below.

Parts III and IV of the Government's observations are arguments on the merits

19. Part III of the Government's observations ("Administrative and Disciplinary Measures Are Individual and Law-Based") and Part IV ("No Evidence of a General Practice Contrary to the Charter") are, on their face, submissions that the complaint is not *well founded*. Part IV says so expressly: it asserts that "the allegations do not establish ... a general policy, a consistent administrative practice, or ... a structural deficiency", and that the authorities "have indicated" that no adverse measure was taken on account of trade union status.

20. Whether the allegations are made out is the question for the merits. At the admissibility stage the only question posed by Article 4 of the Protocol is whether the complaint *indicates in what respect* the State has failed to ensure satisfactory application. The Committee has recently had to consider an objection framed in precisely the terms the Government now uses. In **Association of Secondary Teachers Ireland (ASTI) v. Ireland, Complaint No. 180/2019**, decision on admissibility of 13 May 2020, Ireland objected that the complaint "lacks legal and factual detail failing to provide adequate analysis of the obligations flowing from Article 5 of the Charter and to establish a sufficient evidentiary or arguable basis for the allegation made" (§2). The Committee disposed of it in three paragraphs:

"**9.** ... the Committee notes that ASTI invokes Article 5 of the Charter. The complaint also indicates in what way ASTI considers that Ireland has not ensured the satisfactory application of the Charter, namely by allegedly influencing the choice of teachers as to the trade union they should join or in which they should remain. The complaint therefore indicates the legal and factual circumstances of the alleged violation. **10.** On this basis, the Committee holds that the complaint is sufficiently motivated and fulfills the requirements set out in Article 4 of the Protocol. **11.** It follows that the Government's objection cannot be sustained."

21. The Union invites the Committee to apply the same analysis. The present complaint invokes Articles 5, 6 and 28. It indicates in what way the Republic is said not to have ensured their satisfactory application: by funding one organisation in the public service and not another; by admitting one and not another to the sole institutional forum of consultation and negotiation; by a general instruction of its central personnel authority which denies to every public servant any fixed entitlement to trade union release time and directs that trade union business be conducted outside working hours; and by the measures taken against the elected officers of the excluded organisation's Branch Councils. Whether those allegations are made out is another matter entirely.

22. It is right to add that the parallel with ASTI is not merely formal. ASTI's complaint was that the State had accorded more favourable treatment to a rival trade union.

That is the first and second limbs of this complaint. The Committee declared it admissible unanimously.

No exhaustion of domestic remedies; no requirement that the complainant be a victim

23. The Government submits that the complaint “effectively invites the Committee to review or suspend a pending domestic disciplinary process, which is not the function of the collective complaints system”.

24. It does not. What the Union asks the Committee to determine is not whether Mr Maltezos committed a disciplinary offence. It is whether the Republic ensures, in law and in practice, the protection which Articles 5, 6 and 28 require. The domestic disciplinary process is not the subject of review; it is one of the facts of which the Committee is asked to take account, and it is the principal instance through which the alleged practice is manifested.

25. But the submission also mistakes the nature of the procedure. It is a defining feature of the collective complaints system that a complaint may be lodged without exhausting domestic remedies. The Committee restated the point thirteen months ago, in **European Roma Rights Centre (ERRC) v. Italy, Complaint No. 244/2025**, decision on admissibility and immediate measures of 2 July 2025:

“**17.** ... The Committee recalls that the Protocol and the Committee’s Rules do not require complainants to exhaust domestic remedies before filing a complaint with it (see *FIDH and Inclusion Europe v. Belgium*, Complaint No. 141/2017, decision on the merits of 9 September 2020, §165).”

and, seven months earlier, in **ANPIT and CISAL v. Italy, Complaint No. 232/2023**, decision of 3 December 2024:

“**15.** As to the Government’s objection that the complainant organisations have not exhausted remedies at the national level, the Committee observes that the collective complaints procedure does not require exhaustion of domestic remedies, even where such remedies exist (*Syndicat des Agrégés de l’Enseignement Supérieur (SAGES) v. France*, Complaint No. 26/2004, decision on admissibility of 7 December 2004, §§11 and 12). The Government’s objection in this respect therefore cannot be sustained.”

26. Nor need the complainant organisation be a victim, or be entitled to represent the affected individuals in domestic proceedings. In **ERRC v. Italy**, No. 244/2025, the Italian Government argued that the complainant “would not be entitled to represent the interests of the Roma families in the domestic court, due to the lack of attribution of the necessary representative power”. The Committee’s answer (§16) was that the complainant “is entitled to file a complaint in its own name, without having to ‘represent’ the individuals affected”, and that its “ability to bring an action before a domestic court is irrelevant for the purpose of the Committee’s assessment of the admissibility of the present complaint”.

27. Those two features were built into the procedure deliberately, to make it a supervisory mechanism operating upon a State’s law and practice, rather than a court of final appeal from national decisions. An objection founded upon the

pendency of domestic proceedings is therefore not an objection to this complaint. It is an objection to the procedure.

28. The Union adds, for completeness only, that it has in fact exhausted every avenue available to it, and that all of them are recorded at paragraph 17 of the complaint: the internal complaint of the Prison Officers' Branch Council to the Prisons Directorate (7 May 2026); the Commissioner for Administration and the Protection of Human Rights (18 May 2026); the Minister of Labour and the Registrar of Trade Unions (19 May 2026); the Independent Authority against Corruption (20 May 2026); the European Commission (21 May 2026, reference 93021); the Attorney-General of the Republic and the Chief of Police, by formal criminal complaint founded on thirteen distinct statutory bases (27 May 2026); and the Committee on Freedom of Association of the International Labour Organisation (8 June 2026). The outcome of the criminal complaint is described at §§125–128 below.

29. The last of those is disclosed, as it was disclosed in the complaint itself, in the interest of transparency and not because it bears on admissibility. **The Protocol and the Rules contain no provision precluding the examination of a complaint by reason of proceedings pending before another international body.** The European Convention on Human Rights contains such a filter at Article 35§2(b); the 1995 Additional Protocol contains nothing corresponding to it, just as it contains nothing corresponding to Article 35§1 or Article 35§3(a). The Union mentions the point because the Government has the right of reply under Rule 29§3.bis and the Union prefers to place the matter before the Committee itself rather than to leave it to be raised. In any event, the two sets of proceedings are not identical: the report before the Committee on Freedom of Association rests on the freedom-of-association principles supervised by the International Labour Organization and is subject to a procedure, and to forms of relief, of a different nature; the present complaint rests exclusively on Articles 5, 6 and 28 of the Revised European Social Charter, in the light of Article E, and falls to be determined by this Committee on the basis of the Charter alone.

30. In short: of the conditions which the Protocol and the Rules actually impose, the Government contests one — and only one. The Union turns to it, but must first address the condition which the Government does *not* contest, because the Committee examines it of its own motion.

PART III — REPRESENTATIVENESS UNDER ARTICLE 1(c) OF THE PROTOCOL

31. The Government does not dispute that the Union is a representative national trade union. Its Annex describes ISOTITA and PASYDY as “two lawfully operating trade union organizations which share the common institutional purpose of representing their members, safeguarding their employment interests and carrying out trade union activities on their behalf” (Annex, §24). Since, however, representativeness is a condition which the Committee examines in every case, the Union sets out the position shortly.

32. Representativeness for the purposes of the collective complaints procedure is an autonomous concept, not necessarily identical to the national notion (*Confédération française de l'Encadrement "CFE-CGC" v. France*, Complaint No. 9/2000, decision on admissibility of 6 November 2000, §6, as restated by the Committee in *ASTI v. Ireland*, No. 180/2019, §6). A trade union satisfies it where it is **real, active and independent**, and where it exercises, in the geographical area in which it is based, activities in defence of the material and moral interests of personnel in a given sector, of which it represents a considerable number, **"and this in total independence from the employing authorities"** (*Syndicat occitan de l'Éducation v. France*, Complaint No. 23/2003, decision on admissibility of 13 February 2004, §5, as restated in *S.I.Lav. v. Italy*, Complaint No. 236/2024, decision of 1 July 2025, §9).

33. The Committee has further held that "the application of criteria for representativeness should not lead to automatic exclusion of small trade unions or those formed recently to the advantage of larger and longer-established trade unions, thereby prejudicing the effectiveness of the right of all trade unions to bring a complaint before the Committee" (*Fellesforbundet for Sjøfolk (FFFS) v. Norway*, Complaint No. 74/2011, decision on admissibility of 23 May 2012, §21, restated in *S.I.Lav.*, §9).

34. On the material before the Committee:

- **(a) The Union is real and lawfully constituted.** It has been registered since **18 December 2017**, under the name «Παγκύπρια Συντεχνία Εργοδοτούμενων, Αυτοεργοδοτούμενων, Ορισμένου χρόνου, Αορίστου χρόνου και Συμβασιούχων (ΙΣΟΤΗΤΑ)» — *Pan-Cyprian Trade Union of Employees, Self-Employed Persons, Fixed-Term, Indefinite-Term and Contract Staff (ISOTITA)* — with the Registrar of Trade Unions of the Republic under the Trade Unions Laws of 1965 to 1996 (principal Law 71/1965) under **register number 1006**. Those particulars are not merely asserted by the Union: they are stated in a letter of its then legal advisers of 17 August 2023 which the **respondent State itself annexed**, as Annex 1, to its own Opposition filed in the Administrative Court of Cyprus in Case No. 450/2024 (see §§99–121 below). Its Constitution, as amended on 2 April 2024, is at **Annex A** in complete English translation, in the text already filed at pages 325–383 of the annex bundle of 11 June 2026. Its accounts are audited annually by a qualified auditor who is not a member (Article 24.1) and are filed with the Registrar of Trade Unions before 15 February each year (Article 24.3; section 33 of Law 71/1965). Its status as a lawfully operating trade union is common ground.
- **(b) The Union is national in scope.** Its seat is in Nicosia (Article 3). Its constitutional field, by Article 2.2, is "the Public Service of Cyprus, the Security Forces, the Armed Forces, the Organisations, and all entities of public law"; by Article 2.3, "all persons employed, irrespective of employment status, in the State Service"; and by Article 5, "any employee in the State Service or in the Private Sector ... irrespective of employment status". Article 12.3 caps the number of Board members from any one Service or Department at three, and from any one Ministry or Organisation at four, precisely so that no single workplace can dominate the organisation.
- **(c) The Union is active.** It operates through **seventeen Branch Councils**, each with a President, Secretary, Treasurer and up to eight members, elected

by secret ballot of the members of the Branch for three-year terms (Article 14.1–14.2), and through the Council of the Presidents of the Branch Councils (Article 13). It has appeared before the House of Representatives; it has corresponded with the President of the Republic; it has taken collective action, including the twenty-four-hour strike of 22 May 2026 recorded in the Prisons Department’s own disciplinary file; and it has lodged and pursued proceedings before every national authority listed at §28 above.

- **(d) The Union is funded exclusively by its members.** Article 7.1 fixes the subscription at five per thousand of monthly salary. The Union receives no State subsidy, and has never received one.
- **(e) The Union’s membership and sectoral weight are on the respondent’s own court file.** In a letter of 17 August 2023 which **the Republic itself exhibited** to its Opposition in Case No. 450/2024, and the statement in which it has never, in that recourse or here, contradicted, the Union’s legal advisers stated that the Union then numbered **more than 4,500 members**, employees of the public and broader public sector irrespective of employment status; that approximately **1,500** of its members serve as **police officers**; that approximately **60** of its members are hourly-paid forest firefighters of the **Game and Fauna Service** of the Ministry of the Interior, constituting some **35–40 %** of that body; and — this being the material passage for present purposes — that:

“in several branches, among which is for example **the branch of prison officers**, the Applicants **represent the largest number of employees as compared with the other trade unions.**”

35. It is the fourth of the *Syndicat occitan* criteria — **independence from the employing authorities** — on which the Union invites the Committee to dwell, because on the Government’s own evidence it discriminates sharply between the two organisations in the sector in question.

36. The Government’s Annex states, at §20:

“at the material time, the two Senior Officers, the five Officers and the eight Inspectors of the Prisons Department were members of the Pancyrian Public Servants’ Trade Union (PASYDY).”

37. The same fact is sworn to, in the Department’s own disciplinary investigation, by the Acting Director of the Prisons Department, who told the Investigating Officer that “so far as she knows, at present **all the Officers of the Prisons Department belong to the PASYDY trade union**”.

38. The Union makes no submission at this stage as to what follows from that on the merits. It makes one submission as to what follows from it here. **Fifteen officers — the entire supervisory and managerial cadre of the Department, from Inspector to Senior Officer — belong to one of the two organisations.** Those are the officers who allocate duties, keep the attendance records, sign the service notes, initiate disciplinary proceedings, appraise and recommend for promotion. Whatever else may be said, the organisation to which every one of them belongs is not, in that Department, in a position of “total independence from the employing authorities”. The complainant organisation is.

39. The point is not confined to the Prisons Department. PASYDY's Constitution opens membership to **"all public servants"** without any exclusion of, or incompatibility rule for, officers who exercise employer authority over other members — no provision separating those who hold disciplinary, appraisal and promotion powers from the members subject to them. The Union's own Constitution takes the opposite course: Article 6.1.5 provides that members who are officers of another trade union may not be elected to its organs, and Article 12.7 that officers of its Board may not be members of another trade union.

40. The Union is aware that the Government may seek to rely on *S.I.Lav. v. Italy*, No. 236/2024, in which a complaint was declared inadmissible for want of representativeness. The comparison does not assist it. In that case the complainant had "44 delegates out of a total 693,494 delegates in the areas of school and research, amounting to a representativeness of 0.01% in that sector at national level" (§10). Here, the complainant is a pan-Cypriot organisation with seventeen sectoral Branch Councils across the whole State Service, which the respondent itself describes as one of two lawfully operating trade union organisations representing the staff of the Department in question, and whose officers hold elected office at Branch and Board level.

41. The Union no longer needs to point to anything in the future. **According to the annual return filed with the Registrar of Trade Unions under section 33 of Law 71/1965 for the year 2025, the Union numbers 5,080 registered members.** That figure comes from the source prescribed by statute, was submitted to the competent authority of the respondent State itself before these proceedings, and is verifiable by the Government without the Union's assistance, directly from the records of the Registrar of Trade Unions. A copy of the return is held by the Union and will be produced forthwith, should the Committee so request.

41A. The Union records two things in the interests of candour. **First**, the figure of 5,080 is **lower** than the figure of "more than 5,500" relied on by the Government itself in its observations; the Union does not adopt the higher figure and prefers the verified one. **Secondly**, in the Ministry of Finance's letter of 29 December 2023 the Republic stated that when official data on its members by occupation and employment status had been requested from the Union, they had not been provided. The Union leaves that matter to the merits; here it suffices that the figure now exists, comes from the Registrar, and is at the Committee's disposal.

41B. In the same connection, and because the Union's standing is better evidenced by documents of the respondent State itself than by assertions of its own, two further documents are produced: the **letter of the Registrar of Trade Unions of 15 April 2024** (file ref. 18.05.010.169.001, **register no. 1006**) and the **Certificate of Registration of a Complete Amendment of the Constitution** (Form S.10, Regulation 14, section 18(3) of the Trade Unions Law of 1965), by which the Registrar certifies that the amended Constitution was registered "today, **Monday 15 April 2024**", in substitution for the previous one. Together with the Union's Certificate of Registration (register no. 1006, 18 December 2017), which is already before the Committee as Annex 14 of the bundle of 11 June 2026, the chain is complete and derives in its entirety from the competent authority of the Republic.

42. But the point which matters for the present objection does not depend on any figure the Union supplies. **It is the respondent's own filed material which records**

that, in the branch of prison officers, this Union represents more employees than any other trade union. The Government's arithmetical submission — “two individual members out of a trade union which itself claims to represent more than 5,500 members nationwide” — is therefore addressed to the wrong denominator. In the sector in which the measures were taken, the complainant is the largest organisation; and the two persons concerned are not two of its members but the whole of its elected leadership there.

42A. The membership of the Prison Officers' Branch now also appears from a document of the respondent State itself, contemporaneous with the present proceedings: according to the subscription check-off statement of the **Treasury of the Republic for the month of July 2026** — the month in which the dismissal decision was issued — the subscriptions of **222 members** of the Union serving in the Prisons Department were being deducted through the State payroll. That element, **first**, comes from the State's own payroll records and is verifiable by the Government without the Union's assistance; **secondly**, it accords with the record which the Republic itself annexed to its own Opposition (§42 above); and, **thirdly**, it answers directly the characterisation of the complaint as concerning “two individual members”: behind the two officers stand, on the State's own records, two hundred and twenty-two members in the same Department. A copy of the statement is held by the Union and will be produced forthwith, should the Committee so request.

43. Two further matters bear on representativeness, and the Union states them because they are, in this case, inseparable from the substance of the complaint.

43A. One clarification as to the persons, which the Union makes now so that it need not be repeated. **Mr Konstantinos Konstantinou** is the elected **President** of the Union's Prison Officers' Branch Council; **Mr Georgios Maltezos** the elected **Vice-President** and Press Spokesperson of the same Branch Council and a member of the Board. They are not members; they are, under Article 2.1 of the Constitution, **officers** of the Union. And the hierarchically superior officer under whom Mr Maltezos was placed is **Inspector Mr Andreas Pepis** — the surname is written «Πέπης» in the service documents of the Prisons Department and «Πεππής» in the Union's announcements; it is the same person — who gave evidence on oath before the Investigating Officer on **20 May 2026** that he is the **President of PASYDY's Prison Officers' Branch**. Nor is he an ordinary member. The three positions material to this case are held, in both organisations, by elected heads of branch.

44. First, the Union's position within the sector is itself among the matters complained of. It is not a neutral background fact that the Union is smaller than the organisation which has received €8,410,000 of public money over nine years and sits alone on the sole institutional organ of consultation. That disparity is the first and second limbs of the complaint.

45. Secondly, and relatedly, the Charter's supervisory machinery would be turned against its own purpose if a State could first place a competing organisation at a systematic disadvantage and then invoke the resulting disparity to defeat that organisation's access to the machinery. That is the very risk which the Committee identified in *FFFS v. Norway*, §21, and restated in *S.I.Lav.*, §9.

PART IV — THE TEST OF “COLLECTIVE CHARACTER”, AND THE THREE DECISIONS OF THIS COMMITTEE WHICH DISPOSE OF THE GOVERNMENT’S SUBMISSION

A. The test

46. The requirement drawn from paragraph 31 of the Explanatory Report has two limbs, and the Government’s observations engage with neither.

47. The first limb is that a complaint must “raise questions concerning non-compliance of a state’s **law or practice**” with the Charter. The words “or practice” are decisive. A practice is not a text. It cannot be produced, cited or quoted. It exists only in what is repeatedly done, and it is therefore established, in every forum in which the question arises, **by instances**. A complaint which alleges that a State’s practice is contrary to the Charter must identify the instances in which that practice is manifested; if it does not, it is unsubstantiated. The Government’s argument penalises this complaint for having done what the Charter requires of it.

48. The second limb is that “individual situations may not be submitted”. The distinction which that sentence draws — and which the Committee’s practice has consistently drawn — is not between complaints which mention individuals and complaints which do not. It is between complaints whose **object** is an individual situation (an application for individual redress, dressed in collective form) and complaints whose object is a general situation, in which individual instances are the **evidence**.

49. The Government asserts that this complaint falls on the wrong side of that line. It does not analyse why. Its whole reasoning on the point is contained in three assertions: that the complaint is “centred on two specifically identified individuals”; that they are “only two individual members out of a trade union which itself claims to represent more than 5,500 members nationwide”; and that the other limbs of the complaint are “ancillary” and are used “to give the appearance of a collective dimension”. No analysis accompanies any of them.

50. The Union observes, before turning to authority, that the sum of €8,410,000 of public money paid to a single trade union over nine years, and the exclusion of an organisation from the only institutional forum of consultation and negotiation in the public service of a State, are not ordinarily described as ancillary features of anything.

B. *ASPP/PSP v. Portugal*, Complaint No. 179/2019 — a complaint of this precise structure, held collective

51. The question the Government raises is not open. In **Associação Sindical dos Profissionais da Polícia (ASPP/PSP) v. Portugal, Complaint No. 179/2019**, registered on 23 April 2019, a national trade union of police officers complained under **Articles 5 and 28** of the Revised Charter that **named individual officers who were also trade union officials had been subjected to reprisals on account of their trade union activities**.

52. The Committee raised the individual/collective question of its own motion — Portugal filed no observations on admissibility — and disposed of it in a single paragraph. Decision on admissibility of **13 May 2020**, §6:

“6. Turning to the grounds of the complaint, the Committee notes that the information provided by ASPP/PSP in support of its allegations consists mainly of **a detailed presentation of the situation of certain named PSP officers who are or were also trade union officials, and all of them alleged victims of reprisals on grounds of their trade union activities.** The Committee considers that **the ASPP/PSP’s arguments pertaining to the situation of individuals serve as examples of an alleged general problem of unsatisfactory application of the Charter resulting from state practice. As such, the complaint can therefore be regarded as ‘collective’ in nature** (see Explanatory Report to the Protocol, §31 *in fine*).”

53. The Committee declared the complaint admissible. It proceeded to a decision on the merits, adopted on **4 July 2023** and made public on 18 December 2023, in which it found, **by twelve votes to one, a violation of Article 28**, and, **by twelve votes to one, a violation of Article 5**. On **14 February 2024** the Committee of Ministers adopted **Recommendation CM/RecChS(2024)1** concerning the follow-up of that decision.

54. The parallel is not approximate. It is a national trade union; in the security sector of the State; under Articles 5 and 28; complaining that named elected representatives were subjected to prejudicial measures on account of their trade union activities. The Government’s observations do not mention Complaint No. 179/2019. The submission the Government makes is that a complaint of exactly that description is not a genuine collective complaint. The Committee has held that it is, and has decided it on the merits with the results just stated. If the Government’s submission were accepted, the Committee would be departing from its own decision, and would be doing so without having been told that the decision exists.

C. *ASTI v. Ireland*, Complaint No. 180/2019 — preferential treatment of a rival union is a general question

55. On the same day, 13 May 2020, the Committee declared admissible **ASTI v. Ireland, Complaint No. 180/2019**, in which a national trade union alleged that the State’s more favourable treatment of a rival union, as regards pay and increments, interfered with the right to organise under Article 5. The Committee held that the complaint was “sufficiently motivated” and that the Government’s objection “cannot be sustained” (§§9–11).

56. A complaint directed at preferential State treatment of one trade union over another is therefore capable of raising a general question under the Charter. That is the first and second limbs of this complaint, and it is a proposition the Government’s observations nowhere address.

D. *ERRC v. Italy*, Complaint No. 244/2025 — the identical objection, expressly rejected thirteen months ago

57. The Government invokes “*ERRC v. Italy*” for the proposition that individual situations are admissible only where the individual facts “serve as evidence of a

systemic failure”, and then asserts that here “the individual situations are not illustrative” but “the very object of the complaint and of the requested remedies”.

58. The Union accepts the principle. The Government has stated the correct test and has then simply announced the answer. But there is a further difficulty with the Government’s reliance on that authority: it does not identify which decision it means. The most recent decision of that name is **ERRC v. Italy, Complaint No. 244/2025**, decision on admissibility and immediate measures of **2 July 2025**. In that case the Italian Government advanced **precisely the objection the Cypriot Government advances here**, and the Committee rejected it:

“**13.** The Government objects to the admissibility of the complaint on the grounds that it concerns an individual situation and was brought ‘to challenge and paralyse the effects of a specific judicial eviction order adopted by the Italian Judge.’ ... **14.** The Committee notes that, **although the complaint highlights the situation of a specific group of individuals, it does so in order to demonstrate a general problem of the application of the Charter resulting from state practice** (see *ERRC v. Belgium*, Complaint No. 195/2020 and *DCI and Others v. Spain*, Complaint No. 206/2022, as similar examples). ... **15.** Further, the Committee does not regard the complaint as intended to challenge or paralyse the effects of the decision of the Italian court. Rather, the complaint alleges a violation of Articles 31 and E of the Charter in relation to the eviction procedures implemented by the Italian authorities ... **alleged violations of the Charter that the case from Giugliano merely serves to illustrate.** ... **18.** Therefore, the Committee finds that the Government’s objections to the admissibility of the complaint cannot be sustained.”

59. The Committee unanimously declared the complaint admissible, and, by ten votes to four, indicated immediate measures in the same decision.

60. The Union invites the Government to identify the decision on which it relies. If it is No. 244/2025, the authority is against it in terms. If it is *ERRC v. Italy*, Complaint No. 27/2004, the Union will address that decision when the Government identifies it.

61. Three matters are worth extracting from the ERRC decision, because each answers a submission made here. First, a complaint may highlight the situation of “a specific group of individuals” and remain collective, provided it does so “in order to demonstrate a general problem ... resulting from state practice” (§14). Secondly, the fact that the complainant seeks relief which will benefit those individuals does not convert the complaint into an individual one; the Committee indicated immediate measures directed to the specific families concerned (operative part). Thirdly, the pendency of domestic proceedings — there, a judicial eviction order; here, a disciplinary investigation — is not a bar (§§15, 17).

E. Summary of Part IV

62. The Government’s submission requires the Committee to hold that a complaint by a representative national trade union, under Articles 5 and 28, that named elected officers were subjected to prejudicial measures on account of their trade union activities, is not collective in character. That is what the Committee held **was** collective in *ASPP/PSP v. Portugal*, in terms, in 2020.

63. It requires the Committee to hold that a complaint about the State's preferential treatment of a rival union does not raise a general question. That is what the Committee held **did** raise a general question, sufficient for admissibility, in *ASTI v. Ireland*, on the same day.

64. And it requires the Committee to hold that a complaint which uses identified individual situations to demonstrate a general problem resulting from State practice is inadmissible. That is what the Committee held **was** admissible in *ERRC v. Italy* in July 2025, over the Italian Government's objection framed in identical terms.

65. The Union does not contend that these decisions bind the Committee. It contends that the Government has advanced, without citation and without analysis, a submission which the Committee has three times rejected, twice within the last seven years and once within the last fourteen months.

66. Finally, on the interpretive approach: the Committee has held that the Charter "is a living instrument dedicated to certain values which inspired it: dignity, autonomy, equality and solidarity", and that it "must be interpreted so as to give life and meaning to fundamental social rights", with the consequence that "restrictions on rights are to be read restrictively, i.e. understood in such a manner as to preserve intact the essence of the right and to achieve the overall purpose of the Charter" (*FIDH v. France*, Complaint No. 14/2003, decision on the merits of 8 September 2004, §§27 and 29).

67. The Committee has also held that "the aim and purpose of the Charter, being a human rights protection instrument, is to protect rights not merely theoretically, but also in fact" (*International Commission of Jurists v. Portugal*, Complaint No. 1/1998, decision on the merits, §32) — a formula the Committee reaffirmed in *ERRC v. Italy*, No. 244/2025, §19.

68. A construction of the admissibility conditions which would exclude from the collective complaints procedure a national trade union's complaint that the State fails to protect its elected representatives is a restriction which does not preserve the essence of Article 28 and does not protect it in fact. That is developed at Part VII.

PART V — THE GOVERNMENT'S OWN DEFENCE ESTABLISHES THAT THE QUESTION IS GENERAL

69. The Union now comes to what it respectfully submits is the decisive point on admissibility. It does not depend on the Union's characterisation of anything. It depends on what the Government itself says.

A. The opinion of the Department of Public Administration and Personnel of 2 April 2026

70. The Government's central justification for everything done to Mr Maltezos is that the Prisons Department did not act on its own view of the law, but sought and followed the guidance of the competent State authority. The Annex says so at length: the management addressed the **Department of Public Administration and**

Personnel (Annex, §74) in order to obtain “official guidance and an opinion as to the appropriate institutional and procedural handling of the specific case, and in particular as to whether the unilateral notification by an employee that he would, on a permanent basis, be absent from his contractual duties for two working days per week in order to engage in trade union activities was consistent with the applicable legal and administrative framework, and what procedure the Administration was required to follow”; the opinion “demonstrates that, before taking any further administrative action, the Management consciously chose to seek guidance from the competent state authority” (§75); Mr Maltezos was informed of it orally and in writing (§76); and it is one of the four matters “taken into account” in requesting the appointment of an Investigating Officer (§79(b)).

71. The Government does not say what the opinion contains. The Union does. It is exhibit **T.01-9** of the Department's disciplinary file: a letter of the Department of Public Administration and Personnel of **2 April 2026**, signed for the Director, addressed to the Acting Director of Prisons, under the heading “Unilateral announcement of absence of an employee for trade union purposes — Request for views”. Its material paragraphs read, in translation:

“**2.** As is known, as regards public servants, section 63 of the Public Service Laws provides for the safeguarding of their trade union freedom and of the unimpeded exercise of the rights associated with it. Within that framework, facilities are granted, **on a case-by-case basis**, to trade union officers and members who participate in **specific trade union activities**, such as for example: (a) participation in annual or extraordinary general meetings, as well as in ordinary or extraordinary meetings of the administrative organs of trade union organisations, (b) participation in representation activities at national or international level, (c) attendance at educational or training activities relating to labour relations.

3. The above facilities concern specific trade union activities and **do not constitute a general release from official duties**. Accordingly, the employees concerned must make the relevant arrangements in consultation with their superiors, where there is a need to be absent during the hours of the public service, taking account of service needs, while **the purposes and the duration of the absence must be determined in advance**. Moreover, if it concerns participation in meetings and service needs do not permit it, arrangements should be made for such meetings to be held at hours outside the normal hours of the public service.

4. In the light of the above, it is noted that the participation of a public servant, as an officer/member of a trade union organisation, **does not entail a right to a fixed or predetermined release of working time**, beyond the facilities granted case-by-case for specific activities.”

72. Four things follow, and the Union invites the Committee to consider each.

73. *First, this is an instrument of general application.* It is not a decision about Mr Maltezos. It is a statement by the central personnel authority of the Republic of what the law and practice of the Cypriot public service are: that **no public servant, in any Ministry or Department, as an officer or member of any trade union, has any fixed or predetermined entitlement to trade union release time**; that facilities are granted case-by-case, at the discretion of the superior, subject to service needs, and

only for the three categories of activity listed; and that where service needs do not permit, **the trade union organisation must move its own meetings outside public service hours**. That is a statement about the practice of the Republic. It is, precisely, what paragraph 31 of the Explanatory Report calls “a state’s law or practice”.

74. Secondly, the Government relies on it as its justification. The Annex’s answer to the allegation of retaliation is, in substance: we did not act arbitrarily; we asked the central authority; the central authority told us this; we told him; he did not comply; we referred the matter for disciplinary investigation. That defence is intelligible only if the opinion states the general rule. The Government cannot rely on a general rule to justify the individual measure and simultaneously deny that the complaint raises a general question. **Once the Government pleads that the measures were an application of a general instruction of the State’s central personnel authority, the measures are, on the Government’s own case, an instance of the practice — and the practice is what the complaint is about.**

75. Thirdly, the content of the instruction is itself the substance of the Article 28 limb. Article 28(b) of the Revised Charter requires the Parties to ensure that workers’ representatives “are afforded such facilities as may be appropriate in order to enable them to carry out their functions promptly and efficiently”. Article 28 is a near-verbatim transposition of Articles 1 and 2 of ILO Convention No. 135 (Workers’ Representatives, 1971), and its Appendix reproduces Article 3 of that Convention. The content-standard for “appropriate facilities” is supplied by Recommendation No. 143, adopted with the Convention, which provides at paragraph 10(1) that workers’ representatives “should be afforded **the necessary time off from work, without loss of pay or social and fringe benefits**, for carrying out their representation functions”, at paragraph 10(2) that where permission is required it is “**not to be unreasonably withheld**”, and at paragraph 11(1) that representatives “should be afforded the necessary time off for attending trade union meetings, training courses, seminars, congresses and conferences”. For the public service, Article 6(1) of **ILO Convention No. 151** — ratified by Cyprus on 6 July 1981, and given effect in domestic law by Law 65/1980 — requires that facilities be afforded to the representatives of recognised public employees’ organisations “as may be appropriate in order to enable them to carry out their functions promptly and efficiently, **both during and outside their hours of work**”; and Article 6(3) requires that “the nature and scope of these facilities shall be determined in accordance with the methods referred to in Article 7 of this Convention, or by other appropriate means” — that is, through negotiation machinery, not by unilateral administrative fiat.

76. The instruction of 2 April 2026 states the opposite of each of those propositions. It denies any entitlement; it makes the grant discretionary and case-specific; it gives three examples, and its administration has treated those examples as exhaustive; none of them is the core constitutional function of a Branch Council under Article 14.4 of the Union’s Constitution, namely “the informing of the Members belonging to the Branch and consultation with them on all matters concerning them”; and it directs that where service needs do not permit, the union is to hold its meetings outside working hours — which is a direction by the employer as to how a trade union is to organise its own administration and activities.

77. *Fourthly, this is the practice which the Union says is applied to it and not to the beneficiary organisation.* The Union does not, in this response, ask the Committee to determine that question. It asks the Committee to note that the question exists, that it is general, and that it was put in issue by the Government itself.

B. The “inevitability” argument is an argument about a structural fact

78. The Government’s answer to the conflict-of-interest allegation is that the reporting line was unavoidable, because at the material time the entire officer corps of the Department belonged to PASYDY (Annex, §§19–21):

“20. Furthermore, at the material time, the two Senior Officers, the five Officers and the eight Inspectors of the Prisons Department were members of the Pancyprian Public Servants’ Trade Union (PASYDY). Consequently, irrespective of the unit, office or specific duty to which Mr. Maltezos might have been assigned, his reporting line to an officer belonging to that trade union organisation was, under the circumstances, an inevitable consequence of the existing staffing structure and the lawful hierarchical framework of the Department. 21. This objective fact precludes the allegation that his placement in the Technical Services Office was designed or deliberately selected in order to place him under the supervision of a member of another trade union organisation.”

79. Whether that answers the allegation is a merits question. What it plainly is not is an individual fact. The composition of the officer corps of a State department, and the consequence that no member of a competing organisation can be assigned anywhere within it without reporting to an officer of the beneficiary organisation, is a **structural feature of the respondent’s public service**. The Government has pleaded it as a complete answer. It is, at the least, a general question.

80. It is also, the Union will submit on the merits, the answer to the Government’s assertion (Annex, §§24–25) that it “has never perceived, treated or characterized the two trade union organizations as ‘opposing’ or ‘rival’ organizations” and that any such characterisation “reflects the complainant’s own evaluative perspective”. A State which is neutral as between two organisations does not have an administration in which one of them holds every supervisory post.

C. Rotation as “a long-standing administrative and operational practice”

81. The third strand of the Government’s defence is that the reassignment of 3 February 2026 was an application of the Department’s rotation policy. The Annex describes it, in terms, as “**a long-standing administrative and operational practice of the Prisons Department**” serving five enumerated objectives of public interest (§6), and as satisfying “a standing and consistent demand of the **ISOTITA Trade Union** itself” (§7).

82. Again: whether that is made out is for the merits, and the Union addresses Order No. 3/26 at §§215–217 below. What matters here is that the Government has invoked, as its justification, a **practice**.

D. The consequence

83. To those three the Union adds a fourth instrument, which the Government does not mention but which the respondent State has itself produced in other proceedings: the **Constitution of the Joint Staff Committee**, approved by the Council of Ministers on 28 July 1993, whose clause 10 guarantees to the representatives and trade union officers of one named organisation the facilities necessary for the prompt and effective performance of their duties, “**both during their hours of work and outside their hours of work**” (§§101–111 below). The instruction of 2 April 2026 and clause 10 are the two poles of the same practice: a general entitlement conferred on one organisation by the Council of Ministers, and a general denial addressed to every other by the central personnel authority. Neither is an individual measure.

84. Four times, therefore, the Government’s position rests on general instruments or general practice: a general instruction of the central personnel authority as to trade union release time; the general composition of the officer corps; a general policy of rotation; and — behind them — a Council of Ministers instrument which confers by name on one organisation what the instruction of 2 April 2026 denies to all others. The Government’s admissibility objection is, on its own case, self-refuting.

85. The Union puts the point at its narrowest. It does not ask the Committee to accept any characterisation of the facts. It asks the Committee to observe that the respondent State, invited to explain why the complaint concerns only two individuals, has answered by producing (i) a ruling of general application by its central personnel authority, (ii) a structural feature of its departmental staffing, and (iii) a departmental policy. If those are the reasons why the measures were lawful, then the lawfulness of those reasons is what the complaint puts in issue — and none of the three is individual.

86. There is a further consequence, which the Union states because the Government’s Part IV makes it necessary. The Government submits that the allegations “do not establish ... a consistent administrative practice”. But a State does not rebut the existence of a practice by producing the instrument which constitutes it.

87. Nor is the general instruction of 2 April 2026 an isolated document. It was issued by the Department of Public Administration and Personnel, the authority responsible for personnel policy across the whole of the Cypriot public service, in answer to a question expressly framed by the Prisons Department in general terms — the third of the three questions put to it was “**what are the limits set by the principles of proportionality, good administration and the safeguarding of the smooth functioning of the Public Service in relation to claims of extensive or permanent trade union release**”. That is not a question about one prison officer.

88. Finally, the Union notes an omission. Although the Prisons Department also referred the underlying legal question to the **Attorney-General of the Republic**, on **9 March 2026** — a fact confirmed on oath by the Acting Director in the disciplinary investigation, who stated that “to date no reply has been received” — the Government’s Annex makes no mention of that referral at all. The disciplinary process was initiated, escalated and is being pursued while the administration’s own

question to the chief legal officer of the Republic remains unanswered, more than four months later.

89. The Union does not invite the Committee to draw any conclusion from that omission at this stage. It records it because the Government's Annex asserts, at §85, that "the assessment be based on the entirety of the factual circumstances and not on a selective presentation of individual dates", and because, on that standard, the Annex's silence about a pending reference to the Attorney-General on the very question in issue is material.

PART VI — WHAT THE COMPLAINT IS ABOUT: THREE LIMBS, EACH PLEADED ALSO IN THE LIGHT OF ARTICLE E, OF WHICH TWO CONCERN NO INDIVIDUAL WHATEVER

90. The complaint has **three** limbs — Articles 5, 6§§1–2 and 28. Only one of them concerns the two representatives at all. Each of the three is pleaded both **alone** and **in the light of Article E**, and the Article E allegation is addressed separately at §§129–132 below.

First limb — State neutrality in the trade union field (Article 5)

91. The complaint alleges that over the period 2017 to 2025 the State paid one trade union operating in the public service, PASYDY, State subsidies totalling **€8,410,000**, and paid the Union nothing. The Union's position has been stated publicly and is repeated here without qualification: **what is sought is not a subsidy; what is sought is equal terms**. The figure is advanced as an objective indicator of the absence of State neutrality between competing organisations, not as a financial claim.

92. The payments are established by the Treasury's own published statements of grants, issued under section 25(c) of Law 38(I)/2014, for each of the nine financial years, under expenditure article **0401200092**, within the vote of the Ministry of Finance (N18 / 1801 / 180100 Central Offices):

Financial year	Recipient named in the Treasury statement	Amount (€)
2017	Pan-Cyprian Trade Union of Public Servants (PASYDY)	890,000
2018	PASYDY	890,000
2019	PASYDY	890,000
2020	PASYDY	890,000
2021	PASYDY	890,000
2022	PASYDY	990,000
2023	PASYDY	990,000
2024	PASYDY	890,000

Financial year	Recipient named in the Treasury statement	Amount (€)
2025	PASYDY	1,090,000
Total 2017–2025		8,410,000

93. Three features of that record are advanced now, because each bears on whether the question is general.

94. *First, in each of the nine years the article lists exactly one payee.* There is no second line in any year.

95. *Secondly, the appropriation is expressed in the plural.* Its title is «Συνεισφορά στις **Οργανώσεις** των Κρατικών Υπαλλήλων» — *Contribution to the **Organisations** of State Employees.* The Budget therefore contemplates a plurality of recipient organisations. The exclusivity is produced not by the terms of the appropriation but by administrative practice in its execution. Any submission that the Budget “designates” PASYDY is answered by the title of the head itself.

95A. *All three have been confirmed, since the complaint was lodged, by the State itself.* On **27 July 2026** — one day before the registration of the Government’s observations — the **Treasury of the Republic** published, under the Accounting and Financial Management and Financial Control of the Republic Law (Law 38(I)/2014), the data of the State’s financial transactions for the year 2025. The Union places two pages of that publication before the Committee.

95B. The first is the Statement of Payments by Expenditure Article of the Ministry of Finance. Under article **0401200092**, «Συνεισφορά στις Οργανώσεις των Κρατικών Υπαλλήλων», **one recipient** is entered for the whole of the year 2025:

«ΠΑΓΚΥΠΡΙΑ ΣΥΝΤΕΧΝΙΑ ΔΗΜΟΣ.ΥΠΑΛΛΗΛΩΝ **1.090.000,00**»
— *PAN-CYPRIAN TRADE UNION OF PUBLIC SERVANTS 1,090,000.00*

There is no second line. The plural of the title remains, in 2025 also, without an object.

95C. The second is the statement of the natural and legal persons which received from the Republic **more than one million euro** in 2025. The statement contains two hundred and eighty-nine entries — universities, municipalities, semi-governmental organisations, hospitals, local government authorities. It contains also the following:

«Παγκύπρια Συντεχνία Δημοσίων Υπαλλήλων **1,4** **Κρατική Χορηγία**»
— *Pan-Cyprian Trade Union of Public Servants 1.4 State Grant*

(the amounts in that statement are expressed in millions of euro)

95D. From the comparison of the two pages three findings emerge, each of which rests exclusively on a publication of the State itself:

- **(a)** Among all the persons which received more than one million euro from the Republic in 2025 there is **exactly one trade union organisation**, and the

nature of its transaction is recorded in two words: “State Grant”. No other trade union in Cyprus appears in the statement.

- **(b)** The amount of the entry (**€1.4 m**) **exceeds** that of article 0401200092 (€1,090,000). The difference demonstrates that the public funding of that organisation is **not exhausted** by the article which the complaint identified. The Union does not know the origin of the difference and does not speculate; it records it.
- **(c)** Article **0401200101** — «Επιχορήγηση Δράσεων Ταμείων Ευημερίας Ωρομίσθιου Κυβερνητικού Προσωπικού», *Subsidy for the Activities of the Welfare Funds of Hourly-Paid Government Staff*, one line below on the same page of the same Ministry — lists for 2025 **three** recipients: SEK (€600,480), PASYEK–PEO (€263,644) and DEOK (€75,447).

95E. The Union anticipates the objection that the two articles are not comparable, because the second concerns “Welfare Funds”. The objection does not hold, for two reasons. **First**, the recipients named by the statement itself are not funds but **trade union organisations** — SEK, PASYEK–PEO and DEOK. **Secondly**, what matters is not the title of the article but the rule of distribution: under the one article public money is distributed among competing organisations; under the other it is awarded in its entirety to one. The same Budget, the same Ministry, the same year, two different models — and the pluralist one is applied where ISOTITA is not the organisation excluded.

96. *Thirdly — and this is the point the Union invites the Committee to note particularly — the same Ministry, in the same Directorate, in the same budget chapter and in the same years, operates a pluralist model one line away.* Expenditure article **0401200101** — «Επιχορήγηση Δράσεων Ταμείων Ευημερίας Ωρομίσθιου Κυβερνητικού Προσωπικού», *Subsidy for the Activities of the Welfare Funds of Hourly-Paid Government Staff* — is distributed every year among **three** competing trade union organisations:

Year	Recipients under article 0401200101	Amounts (€)
2019	SEK / PASYEK–PEO / DEOK	549,797 / 304,178 / 71,142
2022	SEK / PASYEK–PEO / DEOK	1,105,150 / 592,649 / 146,441
2024	SEK / PASYEK–PEO / DEOK	570,862 / 255,201 / 76,344
2025	SEK / PASYEK–PEO / DEOK	600,480 / 263,644 / 75,447

97. The State therefore cannot say that a distribution mechanism does not exist, or that no competing organisations exist, or that administrative necessity requires a single recipient. It demonstrably runs the pluralist model for one category of its own staff and the monopoly model for another. Whether that differential is justified is a merits question. That it raises a general question about State neutrality between trade unions is not seriously arguable.

98. The Union records the legal framework against which that question will fall to be assessed, without developing it here. **Article 2(2) of ILO Convention No. 98** (ratified by Cyprus on 24 May 1966) provides that acts “designed to promote the establishment of workers’ organisations under the domination of employers or employers’ organisations, **or to support workers’ organisations by financial or other means, with the object of placing such organisations under the control of employers or employers’ organisations**, shall be deemed to constitute acts of interference”. **Article 5(3) of ILO Convention No. 151** (ratified by Cyprus on 6 July 1981; Law 65/1980) is its public-service twin, with “a public authority” substituted for “employers”, and Article 5(1) adds that “public employees’ organisations shall enjoy **complete independence** from public authorities”.

Second limb — exclusion from institutional consultation and negotiation (Articles 5 and 6)

99. The Union is excluded from the **Joint Staff Committee** (Μικτή Επιτροπή Προσωπικού, “the JSC”), the official organ of collective consultation in the Cypriot public service, in which PASYDY alone participates. It is not consulted on matters directly affecting its members. The complaint identifies, among others, the new pension scheme, the leave regulations and the cost-of-living allowance.

100. The JSC is not constituted by any Act of the House of Representatives, nor by any published regulation. It rests on a *Constitution and Regulations* (Καταστατικό και Κανονισμοί) approved by the Council of Ministers. Those terms are not published, and the Union was for years unable to obtain them.

101. They are now before this Committee, because **the respondent State itself produced them**. On **9 March 2026** the Law Office of the Republic filed, in the Administrative Court of Cyprus in **Case No. 450/2024, Pan-Cyprian Trade Union ISOTITA v. Republic of Cyprus through the Ministry of Finance** — a recourse under Article 146 of the Constitution by which this Union challenges precisely its exclusion from the JSC — an Opposition (Form No. 2) annexing, as its Annex 3, the **Constitution and Regulations of the Joint Staff Committee**, together with the circular of the Director of the Public Administration and Personnel Service by which it was promulgated. That circular records that **the Council of Ministers, at its session of 28 July 1993, approved the agreement reached in the JSC for the revision and modernisation of the Constitution and functioning of the Joint Staff Committee**, and that the earlier Circular No. 831 of 19 October 1987, by which the previous Constitution had been circulated, was thereby revoked.

102. The Union sets out the material provisions verbatim, in translation. They are short, and they decide the second limb of this complaint.

Clause 2 — ORGAN OF COLLECTIVE CONSULTATIONS. “The Joint Staff Committee (hereinafter referred to as the Committee) and the Permanent Staff Sub-Committee (hereinafter referred to as the Sub-Committee) **constitute the official organ of collective consultations between the Government as employer and the totality of public servants, for the regulation of the general terms of employment in the field of the public service, through their trade union organisation, P.A.S.Y.D.Y.**”

Clause 3.β.i — the matters for joint consultation include: recruitment; promotions; **hours of work**; **leave**; public holidays; medical care; **discipline**; emoluments and allowances; retirement benefits; and “any other matters affecting the terms of service in respect of any post, or group of posts, or the public service as a whole”.

Clause 5.A.α — The members of the **Official Side** are: the Director-General of the Ministry of Finance, Chairman; the Director of the Public Administration and Personnel Service. **Clause 5.A.β** — “**The Trade Union Side consists of two representatives of the Pan-Cyprian Trade Union of Public Servants.**” **Clause 5.B.β** — On the Permanent Sub-Committee, “**the Trade Union Side is represented by the General Secretary of PASYDY or his representative.**”

Clause 9.ii and 9.iv — The Committee meets when matters on which there was disagreement in the Sub-Committee are referred to it, “or when it is requested by the Chairman **or by a representative of PASYDY** that certain matters be examined directly by it”; and an extraordinary meeting may be convened by the Chairman on his own motion “**or at the request of a representative of PASYDY**”.

Clause 10 — PROVISION OF FACILITIES TO THE ORGANISATION OF PUBLIC SERVANTS. “For the purposes of carrying out the work of the J.S.C. and of the Sub-Committee, **the necessary facilities must be provided to the representatives and trade union officers of the Pan-Cyprian Trade Union of Public Servants, so as to make possible the prompt and effective performance of their duties, both during their hours of work and outside their hours of work.**”

Annex I, clause 3.β — Joint Departmental Staff Committees (ΜΙΤΕΠ) are established in every Ministry save the Ministry of Defence; their Official Side comprises the Director-General of the Ministry (Chairman), the Head of the Department concerned, and a representative of the Public Administration and Personnel Service; and “**the representatives of the Public Servants’ Side are appointed by PASYDY**”.

Annex II — the **Disputes Board**, the arbitration mechanism, is constituted for the resolution of disputes arising “between the Official and the Trade Union Side of the J.S.C.”.

103. Six consequences follow, each from the face of the instrument.

104. *First*, the State has designated, by name, a single organisation as the channel through which the terms of employment of **the totality of public servants** are regulated. Clause 2 does not lay down a criterion which an organisation may satisfy. It names one.

105. *Secondly*, the subject-matters reserved to that channel include **hours of work, leave and discipline** — that is, precisely the three subjects of the measures complained of in the third limb of this complaint.

106. *Thirdly*, the Trade Union Side is composed exclusively of PASYDY; the Permanent Sub-Committee’s trade union member is PASYDY’s General Secretary; and PASYDY alone may require the Committee to convene.

107. *Fourthly*, the same architecture is reproduced in every Ministry: on every Joint Departmental Staff Committee — including that of the **Ministry of Justice and Public Order**, within which the Prisons Department falls — the entire workers' side is *appointed by PASYDY*. The Union which, on the respondent's own filed material, represents more prison officers than any other has no representative on the body which discusses prison officers' conditions of service.

108. *Fifthly*, the Disputes Board — the conciliation and arbitration machinery — exists only for disputes between the Official Side and PASYDY. No other organisation can reach it.

109. *Sixthly, and most significantly for the third limb of this complaint, clause 10 is a facilities guarantee, granted by an instrument of the Council of Ministers, to the representatives and trade union officers of one named organisation, in terms which reproduce Article 6(1) of ILO Convention No. 151 word for word.* Article 6(1) of that Convention — ratified by Cyprus on 6 July 1981 and given effect by Law 65/1980 — requires that facilities be afforded to the representatives of recognised public employees' organisations "as may be appropriate in order to enable them to carry out their functions promptly and efficiently, **both during and outside their hours of work**". Clause 10 says exactly that. The Republic has therefore implemented Article 6 of Convention No. 151 and, with it, Article 28(b) of the Charter — **for one organisation, by name**.

110. The Union invites the Committee to set clause 10 beside the two instruments already before it:

	PASYDY	ISOTITA
Instrument	Constitution of the JSC, cl. 10, approved by the Council of Ministers , 28 July 1993	Opinion of the Department of Public Administration and Personnel , 2 April 2026
Entitlement	"the necessary facilities must be provided"	"does not entail a right to a fixed or predetermined release of working time"
When	" both during their hours of work and outside their hours of work "	where service needs do not permit, arrangements are to be made for union meetings " at hours outside the normal hours of the public service "
Standard	"so as to make possible the prompt and effective performance of their duties"	facilities "case-by-case", for three enumerated categories, subject to prior determination of purpose and duration
In practice	—	two hours on Tuesdays and two on Thursdays, revocable "provided that no service issue arises";

absence recorded as
absence without leave;
earned compensatory rest
deducted

111. The Union makes no submission at this stage as to whether that differential can be justified. It submits only that the question whether it can — whether a State Party complies with Articles 5, 6 and 28 of the Charter when it guarantees, by instrument of its Council of Ministers, facilities during and outside working hours to the officers of one trade union, and instructs its administration that the officers of another have no entitlement at all and must move their union's business outside working hours — **is a question about the law and practice of the Republic**, and could not conceivably be described as an individual situation.

112. The Union adds one matter which appears from the same court file and which bears on whether any criterion exists at all. In a letter of **29 December 2023**, annexed by the Republic to its own Opposition, the Director-General of the Ministry of Finance answered the Union's request for participation. He stated that consultations on horizontal matters are conducted "with the trade union which represents the largest percentage of the affected employees according to the matter under discussion", while other affected unions "shall be informed by the Official Side **whenever this is requested**". He then stated:

"the participants in these Committees **are expressly named** by the Constitution applicable in each case (Annex 3), which provides that the Trade Union Side is represented by representatives of **PASYDY** as regards the JSC, by representatives of the **Cyprus Police Association (which has acceded to PASYDY)** as regards the Joint Police Committee, and by representatives of **SEK-PEO** as regards the Joint Labour Committee. **It is noted that, in order for the participation of other Trade Union Organisations in the above Committees to become possible, the Constitution applicable in each case must be amended, a matter which requires the concurring opinion of both Sides, that is to say both the Official and the Trade Union Side.**"

113. Three things follow. **(a)** Participation is determined not by any criterion but by name. **(b)** The admission of a competing organisation requires the consent of the Trade Union Side — and the Trade Union Side *is* the organisation whose monopoly would be ended. **The State has conferred upon one trade union a power to veto the admission of its competitors to the only organ of collective consultation in the public service.** **(c)** For hourly-paid government staff, by contrast, the same letter records that the Joint Labour Committee's trade union side comprises **two** competing organisations — the identical pluralist/monopoly contrast which appears one line apart in the State Budget (§§96–97 above).

114. In its Opposition of 9 March 2026 the Republic nevertheless asserts, at paragraph 3, that participation in these procedures "is determined ... **on the basis of objective criteria of representativeness** and existing constitutional provisions", and that the acts of the competent authorities "were and remain fully lawful, without any intention or practice of exclusion, and are consistent with the obligation to

respect trade union pluralism and the equal treatment of all organisations, within the institutional framework.” The Union does not ask this Committee to resolve that. It observes only that the assertion of objective criteria and the annexed instrument which names the participants and gives the incumbent a veto cannot both be right, and that the Administrative Court has not yet ruled.

115. The Union records, finally, the Republic’s two preliminary objections in that recourse: that the recourse “does not challenge an executory administrative act”, and that “the applicants have no legitimate interest to file the present recourse”. Those objections are relevant here only to the material concerning the domestic avenues (§§122A–128 below): the Union did take the exclusion to the domestic court, in 2024, and the answer of the State is that there is nothing to challenge and that the Union has no standing to challenge it. The recourse remains pending.

116. None of this is new. In **Pan-Cyprian Trade Union of Nurses (ΠΑ.ΣΥ.ΝΟ.) v. Republic (1994) 4 C.L.R. 174**, Case No. 800/92, judgment of Stylianides J. of 26 January 1994, the Supreme Court of Cyprus had before it a letter of the Director of the Department of Public Administration and Personnel of 11 August 1992, in these terms:

“the Constitution of the Joint Staff Committee, which was approved by the Council of Ministers, **does not permit the Government to negotiate terms of employment in the public service sector with any organisation other than PASYDY.**”

117. The Court held, in terms:

“The impugned decision **violates the right of trade union freedom ... It denies the applicants the right to negotiate and the right to be heard. It subjects the applicants’ members, in a manner that borders on coercion, to abandoning their own organisation and joining another, thereby violating positive trade union freedom.**”

and, on the general principle:

“A worker may not be coerced into joining a particular association, or into abandoning the association of his choice. The establishment of a single and compulsory association (*syndicat unique obligatoire*) is contrary to the positive freedom of association. **The right of association and of founding a trade union encompasses the plurality of associations and organisations (*pluralisme syndical*).**”

and:

“**Recognition of the founding of a trade union, without securing, to some extent, the generally recognised activities of trade unions, is not consistent with the wording and purposes of Article 11 ECHR and Article 21.2 of the Constitution. ... A trade union, in order to protect the interests of its members, has a right to be heard.**”

and, on ILO Convention No. 151, ratified by Law 65/1980:

“Article 7 of the Labour Relations (Public Service) Convention, 1978, imposes on the member States of the Convention the taking of measures to

encourage and promote the fullest development and utilisation of procedures permitting the negotiation of terms and conditions of employment between the public authorities concerned **and the organisations of public servants. The Convention does not refer to an organisation of public servants, but to organisations.”**

118. The Union states two qualifications, so that the Committee is not left to discover them from the Government. First, the proceedings in that case were ultimately **discontinued as having become moot**: after the action was filed, the Law Office of the Republic pressed the administration to comply by three successive letters (4 March 1993, 24 June 1993 and 22 December 1993), and on 29 December 1993 the Director of Public Administration and Personnel finally invited the applicant union to present its views, whereupon the Court held that the case had become moot. The passages quoted are therefore the Supreme Court’s reasoned exposition of the law, delivered before the mootness point was reached, and are reproduced in the official headnote; they are not an operative annulment. The Union relies on them as such, and does not overstate them.

119. Secondly, and more importantly, that qualification is the Union’s point rather than the Government’s. In 1994 the Supreme Court of Cyprus told the Republic that the exclusivity of the Joint Staff Committee borders on coercion and violates trade union freedom. The State avoided an adverse ruling by granting that particular union a hearing — **and left the Constitution of the Joint Staff Committee in place**. Indeed the instrument now before the Committee post-dates the events in that case: the letter of 11 August 1992 referred to the Constitution then in force, circulated by Circular No. 831 of 19 October 1987; the Council of Ministers approved the **revised** Constitution on 28 July 1993, almost a year after that letter and six months before the judgment. The revision changed the chairmanship, added a Permanent Sub-Committee, and altered the Disputes Board. **It did not change clause 2 or clause 5.** Thirty-three years later the identical exclusivity is applied to ISOTITA. That is a continuing situation, judicially identified, known to the State, and unremedied.

120. The Union observes that the 1993 revision was itself, on the face of the promulgating circular, “the agreement reached **in the J.S.C.**” — that is, agreed between the Government and PASYDY. The instrument which names PASYDY as the sole trade union side was negotiated with PASYDY; and, on the Ministry of Finance’s own statement of 29 December 2023, it cannot be amended without PASYDY’s consent.

121. The Union adds one contemporary and verifiable instance. During the preparation of the **Public Service (Grant of Leave) Regulations 2024**, PASYDY alone was consulted; the **Parliamentary Committee on Finance returned the Regulations for consultation with ISOTITA as well**. The Union presented its positions to that Committee on 8 April 2024. A letter to the President of the Republic of 12 April 2024, seeking equal participation, remains unanswered.

Third limb — protection of workers’ representatives and facilities (Article 28)

122. The complaint alleges that the Republic does not ensure effective protection of elected workers’ representatives against acts prejudicial to them on account of their

status or activities, nor the grant of appropriate facilities enabling them to carry out their functions promptly and efficiently. This limb is developed at Part VII below.

The absence of any effective avenue — evidence, not a new limb

122A. *A clarification as to the nature of the material which follows.* The complaint, as lodged, advances **three** limbs: Articles 5, 6§§1–2 and 28, alone and in the light of Article E. The Union does **not** add a fourth basis and does not seek to amend the complaint. The material which follows is produced for two limited purposes, both of them responsive: **first**, because the complaint itself disclosed the pending domestic and international proceedings, for reasons of completeness and transparency (at its §7), and the Government draws an argument from them; **secondly**, because the effectiveness or otherwise of the domestic avenues is an element of whether the situation complained of is **general** — which is precisely the question posed by Part IV of the Government's observations. No finding of violation is sought on that basis separately.

123. The complaint records that every domestic avenue was attempted and that none has produced an examination on the substance.

124. On 27 May 2026 the Union lodged with the **Attorney-General of the Republic** — in whom Article 113 of the Constitution vests the institution and conduct of criminal proceedings — and with the Chief of Police, a formal complaint founded on thirteen distinct statutory bases drawn from the Criminal Code (Cap. 154) and four special laws, including abuse of office by a public officer, improper influence over placements, transfers and the exercise of disciplinary power, workplace harassment, and victimisation of a person who has lodged a complaint. It named both affected officers. It listed six categories of records whose collection it requested. It recorded the Union's readiness to hand over, in confidence, specific evidence of a pattern of placements of prison officers in favourable posts in exchange for joining a rival organisation.

125. By letter of **6 July 2026** (ref. GE 93/1984/350), signed by a Senior Counsel of the Republic "for the Attorney-General of the Republic", the Law Office informed the Union that "from the assessment of the allegations put forward in your letter, no elements emerge which would justify the commencement of a criminal investigation against any person", and that the matters raised "concern primarily administrative acts and decisions" which "do not constitute, in themselves, conduct of a criminal nature".

126. What follows is recorded not by way of review of that decision — no such request is made (§128 below) — but as the factual measure, appearing from the document itself, of whether that avenue operated in practice. The letter records its own method: the complaint was examined "on the basis of the facts, allegations and positions" set out in it. No statement was taken from the complainant, from either affected officer, or from any witness. None of the six categories of records was called for. No preliminary inquiry was entrusted to the Police. The evidence offered in confidence was never requested. The conclusion is not reasoned by reference to any of the thirteen statutory bases: the letter does not identify which constituent element of which offence was found wanting, or on what material. The letter describes the complaint as concerning the administrative treatment of one officer; the second affected member is not mentioned in it at all.

127. On 8 July 2026 the Union requested, under **Article 29 of the Constitution** — which entitles every person to a “duly reasoned” decision on a complaint addressed to a competent public authority, within thirty days — a reasoned determination on each allegation and each legal basis; that the matter be considered by the Attorney-General personally or entrusted to officers with no prior involvement in advising the departments complained of; and it drew attention to the dual capacity in which the Law Office stands in this case: as constitutional legal adviser to the very administration whose acts are complained of — **an administration which had itself referred the underlying legal question to the Attorney-General on 9 March 2026, without any opinion ever issuing** — and, at the same time, as the authority which alone controls the criminal process. No reply has been received.

128. The Union does not ask the Committee to review that decision; that is not its function, and the Union does not question the constitutional discretion conferred by Article 113.2. It records the outcome because of its bearing on these proceedings: the authority which alone can set the criminal law in motion has closed the file on a reading of the complaint alone, without a single investigative act, in terms which would apply equally to any complaint whatever. So long as that position stands, there exists in practice no domestic avenue through which the criminal dimension of anti-union retaliation can even be examined. The critical point is not that Cypriot law lacks relevant provisions — it does not (see §§315A–315D below); it is that, in the only case in which they were called upon to operate, they did not operate.

Article E — pleaded in conjunction with each of the three limbs, and decisive of the present question

129. The complaint alleges, at its paragraph 22, that “the difference in treatment between the Union (and its members and representatives) and the favoured organisation — **in funding, in access to consultation, in facilities and in exposure to reprisals** — rests on no objective and reasonable justification and amounts to discrimination on the ground of trade-union affiliation (‘other status’), in conjunction with Articles 5, 6 and 28”. Its request at paragraph 25(b) is framed accordingly: a finding of violation of Articles 5, 6 §§1–2 and 28 “read alone and **in the light of Article E**”.

130. The Government's observations do not mention Article E. The Union draws the point out because it is not an additional label. **An allegation under Article E is comparative by definition.** It cannot be stated, still less determined, without identifying two classes and the treatment accorded to each. Here the two classes are two trade unions: one which receives an annual appropriation under a named article of the State Budget, holds both trade union seats on the Joint Staff Committee, appoints the workers' side on every Joint Departmental Staff Committee, and is guaranteed by clause 10 of that Committee's Constitution the facilities necessary for the prompt and effective performance of its officers' duties **both during and outside their hours of work**; and one which receives none of those things, and whose Branch officers are subjected to the measures described in Parts VII and VIII below.

131. A complaint whose very structure requires the Committee to compare the position of two organisations within a State's legal and administrative order **cannot be an “individual situation”** within the meaning of paragraph 31 *in fine* of the Explanatory Report. There is no individual in that comparison. The comparison is

between one organisation and another, and the term of comparison is the State's own law and practice.

132. The Union does not invite the Committee to determine the Article E allegation at this stage. It invites the Committee to note three things: that the allegation was pleaded when the complaint was lodged; that the Government has not answered it; and that its presence is by itself an answer to the submission that what is before the Committee is a disguised individual complaint. The Union adds that this reading is consistent with the Committee's practice. In *Autism-Europe v. France*, No. 13/2002, the Committee examined the substantive provisions "read alone or together with Article E". In *ASTI v. Ireland*, No. 180/2019, the preferential treatment of one trade union over another was itself held to raise a general question. Differential treatment as between organisations is not at the margin of the collective complaints procedure; it is among its central subjects.

The consequence for the Government's request

133. The first and second limbs concern no individual whatever; and the material concerning the domestic avenues (§§122A–128) concerns individuals only in the sense that those avenues were opened by the Union on their behalf, what it demonstrates being the complete absence of any avenue at all. They cannot be characterised as individual on any view. Yet the Government's principal request is that the complaint be declared inadmissible **in its entirety**. That request cannot be granted consistently with the Government's own reasoning.

134. The Government's answer to those three limbs is the single word "ancillary", supported by the assertion that they are used "to give the appearance of a collective dimension". No analysis accompanies it.

135. The Union observes that if the Government's characterisation were right, one would expect the Government to have engaged with the first and second limbs on their merits — to have identified the criterion by which the recipient of article 0401200092 is chosen, or the criterion by which participation in the Joint Staff Committee is determined. It has done neither. Its observations do not mention the funding figures, the budget article, the Joint Staff Committee's constitutive instrument, or the 1994 judgment of its own Supreme Court.

136. *[The following three paragraphs are advanced only if the Committee considers it useful; they concern the relationship between the three limbs and are not necessary to the Union's case on admissibility.]*

137. The three limbs are not three separate complaints. They describe one situation from three directions: an organisation which the State funds and consults, and an organisation which the State does not fund, does not consult, and whose elected officers are subjected to the measures described. The first and second limbs establish the asymmetry; the third shows what the asymmetry does to the excluded organisation's capacity to function. The material concerning the domestic avenues (§§122A–128), which is not a limb, shows that nothing in the domestic system corrects it.

138. That relationship is why the Union resists severance (Part XI). It is also why the Government's characterisation of two of the three limbs as "ancillary" is, with respect, the reverse of the position. The treatment of the two officers is the *evidence*. The

funding, the exclusion, and the general instruction on trade union time are the *practice*.

139. The question the complaint raises is therefore not whether two employees have been badly treated. It is whether a State which funds one organisation and not another, which admits one and not another to institutional consultation, whose central personnel authority instructs that no public servant has any fixed entitlement to trade union time and that unions must move their meetings outside working hours, and which subjects the elected officers of the excluded organisation's Branch Councils to the measures described, secures the rights guaranteed by Articles 5, 6 and 28.

PART VII — ARTICLE 28 CANNOT BE ENGAGED OTHERWISE THAN THROUGH PERSONS

A. The Government's test would render Article 28 unenforceable

140. Article 28 of the Revised Charter provides:

“With a view to ensuring the effective exercise of the right of workers’ representatives to carry out their functions, the Parties undertake to ensure that in the undertaking: **a** they enjoy **effective protection against acts prejudicial to them, including dismissal**, based on their status or activities as workers’ representatives within the undertaking; **b** they are afforded **such facilities as may be appropriate in order to enable them to carry out their functions promptly and efficiently**, account being taken of the industrial relations system of the country and the needs, size and capabilities of the undertaking concerned.”

The Appendix provides that “the term ‘workers’ representatives’ means persons who are recognised as such under national legislation or practice.”

141. A State does not fail to protect workers’ representatives in the abstract. It fails to protect them by what is done to particular representatives. Article 28 can of course be assessed in the abstract, and the Committee assesses it so in the reporting procedure. But where the complaint is that the protection is ineffective **in practice**, the practice can be shown in no other way than by what was done to representatives.

142. A construction which renders an accepted Charter provision unenforceable through the collective complaints procedure cannot be the correct one. It is, moreover, exactly the construction the Committee rejected in *ASPP/PSP v. Portugal* — a complaint under Articles 5 and 28 concerning named representatives, held collective, and resulting in a finding of a violation of Article 28 by twelve votes to one.

B. These are not two members among many; they hold constitutional office

143. The Government's argument is arithmetical: two individuals out of a membership which, it says, the Union claims exceeds 5,500 in seventeen sectoral bodies.

144. They are not two members among 5,500. They are the **President of the Prison Officers' Branch Council** and its **Vice-President**, who is also the Branch's **Press Spokesperson** and a member of the Union's **Board**. Between them they constitute the elected leadership of that Branch. The Union's registered Constitution establishes what that means:

- **Article 2.1** — "*Officers*" means Members of the Administrative Organs of the Union, **including also the Members of the Branch Councils**. They are officers of the Union, not ordinary members.
- **Article 14.1** — Branch Councils are elected **by secret ballot among the Members in good standing belonging to that Branch**; and "**The President of the Branch Council shall be the representative of his Branch on the Council of the Presidents of the Branches without further elections or procedures.**" The Branch President's seat on the Union's third organ is automatic and personal to the office: disable the office and the Branch loses its seat at the Union's own table.
- **Article 14.2** — the term is three years, effective immediately upon election. The officers cannot simply be substituted at will.
- **Article 14.4** — "**The duties of the Branch Councils are the informing of the Members belonging to the Branch and consultation with them on all matters concerning them** in relation to the actions, activities and decisions of the Union."
- **Article 13.5** — "**every Branch Council is bound to request recommendations from its Members before every scheduled meeting**" of the Council of the Presidents.
- **Article 34.3** — a recommendation for a strike of the members of a particular Branch must be put to a secret ballot "**among the Members affected by the labour dispute**". The Union's capacity to take collective action in a sector depends on the functioning of that sector's Branch machinery.

145. The constitutional function of these two officers is therefore to be **among** the members they represent, informing and consulting them. Measures which remove an officer from the shift system in which those members work, place him on office hours, confine his release to two hours on Tuesdays and two on Thursdays — revocably, "provided that no service issue arises" — record his union absence as absence without leave, and deduct earned rest as its price, are measures which strike at the performance of that function. **The harm is not to the officer's employment; it is to the members' constitutional entitlement to be informed and consulted through him.**

146. The Committee's own reading of Article 28 confirms that the provision reaches measures of this kind. In its Conclusions 2022 in respect of Türkiye, the Committee recalled that Article 28(a) covers not only dismissal but "prejudicial acts, such as for instance, **denial of certain benefits, training opportunities, promotions and**

transfers"; it treated as problematic, in the public sector, the requirement that trade union activity during working hours be subject to the employer's "permission"; and it concluded that the situation was not in conformity with Article 28 on the ground, among others, that **"facilities granted to workers' representatives are not adequate"**.

C. The deterrent effect operates on the membership

147. In **Straume v. Latvia** (application no. 59402/14, judgment of 2 June 2022) the European Court of Human Rights held that the measures taken against the elected leader of a trade union on account of statements made on behalf of her organisation — her removal from her duties and, ultimately, her dismissal — violated Article 11, read in the light of Article 10; and its reasoning treats even modest sanctions as capable of producing a deterrent effect on the exercise of trade union rights. The Court held (§108) that "in the context of trade union activities, criticism of social or economic policies or of occupational safety and health measures constitutes legitimate trade union activity", and that **"the duty of loyalty cannot be relied upon to deprive trade unions and their representatives of the very essence of their right to defend their members' interests"**.

148. The relevance of that reasoning here is not that it binds this Committee. It is that it identifies where the harm in cases of this kind is located: in the message received by the membership. A prison officer who observes that the Branch's Press Spokesperson was reassigned forty-three days after the Branch publicly named a senior officer, and is now subject to a disciplinary path which may end in compulsory retirement or dismissal, draws a conclusion about the cost of holding office in this Union. That is a collective effect by definition.

149. The Union adds that the deterrent effect is not speculative in this case. The letter of the Acting Director of Prisons of 20 April 2026, which set the disciplinary process in motion, says so itself. See §§195–203 below. Since the dismissal, that effect has also found recorded, present-day expression: see §300E below.

D. The Union is not a prison officers' union, and the practice complained of is not confined to the Prisons Department

150. The Government's framing treats the complaint as a workplace dispute in a single department. The Union's Constitution shows otherwise: Articles 2.2, 2.3, 5 and 12.3, set out at §34 above. The prison officers are one of seventeen Branches. What is at stake is not the position of that Branch but whether the framework within which all seventeen operate complies with the Charter.

151. The complaint, as lodged on 11 June 2026, drew the Committee's attention to the Prison Officers' Branch alone. The Union is now obliged to place two further matters before it. It does so because the Government has put in issue whether the measures complained of are "indicative of any general practice contrary to the Charter", and because the answer to that question is in the Union's own file.

152. Before setting the material out, the Union states what it does and does not ask. *It does not ask the Committee to determine any of it.* One of the two matters is the subject of pending proceedings; the other was disposed of by the State itself. *It does not seek to amend the complaint*, which stands exactly as lodged. *It advances the*

material for a single purpose: to answer the submission that a complaint concerning two elected officers of one Branch is incapable of raising a general question.

(i) The Hourly-Paid Game Wardens' Branch — Mr Apostolos Mouzouras

153. Mr Apostolos Mouzouras is the elected President of the Branch Council of Hourly-Paid Game Wardens (*Κλαδικό Συμβούλιο Ωρομίσθιων Θηροφυλάκων*) of the Pan-Cyprian Trade Union ISOTITA. He is employed by the **Game and Fauna Service**, which falls under the **Ministry of the Interior**. He is **not a public servant**: he is hourly-paid government staff, governed not by the Public Service Laws but by the Terms of Employment of Hourly-Paid Government Staff Regulations. That distinction is not incidental. It is developed at §163 below, and it is the reason this material is put before the Committee.

154. On **13 February 2026** he appeared, in his capacity as elected Branch President, on the current-affairs programme “PM” of the Cyprus Broadcasting Corporation, and spoke about the conditions of his Branch. **Three days later, on 16 February 2026**, the Head of the Game and Fauna Service ordered a departmental investigation into whether those statements constituted disciplinary offences. The Union denounced the order publicly the same day and requested its withdrawal. There was no withdrawal.

155. What he had spoken about was not contested opinion. Each matter had been acknowledged as outstanding, in writing, by the **Director-General of the Ministry of the Interior** in a letter of **4 June 2025** (file ref. 10.07.005) answering the Branch on fourteen points — among them the bill on hourly-paid game wardens, pending before the Law Office since December 2024; safety in the performance of duty, with the express confirmation that the request for a baton and spray had not been met and that the regulation of personal armament remained within the pending bill; irregular hours; vehicles; the non-payment of the hazard allowance; and gaps in training.

156. Nor was the occasion abstract. Five weeks before the broadcast, on the night of **9 January 2026**, on a night patrol against poaching in the Acheleia area of the Paphos district, Mr Mouzouras and a colleague intercepted two poachers. One of them turned his firearm on the colleague and threatened his life in order to escape. The two wardens were **unarmed**. They arrested one man with the exhibits; the armed accomplice escaped into the dark and remains at large. The incident was reported in the press on 10 and 11 January 2026, was the subject of a public announcement of the Branch Council of 11 January 2026, and was investigated by the Paphos CID. The man arrested was released the next morning, and was re-arrested only after the Branch protested publicly. Within days the colleague's private vehicle was burnt out; days later two service vehicles were burnt at the Kakopetria station. The Union attributes responsibility for those acts to no one — their investigation belongs to the prosecuting authorities. It records them because they are the circumstances in which an elected Branch President was invited to speak, and did speak.

156A. One feature of that same broadcast the Union places separately before the Committee, because it operates as a **measure of comparison**. Immediately after the remarks of the Branch President, on the same programme and on the same day, the **Press Spokesman of the Game and Fauna Service** — a Senior District Officer, a subordinate of the Head of the Service — spoke and answered the journalist's

questions upon precisely the same matters. Two officers of the same Service spoke, on the same day, on the same television programme, on the same subjects. **A disciplinary investigation was ordered against one of them.** The difference between them is not the publicity, nor the subject, nor the medium; it is that one spoke as an elected trade union representative and the other as the voice of the administration. The Union does not suggest that the Press Spokesperson ought to have been proceeded against; it suggests that the contrast answers, by itself, the question what exactly was found objectionable.

157. By letter of **26 February 2026** the Head of the Service recorded, in writing, that the statements under investigation **concerned him personally**. He is the officer who ordered the investigation; who appointed each of the investigating officers; and who, under Regulation 9(4), decides upon guilt and penalty. His position on public trade union expression is on the public record. Asked in a session of the **House Committee on Labour**, by its Chairman, why he did not speak with the President of the Hourly-Paid Game Wardens' Branch about the workers' problems, his recorded answer was: **"I do not speak with people who go out and talk on the television channels"** — and that notwithstanding the Chairman's having pointed out to him his legal obligation in the matter. The Union relies, as to that incident, **exclusively on its own public announcement of 8 May 2024**, in which it is recorded and which has never, so far as the Union is aware, been contradicted; it does not advance the incident as a proved fact and does not invite the Committee to rule upon it.

158. The same announcement records two further matters. First, the systematic refusal of trade union time to the Branch President — **"if he wants time, let him take it out of his own leave"** — notwithstanding **Regulation 49** of the very Regulations which govern him, which provides paid leave of absence "for trade union purposes" both for hourly-paid staff and for the officers of trade unions; and the suggestion to the President of the Union's Board that he should **"reckon on 365 days"** for a meeting to take place. Secondly, an earlier disciplinary investigation commenced against the same officer after he had complained to the **Commissioner for the Protection of Personal Data** about the handling of employees' personal data within the Service. It established nothing against him.

158A. *A clarification as to the numbering, so that there may be no ambiguity.* **Upon the subject-matter of the television appearance, two** successive investigating officers have been appointed: the first on 16 February 2026 (a Senior Game Warden) and the second on 16 June 2026 (a District Officer). The **third** appointment, of 30 June 2026, concerns a **different subject-matter** — the report of 17 June 2026 — and was made in the person of the first investigating officer, returning. When the Union speaks of three investigative processes within five months, it means precisely that: two upon the one subject-matter and one upon the second. All three appointments were made by the same person.

159. The Union asks the Committee to note what then occurred, and to note the dates.

- On **8 June 2026** the Union lodged its complaint with the **ILO Committee on Freedom of Association**.
- On **11 June 2026** the present complaint was registered.
- On **16 June 2026** — five days after that registration, and eight days after the ILO complaint — **a second investigating officer was appointed** against Mr

Mouzouras, for the same subject-matter, four months after the first order and without any finding having been communicated to him. The letter of appointment recites that the earlier investigation “has shown that a disciplinary offence has probably been committed”. It identifies no act, no date, no place and no provision.

- On the same day, **16 June 2026**, Mr Mouzouras learned by chance of an entry in the work diary recording that he had “**fallen asleep**” and failed to attend for work. He protested. In the presence of colleagues, the author of the entry **admitted that he had not established the reason for the absence but had assumed it**. The entry had never been notified to him; no written explanation had ever been sought from him; no reprimand or warning had ever been served on him.
- On **17 June 2026** the author of that entry submitted a written report on his conduct during that exchange.
- On **30 June 2026** the Head of the Service appointed a **third** investigating officer — the first investigating officer, returning — upon that report.

160. As at **29 July 2026**, five and a half months after the first order, Mr Mouzouras has been informed of the **subject-matter** of the investigation — his television appearance of 13 February 2026 — but has never been informed **what disciplinary offence he is alleged to have committed**, or into which of the six heads exhaustively listed in Regulation 9(1) it is said to fall. The second investigating officer’s reply of 22 July 2026 goes no further than to state that the earlier investigation concluded that the content of the statements “may raise issues of a disciplinary nature”. He has not been given the file, notwithstanding his written request and notwithstanding **section 43(6) of Law 158(I)/1999**, which confers on a person entitled to be heard the right to take cognisance of the material in the administrative file and permits refusal only by reasoned decision; no reasoned decision of refusal has been issued. The same reply of 22 July 2026 contains also an admission whose significance should not be missed: **no witness statements have been taken from any person**, and the earlier investigation “was confined to the recording and evaluation” of the statements. Five months of disciplinary suspense, without a witness and without a charge. The written statement of 26 February 2026, the letter of 22 July 2026 — which, by oversight, bears the date “21 June 2026” — and the written statement of 29 July 2026 are all on the file of the investigation. In each of them he asks to be told the charge. To none of them has he received an answer.

161. Regulation 9(3) requires the investigation to be completed “as soon as possible and in any event within 60 days from the date of the order for investigation”; extension is possible only by reasoned decision of the competent authority, which under Regulation 9(9)(f) is the Director-General of the Ministry of the Interior. Between 16 February and 16 June 2026 one hundred and twenty days elapsed — twice the maximum — without a finding, and without any reasoned extension coming to the knowledge either of the officer or of the Union.

162. As to the absences, the Regulations which govern him provide their own answer. **Regulation 9(1)(a)** states in terms that “temporary incapacity for work due to illness, injury or childbirth does not fall” within the grounds of disciplinary prosecution; Mr Mouzouras was on certified sick leave from 28 June to 21 July 2026. **Regulation 17** lays down a graduated procedure for absence without leave — a

written reprimand in the first instance, with express notice of the consequences of repetition, and further measures only on recurrence within twelve months — and treats unjustified absence as leave without pay. No reprimand, warning or request for explanation was ever served. **Regulation 20(4)** gave the administration the one lawful course open to it had it suspected abuse of sick leave: referral for re-examination by a doctor or a Medical Board. No such referral was made.

163. The Union now draws the consequence, and it is the reason this material is before the Committee. **Every explanation the Government has offered for the treatment of the two prison officers is unavailable in this case.**

- The Government's principal justification is the **opinion of the Department of Public Administration and Personnel of 2 April 2026** on trade union release time. That opinion is addressed to the public service. **Mr Mouzouras is not a public servant.**
- The Government's case rests on the framework of the **Public Service Laws** — including section 62(2), which requires prior authorisation for publications or broadcasts referring to the exercise of duties. **That framework does not apply to him.** No provision of the Regulations which do govern him restricts his public speech, requires any prior authorisation, or imposes any duty of confidentiality beyond the general law. Those same Regulations expressly facilitate his trade union activity at Regulation 49.
- The Government relies on the **rotation policy of the Prisons Department**, on that Department's **operational needs**, and on the **composition of its officer corps**. None of those things exists in the Game and Fauna Service.

164. What is common to the two cases is therefore not the Department, not the statute, not the employment status, and not the operational context. **What is common is the State.**

(ii) The Police Body Branch — Mr Nikos Loizidis

165. The second matter is earlier in time, and the Union places it before the Committee for that reason: it shows that what the Government presents as an isolated departmental episode of 2026 was already the practice of the Republic in 2023 and 2024. It also concerns the Union's largest Branch. The letter of 17 August 2023 which the Republic itself annexed to its Opposition in Case No. 450/2024 records that approximately **1,500** of the Union's members serve as **police officers** (§34(e) above).

166. Mr Nikos Loizidis is the **President of the Police Body Branch Council** (*Κλάδος Αστυνομικού Σώματος*) of the Pan-Cyprian Trade Union ISOTITA and one of the **Vice-Presidents of the Union's Board**. He is a member of the Cyprus Police, which falls under the **Ministry of Justice and Public Order** — the same Ministry as the Prisons Department.

167. Following an opinion of the **Law Office of the Republic** given in March 2024, and upon the instructions of the then **Chief of Police**, a disciplinary prosecution was brought against him; the decision was communicated to him on **12 April 2024**. The charge sheet contained **sixteen charges**, among them improper conduct, oppressive conduct, insubordination and abuse of trust. Every one of them arose from his **public statements made as a trade unionist**, in the course of

appearances on the news programmes of four television channels — SIGMA, ANT1, ALPHA and the Cyprus Broadcasting Corporation. The first charge is representative. It alleges that on **2 November 2023**, speaking to a named journalist, he said that the Police was at an impasse as to the manner in which it operates, the manner in which it responds and the manner in which it requires to be reorganised — matters, on the charge sheet's own account, then before the public — and that in saying so his manner was improper and prejudicial to discipline, and such as to bring the Police into disrepute.

168. The Chief of Police appointed a **three-member disciplinary body**: one senior officer of the Force and two officers of the Law Office of the Republic. The significance of that composition was not in dispute and was reported at the time — **a three-member body may impose dismissal or compulsory retirement; a single-member body may not**. The witness list comprised nine persons: seven members of the Force, including the Police Press Spokesman, and **two journalists**. The hearing opened on **8 November 2024**. The Union held a public protest outside it, against what it described as an attempt to silence free trade union expression.

169. On **13 December 2024** the Chief of Police decided to **suspend** the prosecution. The decision was published at the time in the following terms. The Union does not presently hold the original; it has sought it from the officer concerned, it seeks its production by the Government at §333(i) below, and it will file forthwith whatever copy comes into its possession. Until then, it invites the Committee to treat the passage as a contemporaneous published account which has never been contradicted, and to give it no more weight than that:

“After a thorough study of all the evidential material contained both in the case pending adjudication and in **the remaining three cases which have not yet been registered**, I reached the conclusion that **there is evidence for disciplinary prosecution** ...

Although there is satisfactory evidence justifying his disciplinary prosecution, **I consciously decide to suspend his prosecution, with the sole purpose of giving him a second chance** ...

It is emphasised that, in the event of any similar conduct by any Member of the Cyprus Police, the necessary disciplinary measures will be taken ...

[As regards Mr Loizidis,] **in the event that he repeats the same conduct, beyond the disciplinary measures which will be taken, the possibility of re-registering both the present case and the remaining three cases which are suspended will also be examined.**”

170. The Union makes four short observations upon that decision.

- *First*, it is the State's own document and it is not equivocal. It records that **four** disciplinary cases exist against the President of a Branch Council who is also a Vice-President of the Union; that all four are founded on his public statements; that none is withdrawn; and that all are **held in suspense against his future conduct**.
- *Secondly*, the express condition — “in the event that he repeats the same conduct” — is a condition upon **speech**. The conduct held in suspense is the conduct of speaking publicly as an elected representative. What was created is therefore not a sanction which has spent itself but a **standing restraint of**

indefinite duration, operating for as long as he holds office and for as long as he speaks.

- *Thirdly*, that is precisely the deterrent effect with which Articles 5 and 28 are concerned, and here the Committee is not required to infer it. In *Straume v. Latvia* the European Court of Human Rights reasoned from the sanction to the deterrence it produces. **Here the State has written the deterrence down.** It is the stated mechanism of the decision, not a by-product of it.
- *Fourthly*, it disposes of the Government's arithmetic. The submission is that this complaint concerns "two individual members" of an organisation whose membership the Government itself puts above 5,500. At the date on which that submission was made, one of the Union's **Vice-Presidents** had four disciplinary cases suspended over him on account of his public trade union speech; the President of a second Branch Council was under a third investigative process in five months on account of his; and the President and the Vice-President of a third Branch Council were the subject of the measures set out in this complaint.

170A. Before anything else, the Union repeats the position upon which the complaint was built and which remains unchanged: **prison officers are civilian public servants, to whom Article 5 applies in full.** They do not fall within the narrow categories — the police and the armed forces — for which the Charter permits special restrictions; and any restriction must, in any event, satisfy the conditions of **Article G** of the Revised Charter (that it be prescribed by law and necessary in a democratic society). The following paragraph concerns **exclusively** the material of the Police Body Branch Council and alters nothing of the foregoing.

171. The Union states, before the Government does, what must be stated about this material. **Article 5 of the Charter provides that the extent to which its guarantees apply to the police shall be determined by national laws or regulations.** The Union does not ask the Committee to determine any question arising under that proviso. It does not ask the Committee to rule upon the Loizidis proceedings, which the State itself has suspended. It does not advance the matter as a limb of the complaint, and it seeks no relief in respect of it. It advances it — and advances it only — as evidence going to the single question now before the Committee: whether the treatment of which the Union complains is capable of being general. **A proviso which governs the extent of a substantive guarantee is not a rule of evidence.** Nothing in Article 5 prevents the Committee from observing, on the question of generality, that the same instrument has been used against the elected officers of the same organisation in three services under two Ministries.

172. The Union adds one matter which is structural rather than evidential, and which connects this material to the second limb of the complaint. The letter of the Director-General of the Ministry of Finance of **29 December 2023**, annexed by the Republic to its own Opposition in Case No. 450/2024, records that the trade union side of the **Joint Police Committee** is supplied by the **Cyprus Police Association**, "**which has acceded to PASYDY**". The architecture is therefore the same in the Police as it is in the public service: one organisation named in the constitutive instrument; one trade union side; and an amendment which, on the Republic's own statement, cannot be made without the concurrence of the organisation already occupying the seat. The Union's Police Body Branch — approximately 1,500 members — stands

outside that machinery for exactly the reason its Prison Officers' Branch stands outside the Joint Staff Committee.

(iii) What the material establishes, and what it does not

173. *First, the Union does not ask the Committee to determine any of it.* The Mouzouras proceedings are pending; the Loizidis proceedings were suspended by the State's own act. The Union will supply the underlying documents within whatever time the Committee may indicate; they are listed at entries 25 and 26 of the Schedule of Annexes below, and a comparative schedule of the four officers is at **Annex F**.

174. *Secondly, none of it forms part of the complaint as filed, and the Union does not seek to amend the complaint.* The material is produced exclusively as evidence on a question which the Government has itself raised — whether the practice complained of is general — a use which does not amend the complaint and does not enlarge its subject matter; the complaint falls to be determined as lodged.

175. *Thirdly, on the question the Committee must now decide, it is dispositive.* The Government's submission is that the matters complained of concern "two individual members" and are therefore not "indicative of any general practice contrary to the Charter". The Union's answer is that the same sequence — public trade union speech by an elected officer, followed by the initiation of the disciplinary process against him; the rationing or refusal of trade union time in the face of an express legal entitlement; and an administration which treats public trade union expression as a reason for not dealing with the officer — has been applied to **four elected officers of the same union, in three services** (the Prisons Department, the Cyprus Police, the Game and Fauna Service), under **two Ministries** (Justice and Public Order; the Interior), in **three employment statuses** (public servant; member of the police force; hourly-paid government staff), under **three different disciplinary regimes** (section 81(2)(b) of the Public Service Laws; the Police disciplinary framework; Regulation 9 of the Hourly-Paid Government Staff Regulations), over **three years**.

176. *Fourthly* — and this is the submission on which the Union places most weight — the Government's Annex explains the measures against the two prison officers by reference to the operational needs of the Prisons Department, to that Department's rotation policy, to the composition of its officer corps, and to a general instruction addressed to the public service. **Not one of those explanations is available in the Game and Fauna Service, and not one is available in the Police.** An explanation which accounts for a phenomenon in one place, and not in the two other places where the same phenomenon occurs, is not an explanation of the phenomenon. It is a description of one of its instances. What is common to the three is not the Department, the statute, the status or the operational context. **It is the State.** That is what makes the question a general one; and a general question about the law and practice of a State is the only thing a collective complaint may raise, and the whole of what it must raise.

177. The Union adds one last matter, which it would not raise if the dates were other than they are. It lodged with the ILO Committee on Freedom of Association on 8 June 2026 and with this Committee on 11 June 2026. On 16 June 2026 a second investigating officer was appointed against the President of one of its Branch

Councils; on 30 June 2026 a third. On 6 July 2026 the Law Office of the Republic closed the criminal file without a single investigative act. **The Union does not invite the Committee to find that any of those events was caused by the lodging of these proceedings**, and it makes no such allegation. It asks only that the Committee have the sequence before it when it comes to the request for immediate measures, and that it bear in mind that this sequence of events does not escape the attention of the Union's members.

E. The Union's constitutional structure demonstrates that the harm is collective

178. The Union closes this Part with a short structural point, developed in the schedule at **Annex B**.

179. Under Article 2.1 of its Constitution the persons affected are officers of the Union. Under Article 14.1 they were elected to their offices by secret ballot of the members of their Branch, and one of them holds, by virtue of that office alone, a seat on the Union's third organ. Under Article 14.4 their constitutional duty is to inform and consult the members of that Branch. Under Article 13.5 the Branch Council is bound to seek those members' recommendations before every meeting of the Council of the Presidents. Under Article 34.3 the Branch's capacity to take collective action depends on that machinery functioning.

180. The measures complained of operate precisely upon the capacity to discharge those duties. That is not an incidental consequence. It is the mechanism by which the alleged practice takes effect.

PART VIII — THE GOVERNMENT'S ANNEX, TESTED AGAINST THE PRISONS DEPARTMENT'S OWN FILE

181. The Government has annexed a 130-paragraph letter of the Prisons Department and has asked the Committee to decide admissibility partly on the strength of it. The Union reserves its full answer to the merits. It draws attention here only to features which bear on the question the Committee has to decide now, and it does so, in every instance, from documents authored by the respondent's own services. Nothing below is advanced for the resolution of an individual employment dispute; all of it is advanced as evidence of how the practice complained of operated, institutionally. A schedule of the assertions in the Government's Annex, tested against the Prisons Department's own disciplinary file, is at **Annex D**.

182. Two preliminary observations.

183. *The Annex is the account of a party, prepared for these proceedings, by a person who is a witness in the very proceedings complained of.* It is described in the Government's observations as "a letter from the acting Director of the Department of Prisons"; at its own paragraph 104 the author refers to her assumption of duties as Deputy Director. She is the officer who signed the letter of 20 April 2026 requesting the appointment of an Investigating Officer; she is **Witness 1** in the resulting disciplinary investigation, having given evidence to the Investigating Officer on 18

May 2026; and she is the author of the document now before the Committee, prepared in response to a request from the Ministry dated 9 July 2026 — that is, four weeks after the complaint was registered. That an administration disputes the allegations against it is the ordinary condition of contested proceedings. That the Government's sole evidential source on admissibility is a witness in the proceedings complained of, describing her own conduct, is a matter the Committee is entitled to weigh.

184. *The Annex is unsupported.* For the reasons given at §§6–12 above, the twenty-three documents on which it relies have not been produced.

185. The Union addresses seven matters.

(0) What the Union said publicly on 22 December 2025, and what happened forty-three days later

186. The Government's Annex begins its chronology on 3 February 2026. It does not mention what preceded it. The Union therefore places the preceding document before the Committee, in full, because the Annex's central submission — that the reassignment was an ordinary rotation with “no objective indication of a connection with his trade union status” (§17) — cannot be assessed without it.

187. On **22 December 2025** the Prison Officers' Branch Council of the Union issued a public announcement, which was reproduced in full the same day, **at 09:16**, by the Cypriot news outlet *AlphaNews.live* under the headline “**Trade union war at the Prisons**” and the sub-heading “Serious allegations by ISOTITA against PASYDY that it has set up a mechanism of trading and naked blackmail within the Institution”. The announcement was also published on the Branch Council's own public page. Its material passage reads:

“At the centre of this institutional aberration lies the scandalous conduct of **the President of the Branch Council of PASYDY, Mr Andreas Peppis**. The question is not whether he represents lower-graded staff, but **how he abuses his institutional strength as Inspector and Officer in order to manipulate the personnel**. Mr Peppis has converted his administrative rank into a lever of pressure: he uses his authority scandalously to ‘accommodate’ those who join PASYDY **with privileged posts and comfortable shifts**, while at the same time unleashing a hunt against the members of ISOTITA. **Through direct or indirect threats of adverse transfers and punitive rosters, he compels colleagues to abandon our union and to join PASYDY, posing the blackmailing dilemma: ‘submission or service annihilation’.**”

(The above is the authentic text of the press release, as published on the public page of the Prison Officers' Branch Council on 22 December 2025 and republished the same day by AlphaNews.live. The officer's surname is written «Πεππής» — Peppis — in the announcement; in the service documents of the Prisons Department it is written «Πέπης» — Pepis. It is the same person, who gave evidence on oath on 20 May 2026 that he is the President of PASYDY's Prison Officers' Branch.)

187A. The same announcement contains two further passages which the Union places before the Committee, not in order to seek any finding upon them, but

because they identify what was at stake as the Branch Council understood it forty-three days before Order No. 3/26:

“Their ‘front line’ is the air-conditioned offices; **ours is the cells.**”

“The continual and insistent interventions of PASYDY’s own General Secretary ... demonstrate the panic of establishment trade unionism in the face of the **mass exodus of members to ISOTITA.**”

187B. The second passage matters for two reasons. First, it evidences, from a contemporaneous public source, the movement of members **towards** the Union — a matter relevant to representativeness. Secondly, it is the context in which, forty-three days later, the signatory of the announcement was placed under the officer whom it named.

187C. *The source and the use of the document.* The announcement was published through two distinct channels on the same day — one a third party independent of the Union, and one its own: it was reproduced in full by the Cypriot news outlet **AlphaNews.live** on 22 December 2025 at 09:16, under the headline and sub-heading quoted above, and was posted the same day on the **public page of the Prison Officers’ Branch Council itself**. The full text, as reproduced by the news outlet, is produced at **Annex J**; the screenshot of the posting on the Branch Council’s page is in the Union’s possession and will be produced on request. The Union states with precision what it asks the Committee to draw from them, and what it does not. It **asks** that two things, and two only, be noted: **what was said publicly** and **when**. It does **not** ask the Committee to find that the content of the announcement is true, it seeks no finding against the officer named — who is not a party to these proceedings, has not been summoned and has not been heard before the Committee — and it advances no allegation as to his personal conduct. The significance of the document, at this stage, is **chronological and objective**: it existed, it was public, and it came first.

187D. *The Ministry was put publicly on notice.* The announcement was not addressed to the members alone. It closes with an express appeal to the supervising authority:

“We call upon the **Ministry of Justice** to intervene immediately so that the regime of favouritism and abuse of power may be brought to an end.”

The Ministry of Justice and Public Order was therefore put publicly and by name on notice of the matter complained of on **22 December 2025**. No answer, investigation or action upon that appeal has come to the Union’s knowledge. Forty-three days later Order No. 3/26 was issued. Seven months and nine days later, the **Minister of Justice and Public Order** signed the decision dismissing the Vice-President and Press Spokesperson of the Branch Council which had issued the announcement (Part XIII below).

187E. *The allegation of allocation of posts and shifts by trade union affiliation.* The core of the announcement was not an interpersonal quarrel. It was a specific allegation of a **mechanism**: that supervisory authority is used to allocate “**privileged posts and comfortable shifts**” to those who join the one organisation, and “**adverse transfers and punitive rosters**” to those who remain in the other. The same announcement identifies a second form of the same mechanism —

“scandalous secondments outside the Department or to privileged office posts” — and contrasts it with service on the wings.

187F. That allegation connects directly, and not by coincidence, with the fact which **the Government itself** placed before the Committee at §20 of its Annex: that, at the material time, **all fifteen** supervisory posts of the Department — two Senior Officers, five Officers, eight Inspectors — were held by members of the one organisation. The Government produced that fact as **proof of inevitability**. The announcement of 22 December 2025 — published seven months before the Government’s observations, and without knowledge of them — advances the **mechanism** by which, on the allegation, such a state of affairs is produced and maintained. Whether the allegation is well founded is a matter for the merits. That it raises a question of **practice**, and not of an individual situation, is plain: no question as to the manner in which posts and shifts are allocated across an entire Department can be an individual one.

187G. *Offer of proof.* The Union does not wish to leave that allegation in the form of a public statement. It states, therefore, expressly and bindingly, that it is in a position to produce — and will produce, within any time limit the Committee may fix, whether now or at the merits stage — material in the following categories:

- - (a) **written statements of members** of the Prison Officers’ Branch, signed, as to incidents of transfer, allocation of post or alteration of hours connected, on the deponents’ own account, with their trade union affiliation or with an invitation to change it;
- - (b) **a cross-check of the lists, by name, of the posts outside the shift system** — office posts, technical posts, secondments outside the Department — against the trade union affiliation of those holding them, to the extent that that affiliation is known to the Union from its own registers;
- - (c) **contemporaneous documentation of transfers of membership** during the period in question, from the Union’s registers; and
- - (d) **the earlier and later public correspondence and announcements** of the Branch Council upon the same matter.

187H. The Union points out, however, the obvious: **the decisive documents are not in its own hands**. The shift schedules, the placement lists, the transfer orders, the secondment papers and the service records which would permit a complete cross-check are, in their entirety, in the possession of the respondent State. The Union therefore **does not ask the Committee to accept the allegation**. It asks something narrower and procedurally neutral: that it be noted that the allegation was made publicly in December 2025, that it concerns a practice and not a person, that the Government does not address it anywhere in the one hundred and thirty paragraphs of its Annex, and that its proof or its refutation depends upon records which only the Government can produce. The request which follows from this is set out at §333(g) below.

188. Four features are material at this stage.

189. *First, the officer was named.* The announcement did not complain in the abstract. It named the Inspector who is the President of PASYDY's Prison Officers' Branch Council, and identified the mechanism complained of as the use of his supervisory rank.

190. *Secondly, the instrument complained of was the transfer and the roster.* The announcement's specific allegation was that **adverse transfers and punitive working hours** were being used to coerce members to change union. **Forty-three days later, by Order No. 3/26 of 3 February 2026, the Branch's Vice-President and Press Spokesperson was transferred, and placed on fixed office hours, in a post whose direct superior was that Inspector.** The measure taken was the measure the announcement had denounced, applied to the officer who had signed for the Branch which denounced it, by the officer it had named.

191. *Thirdly, the announcement is why the Government's "he was content" argument cannot be tested on the 3 February 2026 message alone.* Neither Order No. 3/26 nor anything communicated at the time disclosed the reporting line (§212 below).

192. *Fourthly, the subject-matter of the Union's public statements was not contested opinion; it had been established in the Republic's own courts.* In December 2025 the Branch's Press Spokesperson also raised publicly the questions of overcrowding, the uncontrolled circulation of narcotics, and under-staffing at the Central Prisons. Five months earlier, on **29 July 2025**, the **Permanent Assize Court of Nicosia**, in criminal case **19600/2022 (Republic v. V.B. and others)**, delivered a judgment of 804 paragraphs in proceedings concerning events in **Wing 1A of the Central Prisons** in October 2022. In the section of that judgment headed "Findings" the Court found that a serving prisoner in cell 7 of Wing 1A obtained crystal methamphetamine from a fellow prisoner and used it, that he had used it on other occasions, and that the victim had used it also (§716(5)–(6)); and it was satisfied **beyond reasonable doubt** of that use (§776). It found that that prisoner and the victim "were engaged in the trafficking of narcotics inside the prison", and that a third prisoner "was the person who supplied narcotics generally to prisoners on [his] account" (§716). The evidence on which those findings rested — accepted by the Court as credible without need of corroboration — included: testimony that crystal was sold to the other prisoners of the wing, and that the witness saw one of them smoking it "**almost every day**" (§249); testimony that a prisoner filled, sealed and sold straws of crystal within the prison at **€35 for a 3 cm straw and €80 for a 5 cm straw**, keeping a notebook recording which prisoner owed him how much (§350, corroborated at §315); and the evidence of a **Chief Prison Officer of the Central Prisons in continuous service there since 27 March 1987**, whom the Court found "wholly credible" (§658), and who "admitted outright that **since 1987, when he himself began working at the Central Prisons, there has been a drugs problem**", that the problem rose and fell according to who was Director, and that "in no prison in the world will they ever eliminate drugs or mobile telephones" (§405). The same witness gave evidence that two prison officers by day and one by night were not enough for Wing 1A — "**they were not enough in 1987 and they were not enough in 2022**" (§408) — and the Court recorded that there was no verification that the four daily counts of prisoners were properly carried out (§409). Eight weeks before the reassignment, on **10 December 2025**, the CPT published the findings quoted at §218 below.

193. On **4 May 2026** the same officer was summoned to disciplinary explanation for the Union's **Labour Day announcement**, his statements having been characterised in the summons itself — before he was heard — as expressed “in a generalised, vague and particularly disparaging manner”. The Union reserves the merits. It records here only that the subject-matter of the expression for which an elected representative was called to answer had been found proved beyond reasonable doubt by the Republic's own Assize Court and confirmed by the Council of Europe's own monitoring body, and that this is the situation which the European Court of Human Rights addressed in *Straume v. Latvia* at §108 (§147 above).

(1) The founding document says, in terms, that the officer's trade union office was treated as an aggravating factor

194. This is the single most important document in the case, and the Government has not produced it. It is the letter of the Acting Director of the Prisons Department to the Director-General of the Ministry of Justice and Public Order of **20 April 2026** — the letter which requested the appointment of an Investigating Officer, which is the Government's own **Annex 16**, and which is exhibit **T.01-1** of the disciplinary file. It is the founding document of the disciplinary process complained of.

195. Its paragraph 11 reads, in translation:

“11. Particular concern is caused by the fact that the Prison Officer in question holds a trade union position (Vice-President of a Trade Union), a fact which reinforces the negative impact of his conduct, since it is capable of operating as a model or of cultivating corresponding attitudes and practices among other members of staff, further undermining discipline, administrative cohesion and, by extension, the security of the Department.”

(Original: «11. Ιδιαίτερη ανησυχία προκαλεί το γεγονός ότι ο εν λόγω Δεσμοφύλακας κατέχει συνδικαλιστική θέση (Αντιπρόεδρος Συντεχνίας), γεγονός που ενισχύει τον αρνητικό αντίκτυπο της συμπεριφοράς του, καθότι δύναται να λειτουργήσει ως πρότυπο ή να καλλιεργήσει αντίστοιχες αντιλήψεις και πρακτικές μεταξύ άλλων μελών του προσωπικού, υπονομεύοντας περαιτέρω την πειθαρχία, τη διοικητική συνοχή και κατ' επέκταση την ασφάλεια του Τμήματος.»)

196. The Government's Annex states, at §87, that “the available evidence discloses no act, omission or administrative decision capable of establishing discrimination on grounds of trade union activity or an intention to obstruct the exercise of his lawful trade union duties”, and at §125 that “under no circumstances was there any differentiation in the treatment of any member of staff on account of trade union status or participation in trade union activities”.

197. The letter which initiated the process says the opposite. It identifies the officer's trade union office as a matter of “particular concern”; it treats that office as “reinforcing the negative impact of his conduct”; and it gives as the reason that he may act as a “model” for other members of staff — that is, that other members of staff may follow his example.

198. Article 28(a) of the Charter requires effective protection against acts prejudicial to workers' representatives “**based on their status or activities as workers'**

representatives". The Union does not need to infer that the officer's status was taken into account. The State's own founding document records it.

199. The Union adds that the same theme recurs elsewhere on the file.

200. In her sworn evidence to the Investigating Officer of 18 May 2026 the Acting Director expresses concern that the officer "invites the other members of the union to follow the same conduct, which borders on **mutiny** towards the Director"; and characterises the Union President's letter of 11 May 2026 to the Minister, the officer's lawyer's letter, and the Union's announced 24-hour strike of 22 May 2026, as respectively "**highly interventionist and threatening**" and "**intimidating**", and as an "attempt to influence the correct, objective and uninfluenced exercise of her administrative and disciplinary powers".

201. In the Branch Council's formal written complaint of **7 May 2026**, signed by the Branch President and the Branch Secretary and copied to the Minister, the Director-General, the House Committee on Legal Affairs, the House Committee on Human Rights, the Commissioner for Administration and the Commissioner for Personal Data Protection, three matters are recorded as having occurred on **6 May 2026** in the presence of staff:

- **(a)** the assignment of internal duties to the Branch President in the circumstances described in Part IX below;
- **(b)** the verbal harassment of a **third** member of staff, a Chief Prison Officer, in front of colleagues; and
- **(c)** public statements to staff by the head of the Department to the effect that the officers of the Branch Council "**are a disgrace to the Department**", that "you insult those who wake at 2 a.m. to carry out searches", and that "**what you are doing is not trade unionism — you have gone beyond every limit**".

202. That complaint was made on 7 May 2026. The Investigating Officer was appointed on 8 May 2026. The Government's Annex does not mention the complaint's contents, and its Annex 22 — the Branch Council's letter — has not been produced.

203. The Union makes no submission at this stage as to what conclusion should be drawn. It submits only that whether a State in which the initiation of the gravest disciplinary procedure available in its public service is expressly premised, in part, on the fact that the officer concerned holds trade union office and may serve as an example to others, ensures the effective protection required by Article 28, is a question of general application. Every elected representative in the Cypriot public service has an interest in its answer.

203A. The letter of 20 April 2026 grounds the initiation of the disciplinary process, in part, on the proposition that the officer's conduct is capable of serving "as a model" and of cultivating corresponding attitudes and practices "among other members of staff" (§195 above). The Union sets against that formulation a fact which appears from the Department's own record and is not in dispute: **by that date, the officer had already been out of the shift system for two months and twelve days.**

203B. Order No. 3/26 of 3 February 2026, effective 8 February 2026 (§216 below; exhibit T.01-14; **Government's Annex 2**), moved the officer from ordinary shift

duties to “**Technical Services – Maintenance Team – Workshops**”. The same Order moved Prison Officer No. 408 **out of** Technical Services, to shift duties. The shift system is the body of staff serving on the wings. The Workshops are not.

203C. Two consequences follow, and the Union states them separately because they are of a different order.

- **(a)** *The deterrence rationale is addressed to staff with whom the officer no longer worked.* The rationale of §195 presupposes contact. By the time it was formulated, that contact had already been severed — by an act of the Directorate itself.
- **(b)** *If the Directorate genuinely feared the example, the transfer was the opposite of the indicated measure.* It cannot simultaneously be maintained that the transfer was a neutral application of a rotation policy (Government’s Annex, §§6–8) and that the officer’s trade union influence over the staff constituted a ground of disciplinary prosecution two and a half months later.

203D. The Union states, and offers to prove, that in Technical Services the officer performed his duties **without subordinates and without any team under his responsibility**, and that, whenever a serious and urgent service need arose, he performed them. That statement is not necessary to the argument of §§203A–203C, which rests exclusively on Order No. 3/26; it is offered because the Union does not wish to leave the matter in the realm of implication. The evidential material — the allocation of duties within Technical Services and the daily work schedules — is in the possession of the respondent State and falls within the request at **§333(g)** below.

203E. *No service need went unmet, and this appears from the Government’s own documents.* The very attendance records which charge the officer with 95.50 hours record, **for April 2026 alone, 25.00 hours of emergency call-out on public holidays and Sundays and 3.56 hours of night work** (Annex I, §31; §269 below). The officer, that is, was answering the emergency calls — and the hours he earned in doing so were not credited to him as compensatory rest, but were absorbed by the debit balance which his trade union time had generated. **The Annex to the Government’s observations, in its one hundred and thirty paragraphs, does not identify a single occasion on which a service need went unmet by reason of his absence.**

203F. *The two hours and the geography.* The two-hour leave is measured from departure from the place of work to return to it. It must therefore absorb **two journeys** — from the Central Prisons to the Union’s offices and back — before any time remains for the meeting itself. The two points lie at opposite ends of Nicosia: the Central Prisons in the Agios Andreas area, the Union’s offices at **57A Aglantzias Avenue**. The route crosses the city centre. A map of the route is produced as **document No. 29.**

203G. The Union states, **from the direct and repeated experience of its own officers who make that journey**, that at the times at which the meetings take place the outward and return journeys absorb **a substantial part of the two hours**, so that what remains does not suffice for the holding of a meeting of the Board or of the Branch Council. It offers to particularise that statement with named details and journey data, should the Committee consider it useful.

203H. The decisive point, however, does not depend on any figure. It is this, and it emerges from an **absence** in the file which the Government cannot supply after the event: **no assessment of this question appears anywhere.** Neither the opinion of 2 April 2026, which requires “the purposes and the duration of the absence” to be determined in advance, nor any of the Department’s letters, nor the Annex to the Government’s observations in its one hundred and thirty paragraphs, asks how much time remains for trade union work once the travelling is deducted. The phrase “**he was given 2-hour leave**” is repeated formulaically in the attendance records as though it were a self-evidently sufficient measure. **A sufficiency which was never examined cannot be advanced as a justification.**

203I. *The volume of the trade union work.* The Union states, and offers to prove, that the greater part of the officer’s trade union work was performed **outside working hours, at weekends and on public holidays**, and that the time for which facility was sought represents the smallest part of that whole. To that end it produces, or offers to produce: **(i)** the dated record of the meetings and correspondence of the Board and of the Branch Council during the material period; **(ii)** the attendance records themselves, which record, for April 2026 alone, **25.00 hours of emergency call-out on public holidays and Sundays and 3.56 hours of night work**; and **(iii)** the public posting of the officer’s wife of 1 August 2026, **document No. 28.**

203J. As to the last of these the Union is explicit, so that there may be no misunderstanding as to its nature. Document No. 28 is a **public text**, posted on 1 August 2026 — the day after the dismissal decision — by its author herself, and is produced **with her express consent. It is not an affidavit or a statutory declaration**, and the Union does not invite the Committee to treat it as one. It is produced for one reason only: because it constitutes the public testimony of a person with direct knowledge, on the single question which appears nowhere in the Department’s calculations — the time which the officer devoted to the Union **outside** his working hours, and which for that very reason was recorded nowhere.

203K. The Union delimits what it asks. **It does not ask the Committee to find that the officer was diligent**; his diligence is not a question before the Committee. It asks something narrower: that it be noted that the reason set out in the letter of 20 April 2026 — that the officer might serve as a model for other members of staff — was, at the time it was formulated and **on the Department’s own document**, inapplicable to the situation which the Department had itself created two months earlier.

(2) The message of 21 February 2026 is not a “unilateral notification”; it is a written invocation of Article 28

204. The Government’s Annex, at §73, quotes a single sentence from an email of 21 February 2026 — “I hereby officially notify you that, from now on, I will be absent from my contractual duties every Tuesday and Thursday” — and presents the document as a unilateral announcement to which the administration responded with restraint.

205. The document is exhibit **T.01-3** of the disciplinary file. It is headed «**ΕΝΣΤΑΣΗ — ΑΙΤΗΜΑΤΑ — ΓΝΩΣΤΟΠΟΙΗΣΗ**» — **“OBJECTION — REQUESTS — NOTIFICATION”** — and its full sub-heading is “Objection to the instruction to relocate my office, requests for facilities for trade union action, and notification of the

use of trade union time under the applicable legislation”. It is addressed to the Acting Director and copied to the Board of the Union. It contains, in this order:

- **(a) an objection** to an instruction, not mentioned anywhere in the Government’s Annex, to relocate the officer’s office out of the building housing the control centre and the Building Management System — into the workshops, “a space with continuous passage of prisoners and without any possibility of access during the night hours” — and to the **restriction of his internet access**;
- **(b) the statement that “any relocation which hampers my role constitutes at the same time an act prejudicial to me on account of my trade union status”**;
- **(c) requests for facilities**, invoking by name Articles 7 and 8 of **Directive 2002/14/EC** and section 8 of the transposing Law 78(I)/2005; **section 63 of the Public Service Laws** (“unimpeded exercise”); **Articles 5 and 6 of Law 65/1980** (ILO Convention No. 151); the ratifying laws of **ILO Convention No. 135**; and — expressly — **Article 28 of the Revised European Social Charter**, for the proposition that the employer is obliged to grant “appropriate facilities” for the prompt and effective performance of trade union duties;
- **(d) a request for open internet access**, on the ground that it is required for communication with members and for the management of the Union’s official accounts, and a request for **authorisation to use a camera and communications equipment** in his capacity as Branch Press Spokesperson; and only then
- **(e) the notification of the use of trade union time.**

206. The Government’s Annex asserts, at §29, that “the information available to the Management does not indicate that Mr. Maltezos ever submitted, whether orally or in writing, any complaint, grievance or report concerning the conduct, impartiality or manner in which the supervisory duties of the officer to whom he was assigned were exercised”; at §30, that “it has not been alleged that the officer in question obstructed Mr. Maltezos’ trade union activities, denied him any right, assigned duties to him with an adverse or punitive intent”; and at §41, that there was a “complete absence of any complaint contemporaneous with the relevant events”.

207. Those assertions are contradicted by the Department’s own file. On 21 February 2026 the officer objected in writing, in terms, to a measure which he said was prejudicial to him on account of his trade union status. On 4 March 2026 and again on 15 April 2026 his legal adviser wrote, the second letter raising the conflict of interest expressly and being copied to the Permanent Secretary of the Ministry and to the Department of Public Administration and Personnel. On 22 April 2026 he formally requested reinstatement to the shift system — a request the Government’s Annex itself admits at its §64.

208. The Union puts the point no higher than this. The Government asks the Committee to decide admissibility on the strength of a narrative. On a matter which is verifiable from the Department’s own file, and which the Annex repeats three times, that narrative is wrong.

209. There is a second consequence. The Government’s Annex nowhere mentions the requests for facilities. Yet those requests — for an office from which the officer

could perform his function, for internet access to communicate with his members, for authorisation to use communications equipment as Branch Press Spokesperson — are requests under Article 28(b), made in writing, expressly invoking Article 28, almost four months before this complaint was lodged. The response was the letter of 2 March 2026, the reference to the Department of Public Administration and Personnel, and, in due course, the disciplinary process.

(3) The message of 3 February 2026: the document the Government relies on is the document in which he gave notice

210. The Government's Annex places considerable weight on an email of 3 February 2026 (its Annex 3; exhibit **T.01-15**), said at §§10–11 to show that the officer “express[ed] his gratitude to the Management for the confidence placed in him” and that this is “inconsistent with the subsequent claim that his placement constituted a sudden, retaliatory or adverse administrative action”. Four features of the document are material.

211. *First, its subject.* The message is headed “**Assumption of the duties of Maintenance Officer-in-Charge and framework of cooperation**”, and is signed “**Maintenance Officer-in-Charge**”. What the officer was thanking the administration for, on the face of the document, was being entrusted with **responsibility**. But **Order No. 3/26** of the same date — the instrument which effected the move, and which is the Government's own Annex 2 (exhibit **T.01-14**) — assigns him “From: Ordinary shift duties. To: Technical Services – Maintenance Team – Workshops”. It confers no post of Maintenance Officer-in-Charge, and says nothing about any reporting line. Meanwhile the Government's Annex explains at length (§19) that Mr Maltezos “occupied the lowest level of the prescribed service hierarchy” and “was necessarily subject ... to the supervision and instructions of hierarchically superior officers”. Both propositions cannot be used at once: the administration cannot rely on his gratitude for a position of responsibility and simultaneously explain that the position carried none.

212. *Secondly, what he was not told.* Neither Order No. 3/26 nor anything communicated to him at the time disclosed that the post carried subordination to the officer who is the President of the PASYDY Prison Officers' Branch Council. He accepted, on 3 February 2026, a position of responsibility. He did not accept, and was not in a position to accept or refuse, that subordination.

213. *Thirdly, what the message actually reserves.* In the same message the officer recorded in terms that his trade union capacity as Vice-President of the Prison Officers' Branch and member of the Union's Executive “**remains distinct and independent**” from his service duties, and that his trade union obligations “**will continue to be exercised**” within the prescribed framework. The message was copied to the Union's Executive, to the Prison Officers' Branch Council and to the members. It was, in other words, a written notification to the administration, on the day of the reassignment, that he would continue to perform his union functions. No objection was taken to it. The document which the Government produces to show that he was content is the document in which he gave the administration advance written notice of precisely the conduct for which it later began to prosecute him.

214. *Fourthly, the sequel.* The objections followed quickly and are on the file: the written objection of 21 February 2026 (§205 above); a letter from his legal adviser on

4 March 2026; a further letter on 15 April 2026 raising the conflict of interest expressly; and a formal request on 22 April 2026 to be returned to the shift system, which the Government's Annex acknowledges at its §64. Its answer is that the request "neither negates nor retrospectively remedies the absences that had already occurred". That may or may not be so as a matter of disciplinary law. It is not an answer to what the request proves for present purposes: that by 22 April 2026 the officer was asking to be released from the placement the Government says he welcomed.

(4) The "broader redistribution of personnel"

215. The Government's Annex states at §8 that Mr Maltezos "was not the only employee who was transferred", that "other members of staff were also removed from the shift system", and that his transfer "formed part of a broader administrative measure and did not constitute an individualised or selective action directed against him". It relies on a list of transfers, its Annex 2.

216. That list is **Order No. 3/26 of 3 February 2026**, effective 8 February 2026, exhibit **T.01-14** of the disciplinary file. It moves **five** named persons:

	Rank / number	From → To
1	Chief Prison Officer no. 221	Ordinary shift duties → Supervisor of Wings 5 + 8 (six-day morning work)
2	Chief Prison Officer no. 250	Ordinary shift duties → Supervisor of Wings 1 + 2 (six-day morning work)
3	Prison Officer no. 408	Technical Services – Maintenance Team – Workshops → Ordinary shift duties
4	Prison Officer no. 526 (Mr Maltezos)	Ordinary shift duties → Technical Services – Maintenance Team – Workshops
5	Prison Officer no. 831	Ordinary shift duties → Technical Services – Maintenance Team – Workshops

217. Five persons; of whom two are Chief Prison Officers moved to wing-supervisor posts; and one of whom, no. 408, is moved **out of** Technical Services **into** shift duties on the same day that Mr Maltezos is moved into it. Whether that constitutes "a broader administrative measure" is a question for the merits. What matters at this stage is that the Government's own document does not establish what the Government says it establishes.

218. The Union adds the context in which the Government's proportionality argument must be assessed. In its report on the ad hoc visit to Cyprus of 1–4 April 2025,

published on 10 December 2025, the **European Committee for the Prevention of Torture** found, of the Nicosia Central Prisons:

“§84. Certain blocks had one to three staff members on duty for over 100 prisoners, who were mainly unlocked on the blocks during the day. ... While the staff-to-prisoner ratio has slightly improved since 2023, it was still at a dangerously low level.” “§85. Low numbers of custodial staff in detention areas increases the risk of violence and intimidation between prisoners, and of tension between staff and prisoners, and precludes the emergence of dynamic security. ... The CPT calls upon the Cypriot authorities to review the deployment of front-line staff and increase the presence of custodial staff on the most problematic blocks, where inter-prisoner violence occurs more regularly.” (CPT/Inf (2025) 39)

219. The Annex further submits at §7 that rotation had for years been a standing demand of ISOTITA itself. It had. A trade union which demands a general, transparent and evenly applied scheme of rotation does not thereby consent to the individual reassignment of its Branch's Vice-President, forty-three days after that Branch publicly named a senior officer, to a post under that officer's authority. A general demand is not an individual waiver, and it is not a defence to the allegation that a particular decision was taken for a particular reason.

(5) The supervising officer

220. The Government's Annex devotes some nineteen paragraphs (§§14–32) to the proposition that no conflict of interest arises from the fact that Mr Maltezos's superior belongs to a different trade union, that all senior officers belong to PASYDY, that the reporting line was therefore unavoidable, and that no specific act of bias has been identified.

221. The Union does not, at this stage, ask the Committee to resolve that dispute. It records four matters which appear from the Prisons Department's own disciplinary file and which the Annex does not answer.

222. *The officer's fourfold role.* The Inspector who is Mr Maltezos's direct superior confirmed to the Investigating Officer, on oath, on 20 May 2026, that he is **“the President of the Prison Officers' Branch of the PASYDY trade union”**. He is the author of the two service notes recording absence on **9 April** and **16 April 2026** (exhibits T.04-1 and T.04-2) — the two documents attached to the letter of 20 April 2026 on the strength of which the Minister of Justice and Public Order, as Competent Authority, ordered the disciplinary investigation. Those two notes are not, however, the only ones: the bundle of attendance records produced by the Government itself contains **eighteen** service notes of the same officer, almost daily from **10 March to 29 May 2026** (Annex I, §§6, 16). He gave evidence as **Witness 4** in that investigation. He was present at the attempted service of the disciplinary notice on 8 May 2026 and co-signed the note recording it. He is thus, on the Department's own file, at once the direct superior of the officer investigated, the author of the documents which triggered the investigation, a witness in it, and the president of the branch of the competing organisation in that Department.

223. *His recorded answer to the allegation.* Asked in the investigation to respond to the allegation of conflict of interest and retaliation contained in the legal adviser's letter of 15 April 2026 (exhibit T.01-13), his recorded answer begins: "**no such allegation exists**". It is recorded in the very file in which the allegation appears, in answer to a question which quotes it.

224. *The objection preceded the letter of 20 April 2026.* The conflict of interest was raised in writing on **15 April 2026** — five days before the letter which set the disciplinary process in motion — and was copied to the Permanent Secretary of the Ministry of Justice and to the Department of Public Administration and Personnel. Nothing was interrupted, nothing was reassigned, and no other officer was substituted.

225. *The Acting Director's answer.* Asked whether any incident of bias had come to her attention, the Acting Director answered that "so far as she knows, at present all the Officers of the Prisons Department belong to the PASYDY trade union", and that no complaint had ever been made to her — the assertion addressed at §§206–208 above.

226. The Union does not contend that membership of a trade union disqualifies an officer from exercising supervision. It contends that where an administration is on notice that a particular officer has been publicly named by an organisation as the central figure in an alleged mechanism of union recruitment, and then places that organisation's Branch Vice-President under that officer's direct authority, and then founds a disciplinary process against him on that officer's records, and then hears that officer as a witness in it, the question whether the State ensures effective protection of workers' representatives is squarely raised. That is a question of general application.

226A. *The record upon which the prosecution rests.* The Union adds, at this point, one finding which emerges exclusively from a comparison of the documents which the Government itself produced, and which is developed in full at **Annex I**. The time-attendance records for March and for April 2026 both exist in **two mutually irreconcilable versions**: one charges the officer with 16.50 and 35 hours respectively and bears the annotations "he was given 2-hour leave" and "THERE IS NO JUSTIFICATION"; the other reduces those charges to zero, leaves the observations column blank, and arrives at a **credit** balance of 11.89 hours in the officer's favour. It is the same month, the same officer and the same person who prepared the form.

226B. The March version which reduces the charge to zero bears, in addition, **manuscript corrections**: 11 March — a **Wednesday** — ceases to be marked as a day of trade union time and is marked "Π" (present) with the note "according to the card", while 10 March (a **Tuesday**) and 12 March (a **Thursday**) are marked in manuscript as days of trade union time. The charge per day is altered, in manuscript, from 5.50 to 2.00 hours. The Union attributes no intention to anyone. It observes only that, **after the correction, the record agrees with the service notes and with the formulation of the charge — that the officer was absent "every Tuesday and Thursday" — whereas before it, it agreed with neither.**

226C. *The dates upon which the recommendation for prosecution rested.* The service note of the administrative investigating officer of **7 April 2026** — the note by

which he recommended the taking of disciplinary measures — characterises as unjustified the absences “on 14/03/2026, 16/03/2026, 30/03/2026 until 11:00 and 02/04/2026”. In the attendance records of the same Department, in **both** their versions, 14 March 2026 is a **Saturday** and is recorded as a rest day (“DO”), and 16 and 30 March 2026 are recorded as days of **presence** (“Π”). For none of the three is there a service note in the bundle. Conversely, **7 April 2026** — the heaviest charge of the period, 7.50 hours, bearing the sole annotation “THERE IS NO JUSTIFICATION” — is covered by no service note at all, while **9 April 2026**, which a service note of that same day certifies as an absence “without leave”, is recorded on the attendance sheet as **leave**.

226D. The chronological order. The Inspector’s first service note is dated **10 March 2026**. The administrative investigating officer was appointed on **11 March 2026**. The administrative investigation was conducted, the Report was submitted and the recommendation for the taking of disciplinary measures was formulated on **12 March 2026** — the day after the appointment. Four of the Inspector’s notes, those relating to 19, 21, 26 and 28 May 2026, all bear the same date of drawing up, **29 May 2026**, nine days after their author gave evidence before the Investigating Officer; all the preceding ones had been drawn up on the day itself.

226E. The Union underlines the significance which those findings have for the question which the Committee is called upon to decide today, and for that question alone. The Government invites the Committee to reject the complaint as inadmissible upon the basis, among others, that there exists a domestic disciplinary procedure with full procedural guarantees. Those guarantees identified neither the two versions of the same record, nor the mismatch of the dates, nor the position of the author of the reports. The question is not whether the domestic procedure will arrive at a right or a wrong result; it is that the State invokes that procedure as a reason why the case should not be examined internationally.

(6) The decision-maker

227. Finally, the Union records the structure of the domestic process, without argument. The Acting Director of Prisons: gave the instruction of 11 March 2026 appointing an administrative investigating officer; wrote the letters of 2 March, 8 April and 14 April 2026 to the officer; wrote to the Department of Public Administration and Personnel on 2 March 2026 and to the Attorney-General on 9 March 2026; wrote the letter of 20 April 2026 requesting the appointment of an Investigating Officer, containing the passage at §195 above; is responsible, under **Regulation 36 of the Prisons (General) Regulations, K.D.P. 19/2000** (not to be confused with Rule 36 of the Committee’s Rules), for activating the procedure for the adjudication of disciplinary offences committed by members of the prison staff; gave evidence as Witness 1 in the resulting investigation; and is the author of the Annex now before this Committee.

228. The Union recalls, without developing the point, that in **Kamenos v. Cyprus** (application no. 147/07, judgment of 31 October 2017) the European Court of Human Rights found a violation of Article 6§1 of the Convention in disciplinary proceedings in which the same body formulated the charges and then adjudicated upon them.

229. The Union does not ask the Committee to determine the fairness of the domestic disciplinary process. It asks the Committee to note that the material on

which the Government invites it to decide admissibility is the account of the officer at the centre of that structure.

PART IX — MR KONSTANTINOU AND THE MEDICAL QUESTION

230. The Government's Annex submits (§§92–124) that no new assignment was made on 6 May 2026; that Mr Konstantinou had performed wing shift duties since 13 March 2013; that the medical certificate of 20 November 2025 concerned cluster headaches and recommended proximity to medication and immediate access to oxygen "without excluding work in enclosed areas"; and that the arrangement placing him near the infirmary serving Wings 1 and 2 implemented rather than disregarded that recommendation.

231. Those are contentions on the merits and the Union reserves its answer to them, including as to the medical evidence, which will require expert material. Five points are properly made now, because each bears on whether this is an individual grievance or an instance of the practice complained of.

(1) The Government's account is internally contradictory

232. The Annex asserts at §97 that "no decision was issued transferring him from external to internal duties, nor was he assigned on 6 May 2026 any different work assignment from that which he was already performing", and at §123(b) that he "was neither transferred nor assigned to new duties on 6 May 2026".

233. But at §104 it states:

"Following my assumption of duties as Deputy Director and my review of the medical certificates of staff as a whole, **written instructions were issued to the Human Resources Management Office** concerning both Mr. Constantinou and other members of staff. In relation to Mr. Constantinou, **written instructions were given that he should continue performing his regular shift duties but be assigned to the wings located closest to the Infirmary serving Wings 1 and 2.** The relevant written instruction is attached as **Annex 21.**"

234. A written instruction that an officer "be assigned to" particular wings is a new assignment of the place at which duties are performed. The Annex says as much at §98: what occurred was "the continuation of his existing assignment, together with **an adjustment of the specific location where those duties were performed**". Both propositions cannot stand. Either no decision was taken on or about 6 May 2026, in which case there is nothing to have implemented the certificate; or a decision was taken, in which case the Government's answer to the complaint is not that nothing happened but that what happened was beneficial.

235. The Union notes that the written instruction is the Government's own Annex 21 and that it has not been produced. It states expressly that it has **no objection whatever** should the Committee consider it useful to call for its production — on the contrary, it desires it. It observes only that the document by which, on the

Government's own case, the officer was "assigned", was never communicated to him; and that the failure to communicate it is, in itself, an element of the treatment complained of.

(2) The certificate restates the international standard of care; the arrangement departs from it

236. The Government characterises the certificate as recommending only that the officer "be stationed in a location from which he would have easy access to his medication" and "have easy and immediate access to oxygen administration should this become necessary", and asserts at §100 that it "contains no reference whatsoever indicating that Mr. Constantinou could not work in enclosed areas".

237. The certificate does not need to say so. It prescribes **immediacy**. And in cluster headache, immediacy is the whole of the treatment. The Union sets out the clinical position, with sources, at **Annex E**. In summary:

- **(a) The condition.** Cluster headache (ICHD-3, §3.1 — International Classification of Headache Disorders, 3rd edition) is characterised by attacks of severe or very severe unilateral pain lasting 15–180 minutes untreated, occurring from once every other day to **eight times a day**. A "**sense of restlessness or agitation**" is a formal diagnostic criterion (criterion C.2), placed on the same footing as the cranial autonomic signs: the classification treats inability to remain still as a defining feature. The specialist literature describes it as the most painful of the primary headache disorders; patients who have experienced childbirth or renal colic characteristically rate an attack as worse.
- **(b) The time course.** The attack "often begins as a vague discomfort and rapidly increases to excruciating pain, **reaching maximal intensity within 9 minutes of onset in 86% of sufferers**" (Black, Bordini and Russell, "Symptomatology of cluster headache", in Olesen et al. (eds), *The Headaches*, 3rd edn, 2006, ch. 92). The therapeutic window is measured in single-digit minutes.
- **(c) The treatment.** High-flow oxygen is first-line in every international guideline: NICE Clinical Guideline CG150 recommends "100% oxygen at a flow rate of at least 12 litres per minute with a non-rebreathing mask and a reservoir bag" (rec. 1.3.36); the European Academy of Neurology 2023 guideline states "at least 12 L/min of 100% oxygen (in some cases up to 15 L/min) for a duration of 20 min using a nonrebreather mask"; the American Headache Society gives it a Level A recommendation. The randomised evidence (Cohen, Burns and Goadsby, *JAMA* 2009;302:2451) produced 78% pain-free or adequate relief at 15 minutes against 20% for air — for oxygen administered, in the trial's own words, "**at the start of an attack**", the conclusion being expressed as applying to treatment "**at symptom onset**". The EAN guideline states in terms: "**Best effect at onset of attack.**"
- **(d) Where the oxygen is supposed to be.** NICE CG150, recommendation 1.3.36, directs clinicians, in the same sentence as the flow rate, to "**arrange provision of home and ambulatory oxygen**". *Ambulatory* is a term of art: portable oxygen for use away from the home. The standard of care is that the patient has the cylinder **immediately to hand**. No guideline located

contemplates a model in which the patient travels to a clinic or infirmary during an attack.

- **(e) Why oxygen specifically.** The other first-line abortive, subcutaneous sumatriptan 6 mg, is subject to a maximum daily dose and is contraindicated in cardiovascular disease. A patient having up to eight attacks in a day cannot treat them all with it. Oxygen has no such ceiling. Access to oxygen is therefore not substitutable.

238. The treating physician's two recommendations — easy access to medication, and **easy and immediate** access to oxygen — are, on that material, a straightforward restatement of the international standard of care. The employer's construction substitutes a **remote source** of oxygen for the **immediate access** the guidelines require, in a condition in which the therapeutic window closes as the attack peaks, and in a physical setting — a locked prison wing, in a Department which the CPT found to have "dangerously low" staffing, with one to three officers responsible for over 100 prisoners — in which an officer cannot simply leave.

239. The Union states plainly what it does **not** say, so that the Committee is not misled and the Government is not given a foothold. It does not say that a poorly ventilated or enclosed environment triggers cluster headache attacks: three controlled provocation studies have failed to induce attacks with hypoxia, and the Union will not advance a claim the literature does not support. It does not say that any regulatory body classifies cluster headache as disqualifying for custodial work. It does not say that the officer is generally unfit for duty: between attacks, patients are largely functional. **The Union's case is about the attack window and about access to the abortive treatment within it — nothing more.**

(3) The proper course when a certificate is thought to be ambiguous

239A. The Union expressly reconciles that position with the wording of the complaint, so that there may be no ambiguity. The complaint refers, at its paragraph 14, to "binding" medical opinions which "exclude" enclosed spaces. The word "binding" does not mean that the certificate itself uses the term; it means that, under Cypriot administrative law, the service is **bound** to take into account a medical opinion which it has itself sought or accepted, and may not depart from it without reasons. And the word "exclude" refers to spaces **from which the officer cannot remove himself during an attack so as to receive the treatment within the time window** — not to enclosed spaces as such. That is how it was meant, and that is how it is put here. The request for immediate measures at paragraph 24(a) of the complaint stands as it is, within precisely that framework.

240. The Government says that the management "was obliged to act on the basis of the actual and express content of the medical certificate and not on the basis of subsequent, expanded or subjective interpretations" (§103), and that a trade union letter "cannot substitute for a medical opinion" (§116).

241. The Union accepts both propositions. They do not lead where the Government takes them. If the administration considered that the certificate's requirement of "easy and immediate access to oxygen" was capable of being satisfied by a locked wing near an infirmary, the elementary course — required by the duty of good administration and by section 64 of the Public Service Laws, which guarantees

officers conditions of health and safety at the workplace — was to **ask the certifying physician**, or to refer the officer to the competent medical authority. What is not open to an employer is to resolve a medical ambiguity against the employee, unilaterally, and then to defend the resolution by pointing to the absence of words the physician was never asked to supply.

(4) The Government's own record of what happened next

242. The Annex records, at §111:

“Following the above arrangement, and up to the present,
Mr. Constantinou was absent on sick leave.”

243. That is the Government's own record of the arrangement's outcome. It is also the statistically expected outcome: on controlled multicentre data, cluster headache patients require sick leave at **fifteen times** the rate of controls, and the need for sick leave is independently predicted by **daytime periodicity of attacks** — that is, by attacks falling during working hours (Choi et al., *Journal of Headache and Pain* 2018;19:78).

244. And at §114 the Annex records that a further medical opinion was submitted on **6 July 2026**, attached as its **Annex 23**, and observes that “**This date is particularly significant**”, because it postdates both the contested arrangement and the complaint. The Annex does not disclose one word of what that opinion says.

245. The Union invites the Committee to call for that document specifically.

(5) The sequence

246. The assignment complained of was made by oral instruction on **6 May 2026**. That is the same day on which the incidents of verbal harassment complained of occurred; **two days after** the disciplinary summons of 4 May 2026 concerning the Union's Labour Day announcement; **one day before** the Branch Council's formal written complaint of 7 May 2026; and **two days before** the appointment of the Investigating Officer against the Branch's Vice-President on 8 May 2026.

247. Within seventy-two hours, the two most senior elected officers of the same Branch Council were, respectively, made the subject of a duty assignment which the Union contends was incompatible with a medical certificate on file, and made the subject of the gravest disciplinary procedure available in the Cypriot public service. To characterise that as two individual employment disputes which happen to have arisen at the same time in the same Branch is to describe the coincidence rather than to explain it.

248. The Government's answer to the coincidence, at Annex §§81–84, is that the disciplinary process against Mr Maltezos had an independent origin predating 1 and 7 May 2026. So it did — it originated on 21 February 2026, in the officer's written objection and request for facilities, and it was carried forward by the general instruction of 2 April 2026. That is the Union's case, not an answer to it. The Government's chronology explains the timing of the *appointment* of the Investigating Officer. It does not explain the assignment of Mr Konstantinou on 6 May 2026, to which the Annex offers no chronological explanation at all beyond the Acting

Director's "assumption of duties" and "review of the medical certificates of staff as a whole".

PART X — THE ARGUMENT FROM THE UNION'S SIZE INVERTS THE COMMITTEE'S OWN GUIDANCE

249. The Government relies on the size of the Union's membership to argue that the treatment of two of its officers is too small a matter to raise a collective question. The Union invites the Committee to consider what that argument would establish if accepted.

250. The Committee has held, in the context of representativeness, that "the application of criteria for representativeness should not lead to automatic exclusion of small trade unions or those formed recently to the advantage of larger and longer-established trade unions, **thereby prejudicing the effectiveness of the right of all trade unions to bring a complaint before the Committee**" (*FFFS v. Norway*, No. 74/2011, §21; *S.I.Lav. v. Italy*, No. 236/2024, §9). The Government's submission is a variant of exactly that exclusion, applied not at the threshold of standing but at the threshold of subject-matter: because the Union is not large, what is done to its officers cannot matter enough to be examined.

251. The point is sharper still in this case, because **the Union's size is itself part of what the complaint is about**. The complaint alleges that one organisation received €8,410,000 of public money over nine years while the Union received none; that the Union is excluded from the only institutional forum of consultation; and — as set out in the pending complaints lodged with the national authorities, none of which has been adjudicated — that within the Prisons Department favourable postings have been used to attract members to the funded organisation.

252. If a State may first place a competing organisation at a systematic disadvantage and may then rely on the resulting disparity in size to defeat that organisation's access to the Charter's supervisory machinery, the machinery ceases to protect the organisations that most need it.

253. The Union does not ask the Committee to determine any of those allegations at this stage. It asks the Committee not to accept an argument whose logic is that the smaller the organisation, the less examinable the treatment of its representatives.

254. The Union adds one observation on the arithmetic itself. The Government's figure counts members. It does not count offices. The two officers concerned are not 0.036% of the Union; they are **100% of the elected leadership of one of its seventeen Branch Councils** — and, by Article 14.1 of the Constitution, that Branch's entire representation on the Council of the Presidents of the Branches.

255. And with the material at §§151–177 above, the count is not two officers in one Branch. It is **four elected officers of this Union** — the President and the Vice-President of the Prison Officers' Branch Council, the President of the Hourly-Paid Game Wardens' Branch Council, and the President of the Police Body Branch Council, who is also a Vice-President of the Union's Board — in three services,

under two Ministries, in three employment statuses. Counted as the Government counts, that is still a small percentage of the membership. Counted as the Charter requires, it is a substantial part of the elected leadership of a national trade union.

PART XI — THE ALTERNATIVE REQUEST FOR PARTIAL INADMISSIBILITY

256. The Government asks in the alternative that all limbs relating to the transfer, duties and working arrangements of Mr Maltezos, to the disciplinary proceedings against him, and to the assignment of duties to Mr Konstantinou, be declared inadmissible as concerning individual situations.

257. That request should be refused for the reasons already given, and for three further reasons.

258. *First, severance would dispose of the Article 28 limb in substance, at the admissibility stage, without argument on the merits.* Severance of the kind proposed would leave the Committee to determine the effectiveness of protection of workers' representatives while excluding from its consideration the only material capable of showing whether that protection is effective in practice. The Committee would be asked to assess a practice with the evidence of the practice removed. That is not a partial admissibility ruling.

259. *Secondly, the measures are pleaded as a sequence, not as a set of separate grievances.* Their significance lies in their order and their proximity: the public announcement of 22 December 2025; the reassignment of 3 February 2026 under the officer named in it; the written objection and request for facilities of 21 February 2026; the letter of 2 March 2026; the reference to the Department of Public Administration and Personnel of 2 March 2026 and to the Attorney-General of 9 March 2026, the latter never answered; the appointment of an administrative investigating officer on 11 March 2026; the general instruction of 2 April 2026; the letters of 8 April and 14 April 2026; the conflict-of-interest objection of 15 April 2026; the service notes of 9 and 16 April 2026 signed by the objected-to officer; the letter of 20 April 2026 founded on those notes and containing the passage at §195 above; the request to return to shift of 22 April 2026; the disciplinary summons of 4 May 2026 concerning a Labour Day announcement; the events of 6 May 2026; the Branch Council's complaint of 7 May 2026; and the appointment of an Investigating Officer on 8 May 2026. **A sequence assessed in fragments is not the same object of assessment.**

260. *Thirdly, the relief which the complaint actually seeks is systemic.* The Government describes the complaint as seeking individualised relief. The complaint says otherwise on its face. At paragraph 25(c) it asks the Committee to invite the Committee of Ministers to recommend that Cyprus, among other things, **“(iii) guarantee in practice the protection and facilities of workers’ representatives required by Article 28”** and **“(iv) establish objective, transparent and non-discriminatory criteria for any public funding of trade unions and for access to joint consultation machinery”**. Neither of those requests concerns Mr Maltezos or Mr Konstantinou. Neither could be satisfied by any measure directed to either of

them. Each is a request for the amendment of a State's general practice, and each was in the complaint when it was lodged on 11 June 2026 — before the Government's observations were written, and therefore not in answer to them. **A complaint which asks a State to establish published criteria for the funding of trade unions and for admission to its joint consultation machinery is not a disguised individual complaint, and it cannot be severed into one.**

261. A chronology is at **Annex C**.

262. The Union adds that the Government's alternative request is, on analysis, an invitation to the Committee to do at the admissibility stage what the Committee has repeatedly declined to do: to treat the evidence of a practice as though it were the object of the complaint, and then to exclude it for being what it is.

PART XII — THE REQUEST FOR IMMEDIATE MEASURES (RULE 36)

263. The Committee's invitation of 29 July 2026 is confined to admissibility, and the Union accordingly addresses this subject briefly and without prejudice to any fuller submission the Committee may invite.

264. The Union recalls the terms of Rule 36§1: "**At any stage of proceedings**, the Committee may, at the request of a party, or on its own initiative, indicate to the parties any immediate measure, the adoption of which is necessary to avoid irreparable injury or harm **to the persons concerned**."

265. *The Government's first submission is that the relief sought is "individualised" rather than collective.* Rule 36§1 is, in its own terms, directed to persons. A test which withheld immediate measures because the harm they would avert is harm to identified persons would leave the Rule with no field of operation. That is not a theoretical point: in *ERRC v. Italy*, No. 244/2025, the Committee indicated measures directed to identified Roma families at a single site, in the same decision by which it rejected the objection that the complaint concerned an individual situation. The Union adds, for the avoidance of doubt, that the immediate measures sought under Rule 36 are **not** the relief sought by the complaint: the complaint's requests at paragraph 25(c)(iii) and (iv) are systemic and concern no individual whatever (§260 above).

266. The Committee has stated the test in that decision:

"**19.** The Committee underlines the exceptional character of immediate measures. The adoption of said measures must appear 'necessary to avoid irreparable injury or harm to the persons concerned' (Rule 36§1), consistent with 'the aim and purpose of the Charter', which, 'being a human rights protection instrument, is to protect rights not merely theoretically, but also in fact' ... **20.** Any request for immediate measures must establish **a tangible situation in which the persons concerned by the complaint find themselves at risk of serious irreparable injury or harm** ... **23.** The Committee also recalls that, under Rule 36, it may **on its own initiative**

indicate to the parties any immediate measures it considers necessary, even when no such request is made by the complainant organisation.”

267. *The Government’s second submission is that no serious and irreparable harm has been demonstrated, because the disciplinary process carries full procedural guarantees and no irreversible consequence has been shown.* Three matters bear on that.

268. The harm is accruing, not prospective. The Prisons Department’s own attendance records, submitted to the Committee with the Union’s letter of 21 July 2026, show that each day of trade union absence is entered against Mr Maltezos as “Σ.X.” (trade union time) and charged as a debt of **5.50 hours**, with the stereotyped annotation “he was given 2-hour leave”; for 7 April 2026 the charge is 7.50 hours, with the annotation “THERE IS NO JUSTIFICATION”. The charges are **16.50 hours for March, 35 hours for April and 44 hours for May 2026** — a cumulative debit of **95.50 hours as at 31 May 2026**, for seventeen days of trade union absence.

268A. Two clarifications are added here, because both emerge from the documents themselves and both reinforce the point. First, the entry “Σ.X.” is not an interpretation of the Union’s: the service note of the Chief Prison Officer of the accounts office of 5 May 2026 records that, on being asked, the officer “stated that ‘Σ.X.’ corresponds to **Trade Union Time**”. Secondly, the treatment of that time is formulated as a **rule** in the manuscript reply of 13 May 2026 upon that same note, countersigned on 15 May 2026: the officer “was granted leave for trade union time **only** for the periods which are recorded in his personal file; the remaining time, which he himself declares as trade union time **without having obtained any relevant leave, is treated as absence from duty without leave**”.

268B. That formulation, together with the general instruction of 2 April 2026 (§§70–74 and 84–87 above), closes a circle: no fixed or predetermined facility is permitted; all trade union time beyond the periods approved case by case is treated as absence without leave; and absence without leave constitutes a disciplinary offence under Regulations 14(a), 14(b) and 58(b) of K.D.P. 19/2000. The same attendance sheet records, moreover, 22 May 2026 with the entry “**STRIKE**”, without any corresponding charge — proof that the system **distinguishes** between the forms of trade union absence, and that the charging of trade union time is a choice and not a technical necessity. The full analysis of the bundle is set out at **Annex I**.

269. The debit is not a bookkeeping record. It is carried forward from month to month and set off against compensatory rest already earned by work on Sundays, on public holidays, at night and on emergency call-outs. The April sheet records 25 hours of emergency call-out and 3.56 hours of night work which, instead of being restored as rest, are absorbed by the debit balance. **Rest already earned by additional work is being withheld, hour by hour, as the price of trade union office** — by accounting entry, without a decision of any competent organ, without a hearing and without reasons, and for the same absences which are simultaneously the subject of the disciplinary procedure.

270. That is precisely the vice which Recommendation No. 143 of the International Labour Organisation addresses when it provides, at paragraph 10(1), that workers’ representatives are to be afforded the necessary time off “**without loss of pay or social and fringe benefits**”.

271. There is, moreover, a **second and distinct deduction**, which the Union brings to the Committee's attention because it is not the same measure and has not previously been described. On or about 27 April 2026 the officer was informed **orally, by the Prisons Department's accounts office**, of an intention to **cut days from his annual rest leave** in order to cover absences attributable to the exercise of his trade union duties. He objected in writing on **27 April 2026**, in a document addressed to the Acting Director and to the accounts office and copied to the Director-General of the Ministry and to his legal adviser, requesting a written reasoned decision. He submitted, in substance: that the accounts office has no competence, annual leave being a matter for the Head of Department under Regulation 4(4) of K.D.P. 101/95; that under Regulation 2(1) annual leave is granted strictly "for purposes of rest", and that the exceptions in which time is not counted as service are exhaustively enumerated and do not include trade union absence; that Article 31(2) of the Charter of Fundamental Rights of the European Union and Directive 2003/88/EC, transposed by Law 63(I)/2002, prohibit the substitution of annual leave by anything other than payment on termination; and that if the Court of Justice forbids the setting-off of annual leave against sick leave, it must *a fortiori* forbid its setting-off against trade union duties, which are the performance of an onerous institutional function and not recreation. **No written reasoned decision has been issued.**

272. The Union records that objection here for one reason only. The Government submits that no irreparable harm has been shown. The officer's earned compensatory rest is being withheld by accounting entry; his annual rest leave has been announced, orally, as liable to the same treatment; and in neither case has any competent organ taken a decision, given reasons, or heard him.

273. The Union has placed that practice before the Registrar of Trade Unions (letter of 20 July 2026), inviting its examination under, among other provisions, the Organisation of Working Time Law of 2002 (Law 63(I)/2002, transposing Directive 2003/88/EC), which guarantees minimum daily and weekly rest and permits derogations for prisons only by collective agreement or agreement with the workers' representatives, and then only on condition of equivalent compensatory rest — no such agreement existing here.

274. The disciplinary path is not a neutral one. The procedure initiated on 8 May 2026 is conducted under Article 81 of the Public Service Laws 1990–2025, applied by analogy, together with Regulation 36(5) of the Prisons (General) Regulations (K.D.P. 19/2000). It is the path whose terminal sanctions include compulsory retirement and dismissal. The Government describes its safeguards. The Union does not dispute that the provision contains safeguards. It observes that the existence of procedural safeguards within a process says nothing about whether the process ought to have been initiated — which is the question the complaint raises, and to which the letter of 20 April 2026, at its paragraph 11, supplies part of the answer.

275. The file is not static. The Union has already drawn the Committee's attention (letter of 21 July 2026, §10) to the existence of successive, divergent versions of the same monthly attendance sheets: two versions of the March sheet — one computer-generated, without manuscript annotations, charging **5.50 hours** per day and totalling **-16.50**, and one bearing manuscript additions which move the days of trade union absence from Wednesday 11 March to Tuesday 10 and Thursday 12 March

“according to the card” and alter the charge to **2.00 hours** per day, with a total of **0.00** (Annex I, §§8–10); an April sheet existing both with a positive balance of 11.89 hours and with a debit balance of 51.50 hours; and four service notes covering absences of 19, 21, 26 and 28 May 2026, all drawn up retrospectively on 29 May 2026.

276. *The Government’s third submission is that granting immediate measures would improperly interfere with domestic proceedings.* That submission is answered at §§23–27 above. The procedure requires no exhaustion of domestic remedies, and Rule 36§1 permits the Committee to act at any stage of proceedings.

277. The Union adds that the Government’s own Annex records, at §§88–90, that “from **12.05.2026 to the present**, additional instances were recorded in which Mr. Maltezos was absent from his official duties beyond the time approved by the Management”, and that these are submitted “in order to ... demonstrate that the issue that concerned the Management ... related to an ongoing service-related situation which continued to exist”. The Union agrees that the situation is ongoing. That is why the request for immediate measures is made.

277A. The Union summarises its position upon immediate measures in the narrowest possible terms. The request is **not** a request for preferential treatment, nor an invitation to the Committee to manage internal service arrangements. It is a strictly delimited request for the preservation of the capacity to exercise the protected rights genuinely and effectively, pending the Committee’s determination. And it rests upon one feature of the harm which the Union underlines: **the removal of earned rest is not even a “decision”**. It was not taken by any competent organ, it was not reasoned, it was not notified as an act, and it is therefore not amenable to challenge by any legal remedy. It is an entry on an accounting sheet, which accumulates month by month. That is precisely why it is **invisible to the procedural guarantees which the Government invokes as a reason why the case should not be examined**; and that is precisely why, if it is not suspended, it will have produced its effects long before any determination on the merits.

278. The Union therefore maintains its request of 11 June 2026, as renewed on 21 July 2026 — **and renews and extends it in Part XIII below, in the light of the dismissal of 31 July 2026.**

PART XIII — THE DISMISSAL OF MR MALTEZOS ON 31 JULY 2026

*This Part deals with an event which occurred **after** the filing of the Government’s observations. The Union places it before the Committee in fulfilment also of the undertaking it gave on 16 June 2026 to keep the Committee informed.*

(1) The measure

279. On **31 July 2026** the **Minister of Justice and Public Order** terminated the employment of **Mr Georgios Maltezos, Prison Officer of Indefinite Duration no.**

526, with effect from that same day, **without notice and without any right to compensation**. The decision bears file ref. 15.30.008.010, was addressed to the officer “through the Acting Director of the Prisons Department”, bears the Prisons Department’s receipt stamp of 31 July 2026, and was received and signed by him the same day.

280. Mr Maltezos is the **Vice-President and Press Spokesperson of the Prison Officers’ Branch Council** of the complainant organisation and a **member of its Board**. He is one of the two officers with whom the present complaint is concerned.

281. The Union states directly what it does and does not do by this Part. **It does not amend the complaint, it does not add a new limb, and it does not invite the Committee to review the lawfulness of the decision under Cypriot law.** It notifies a fact. That fact is the culmination of precisely the situation which the complaint as lodged describes, and it is the very measure whose prevention the Union sought by its request for immediate measures of 11 June 2026.

(2) The sequence

282. The Committee is invited to note the dates.

Date	Event
11 June 2026	Registration of the complaint, together with a request under Rule 36 that it be indicated to the respondent State that it should suspend the disciplinary procedure and abstain from any further prejudicial measure against the elected representatives
21 July 2026	The Union transmits the attendance records and renews the request
28 July 2026	The Government’s observations are registered: no serious or irreparable harm has been demonstrated , because the disciplinary process carries full procedural guarantees
29 July 2026	The Secretariat transmits the observations; time limit for response 9 September 2026
31 July 2026	Dismissal, effective the same day, without notice and without compensation

283. **Three days** separate the Government’s assurance that no irreversible consequence had been demonstrated from the act which made the consequence irreversible. The Union **advances nothing as to the intention of any person**. It asks only that the sequence be noted, because the Government’s principal answer to the Rule 36 request was that the harm was hypothetical.

(3) The stated grounds are the exercise of trade union duties

284. The decision rests on **no** allegation of defective performance of a prison officer's duties, of conduct towards prisoners, of security, or of any other service misconduct. It rests, expressly and exclusively, on **absence from work for trade union purposes**, enumerated day by day by the State itself.

285. Paragraph 3(b) of the decision records that on **24 February 2026** the officer notified the Management that he would be absent every Tuesday and Thursday; that he was granted **"only two-hour leave of absence"**; and that he was nevertheless absent for the whole of the working day on the dates which it then enumerates. **Thirty-three entries are enumerated, corresponding to thirty-two distinct dates. Of those, thirty are Tuesdays or Thursdays.**

286. Three features of the list are brought to the Committee's attention, each verifiable against documents **already before it** since 21 July 2026. The full check of all thirty-two dates is set out at **Annex I, Part I.**

287. (a) 9 April 2026 appears in the list as a full day of unjustified absence. The Department's own attendance sheet for April 2026 records that day as **leave: "A/A"** in one version of the sheet and **"LEAVE"**, with a figure of one in the sick-leave column, in the other.

288. (b) 11 March 2026, which the computer-generated record marks as trade union time, does not appear in the list; 10 and 12 March, which were added to that record in manuscript, do. The dismissal decision therefore follows the **manuscript-corrected** version of a record which exists in two mutually irreconcilable versions (§§226A–226B above).

289. (c) 7 April 2026 appears in the list. It is the date bearing the heaviest charge in the Department's records (7.50 hours) and the sole annotation **"THERE IS NO JUSTIFICATION"** — and it is covered by no service note in the Government's own bundle.

290. The Union notes further, without seeking any finding, that the list contains one date entered **twice** (23 July 2026), one **Monday** (23 March 2026) and one **Friday** (3 July 2026), and that **22 May 2026, recorded on the Department's own sheet as "STRIKE", does not appear.** The State's system therefore distinguishes between the forms of trade union absence — and the charging of trade union time remains a choice.

(4) The reasoning of the dismissal is the reasoning of which the complaint complains

291. Paragraph 11 of the letter of 20 April 2026 by which the appointment of an Investigating Officer was requested — exhibit **T.01-1** and **Annex 16** of the Government's own observations — was quoted at §195 above. Its critical limb is repeated here:

"... the Prison Officer in question **holds a trade union position (Vice-President of a Trade Union)**, a fact which **reinforces the negative impact of his conduct**, since it is **capable of operating as a model or of cultivating corresponding attitudes and practices among other**

members of staff, further undermining discipline, administrative cohesion and, by extension, the security of the Department.”

292. Paragraph 3(d) of the dismissal decision of 31 July 2026 states:

“Your attitude constitutes direct insubordination towards the lawful hierarchy and an undermining of discipline, which is a fundamental precondition for the orderly and safe functioning of the Prisons Department. **In addition, your conduct is capable of operating as a model or of cultivating corresponding attitudes and practices among other members of staff, further undermining discipline, administrative cohesion and, by extension, the security of the Department.”**

(Original: «Η στάση σας συνιστά ευθεία απείθεια προς τη νόμιμη ιεραρχία και υπονόμηση της πειθαρχίας, η οποία αποτελεί θεμελιώδη προϋπόθεση για την εύρυθμη και ασφαλή λειτουργία του Τμήματος Φυλακών. Πρόσθετα, η συμπεριφορά σας δύναται να λειτουργήσει ως πρότυπο ή να καλλιεργήσει αντίστοιχες αντιλήψεις και πρακτικές μεταξύ άλλων μελών του προσωπικού, υπονομεύοντας περαιτέρω την πειθαρχία, τη διοικητική συνοχή και κατ’ επέκταση την ασφάλεια του Τμήματος.»)

293. The second sentence of paragraph 3(d) is, **word for word**, the closing limb of paragraph 11 — from the words “is capable of operating as a model” to the end — with two changes only: the words which identified the trade union office were deleted, and the third person was converted into the second; the reasoning which those words introduced was carried across **unaltered** into the operative decision of dismissal. That reasoning is, in terms, that the officer’s conduct must be suppressed **because others may follow his example**. That is not an incidental observation: it is a stated ground of the dismissal. It is, in other words, the deterrent effect upon the exercise of representative functions — which Article 28 exists to prevent — articulated by the State itself as a reason.

(5) The procedure on which the Government relied was not completed

294. The Government’s observations answer the Rule 36 request by invoking the disciplinary procedure and its guarantees. That procedure was initiated on **8 May 2026** by order of the Minister of Justice and Public Order as Competent Authority, under section 81 of the Public Service Laws, applied by analogy, and **Regulation 36(5) of the Prisons (General) Regulations, K.D.P. 19/2000**. An Investigating Officer was appointed; witnesses gave evidence on 18 and 20 May 2026.

295. No finding of that procedure is mentioned in the dismissal decision. The decision states that it was taken “taking into account all the material before me, the letters from the Prisons Department and the provisions of **section 5(f) of the Termination of Employment Law of 1967 (Law 24/1967)**”, and concludes at its paragraph 4 that the matters set out constitute a breach of sub-paragraphs (i), (ii), (iv) and (v) of that section, “which constitute grounds for dismissal without notice not giving rise to a right to compensation”.

296. The disciplinary procedure was therefore not completed: it was replaced, **by the very authority which had ordered it**, with a summary termination under the labour legislation. The Union does not invite the Committee to determine whether that was

permissible under domestic law. It submits only that it bears directly on **the answer the Government gave the Committee**: the guarantees on which it relied as the reason why the Committee need not intervene were not, in the event, the path taken.

(6) What this means for the Government's three arguments

297. *As to the submission that no serious or irreparable harm has been demonstrated.* The harm is no longer either hypothetical or reversible by an accounting correction. The elected Vice-President and Press Spokesperson of a Branch Council **has ceased to be an employee** of the service whose members he represents, without notice and without compensation, three days after the assurance to the contrary.

298. *As to the submission that this is an individual situation.* Under Article 2.1 of the Union's Constitution Mr Maltezos is not a member but an **officer**; under Article 14 the Branch Council is the organ through which the Union informs and consults the members of the Branch (Annexes A and B). The dismissal removes from that organ one of its two elected officers — and removes him invoking expressly, as a ground, the possibility that **others may imitate him**. This is not harm to one employee; it is the removal of a function from the organisation.

299. *As to the submission that no general practice is established.* The decision applies, at its final stage, precisely the rule which the Union complains of as general: the ceiling of **two hours** ("you were granted only two-hour leave of absence"), which derives from the general instruction of the Department of Public Administration and Personnel of 2 April 2026 (§§70–74 and 84–87 above) and from the formulation of the accounts office of 13 May 2026 (§268A above). The circle closes: no fixed facility; all trade union time beyond two hours is treated as absence without leave; the repetition of the absence constitutes a ground for **dismissal without compensation**.

300. Article **28(a)** of the Revised Charter requires the Parties to ensure that workers' representatives enjoy "effective protection against acts prejudicial to them, **including dismissal**, based on their status or activities as workers' representatives within the undertaking" (§140 above); Article 1 of ILO Convention No. 135 is materially identical. The Union does not ask the Committee to determine, at this stage, whether Article 28 has been violated. It observes only that the measure taken is **the measure which the Article names** — and that it was taken while a request that it should not be taken was pending before the Committee.

(7) The renewed request under Rule 36

300A. The Union **renews and extends** its request under Rule 36 and asks the Committee to indicate to the respondent State, pending its decision:

- **(a)** the **suspension of the decision of 31 July 2026** terminating Mr Maltezos's employment, and his reinstatement to his post until the conclusion of the present proceedings;
- **(b)** abstention from any further prejudicial measure against the elected representatives of the complainant organisation in connection with the exercise of their representative duties, including **Mr Konstantinos Konstantinou**, President of the same Branch Council; and

- **(c)** abstention by the managerial officers of the Prisons Department from any act — solicitation, promise of advantage or warning of adverse treatment — which links a staff member's treatment in service (posts, shifts, promotions, permanency) to his or her membership of, or departure from, a particular trade union (§§300E–300F below); and
- **(d)** that the Committee be informed of the measures taken.

300B. That request is not a request for preferential treatment, nor an invitation to the Committee to manage internal service arrangements. It is a strictly delimited request for the **preservation of the subject-matter of the proceedings**: if the elected officer whose treatment is the principal evidential material of the complaint ceases, definitively, to be an employee of the service, the situation which the Committee is asked to examine will have been fully accomplished before any determination on the merits.

300C. The Union recalls that under **Rule 36§1** the Committee may indicate immediate measures “at any stage of proceedings”, and that in *European Roma Rights Centre v. Italy* (Complaint No. 244/2025, decision of 2 July 2025, §23) it recalled that it may do so also **on its own initiative**. The Union asks that this Part be brought to the attention of the President and that the Government be invited to answer it.

300D. Two public statements by the Minister who signed the decision of 31 July 2026 are placed before the Committee — not as proof of the merits, but as elements critical to the assessment of risk under Rule 36. **First**, on **16 June 2026** — five days after the registration of the present complaint and forty-five days before the dismissal — the Minister stated on television, with reference to prison officers, that “**some attempt to hide behind trade union claims** without meeting their obligations” and that “**Each will get what he deserves** as regards his treatment by the Prisons Direction and the Ministry”. **Second**, on **3 August 2026** — three days after the dismissal — he stated on radio: “**What was put before me justified the termination of the employment**”, publicly confirming what the decision itself records: that the Minister personally assessed the material. Both statements come from identified press reports quoting direct speech — the second with published audio — and are referenced with their sources at **document No. 31** of the Schedule; the Union offers to produce full screenshots and transcripts if requested. The first statement constitutes an advance public announcement of differentiated treatment, made by the very organ which issued the dismissal decision forty-five days later. Neither has been denied.

300E. In the same context — that of the assessment of risk under Rule 36, and in that context alone — the Union places on record the following, with the methodological discipline it applied at §§187G–187H above: these are **recorded reports by members to the Union's organs**, not facts which the Committee is asked to treat as established.

- **(a)** Members and former members report **systematic approaches by managerial officers of the Prisons Department** urging them to join PASYDY, accompanied, according to the reports, by promises of favourable posts or shifts, of promotion to the rank of Chief Prison Officer or of

permanency — and, in other cases, by warnings of loss of post. The Union has recorded **at least eight distinct cases** of members or former members, with particulars of the persons involved and of the benefit offered or threatened in each case.

- **(b)** Three members, separately from one another, declined to co-sign a collective statement of support for the dismissed officer, expressly stating a **fear of being targeted** — one of them stating at the same time that he considers the dismissal unjust. The deterrent effect described at §§147–149 above is, in other words, not a prediction; it is already operating, and it obstructs the very gathering of evidence.
- **(c)** According to a recorded report by a member, on **29 July 2026** — two days before the dismissal — the Acting Director of the Department, asked by that member whether Mr Maltezos could return to the shift system, answered in the negative, on the ground that “he is excellent at his job”.

300F. The identities of the members and the particulars of each report **are held by the Union and are placed at the Committee’s disposal**, under whatever conditions of confidentiality it may consider appropriate for the protection of the members against reprisals; they are not included in the present document precisely because of the fear recorded at §300E(b). The Union underlines the procedural consequence: for as long as that fear operates, proof of the practice by freely given testimony of members is impossible in fact. That constitutes an independent reason why the measures of §300A, and in particular measure (c), are “necessary to avoid irreparable injury or harm” within the meaning of Rule 36§1: the harm they prevent is not only the attrition of the organisation while the case is pending — it is the neutralisation of the complainant organisation’s very capacity to prove its case.

PART XIV — THE GOVERNMENT’S ANTICIPATED OBJECTIONS UNDER RULE 29§3bis, AND THE ANSWER TO EACH

301. Under **Rule 29§3bis** the Government will be invited to reply to this Response, and will thus have, as of right, the last word on admissibility. The Union will have no further opportunity to be heard unless the Committee permits it under Rule 28§3. For that reason — and for that reason alone — this Part sets out seven objections which the Union reasonably anticipates, states them in their strongest form, and answers each. Three of them (nos. **3**, **6** and **7** below) have already been advanced by the Government in a cognate form and are answered in Parts II, X and VIII above; this Part revisits them only in the light of the dismissal of 31 July 2026. The remaining **four have not been advanced**, and are not attributed to the Government: they concern, in their entirety, material which was not before the Committee when the Government filed its observations.

(1) That Mr Maltezos, having been dismissed, is no longer a “workers’ representative”

302. *The objection, in its strongest form:* Article 28 binds the Parties to secure what it there provides “**in the undertaking**”, and the protection of sub-paragraph (a) is directed to acts prejudicial to the person concerned based on his status or activities

“as workers’ representatives **within the undertaking**”; since 31 July 2026 Mr Maltezos has not been employed in the Prisons Department; he therefore no longer falls within the scope of the provision, and the third limb of the complaint has, so far as he is concerned, lost its object. The Union regards this as the most serious objection that can be advanced, because it is the only one drawn from the text of the Charter. It is, however, wrong — for **four independent reasons**, each of which suffices on its own, to which are added one confirmatory observation and one final systemic point.

303. First reason: the text of Article 28(a) itself. The provision, as set out at **§140** above, obliges the Parties to ensure that workers’ representatives enjoy “effective protection against acts prejudicial to them, **including dismissal**, based on their status or activities as workers’ representatives within the undertaking”. A construction on which the **completed** dismissal strips the person affected of the very status which engages the protection renders the express mention of dismissal **self-defeating**: the gravest of the acts which the Article names would be the only one against which there was no protection, and the protection would disappear at precisely the moment at which the need for it arises. The same is true, in materially identical terms, of **Article 1 of ILO Convention No. 135** — a Convention which Article 28 transposes almost verbatim (§75 above) and which the Republic has ratified.

304. Second reason: the status falls to be judged at the time of the act. The Union does not sidestep the words “within the undertaking”; it meets them directly. Those words delimit the **class** of representatives who are protected — the representatives of the staff of an undertaking, as distinct from external trade union officials. They do not impose a continuing condition which must still be satisfied **after** the prejudicial act. Article 28(a) does not protect a state of affairs; it prohibits an **act**. The protected status and the prohibited act therefore coincide in time by definition: at the moment the decision of 31 July 2026 was signed Mr Maltezos was, indisputably and on the admission of both parties, a serving prison officer of the Department **and** the elected Vice-President and Press Spokesperson of the Branch Council. Whether he remained the former after the act is the **consequence** of the act; it is not a precondition of reviewing it.

305. Third reason: under national practice — the criterion laid down by the Appendix to the Charter itself — he remains a representative. The Appendix to the Charter provides, as set out at **§140** above, that “the term ‘workers’ representatives’ means persons who are recognised as such under **national legislation or practice**”. The material question, therefore, is not what the Charter provides but what national practice recognises — and the national practice here is the **Constitution of the complainant organisation**, which is before the Committee as Annex A. Under that Constitution, the mandate of an elected officer is not terminated by an act of the employer:

- **Article 5** opens membership to any employee in the State Service or in the Private Sector “**irrespective of employment status**”, and **Article 5.1** preserves membership after retirement, if the member so wishes and “provided that he satisfies the provisions of the Constitution”;
- **Article 9** provides one means, and one only, of voluntary departure — resignation submitted to the President by written notice;

- **Article 21**, which governs the officers of the **Board** — and Mr Maltezos is a member of the Board (§43A above) — provides that “Every Officer of the Board is deemed to have resigned when:” he submits his resignation in writing, he is absent abroad for a period exceeding 6 months, he is absent without justification from 4 meetings in a period of 12 months, or in the event of his removal in accordance with Article 25; and **Article 12.10** adds the case of repeated failure to form a quorum;
- **Article 25.3** provides for the removal of an officer from his post, “**apart from the cases stated in Articles 12.5 and 21**”, by decision of the body which elected him, by the General Meeting of the Union, or by reason of the misconduct and convictions which it itself specifies; **Article 26** provides for recall “by the collection of signatures from 50% plus one of the members of the Union **in good standing**”; and **Article 14.2** fixes a term of three years.

Termination of employment by the employer appears in none of those routes.

As to the mandate on the **Branch Council** in particular, the Constitution provides for **no case whatever** of a vacancy arising by reason of termination of employment: Article 14.3 regulates the filling of a vacant post without bringing one about. Mr Maltezos’s mandate — deriving from a secret ballot of the Members in good standing belonging to his Branch, under Article 14.1 — therefore continues to subsist. The Minister of Justice and Public Order has no power, and has never claimed any power, to terminate it; and it would not be compatible with Article 5 of the Charter that he should have one.

306. *Fourth reason: the domestic law of the respondent State does not know the distinction on which the objection would rest.* The very Law on which the decision of 31 July 2026 itself rested — the **Termination of Employment Law of 1967** — provides at **section 6(2)** that certain things “shall never constitute valid reasons for the termination of employment”, among them:

- “(a) membership of a Trade Union or participation in trade union activities outside working hours or, with the consent of the employer, during working hours ...;
- (b) the seeking of office as a workers’ representative, or **present or past** action in that capacity;
- (c) the submission in good faith of a complaint ... or recourse to a competent administrative authority ...”

(Original: «(α) η ιδιότης μέλους Συντεχνίας ή η συμμετοχή εις συντεχνιακός δραστηριότητας εκτός των εργασίμων ωρών ή, τη συγκαταθέσει του εργοδότη, κατά τας εργασίμους ώρας ...· (β) η επιζήτησις αξιώματος ως αντιπροσώπου εργατών ή παρούσα ή παρελθούσα ενέργεια υπό την ιδιότητα ταύτην· (γ) η καλή τη πίστει υποβολή παραπόνου ... ή η προσφυγή σε αρμόδια διοικητική αρχή ...»)

The Union does not invite the Committee to apply Cypriot law and seeks no ruling upon it. It invokes it for one narrowly bounded purpose only: **the legal order of the respondent State treats present and past action in the capacity of a representative as equally protected.** An objection on which the completed dismissal extinguishes the status would introduce into Article 28 a distinction which the law of the Republic itself — and indeed the very Law on which the decision relies — expressly excludes.

307. *A confirmatory observation, which is not advanced as an independent reason.* In *ASPP/PSP v. Portugal* (Complaint No. 179/2019), in the passage set out at §§51–53 above, the Committee described the complainant’s evidential material as consisting “mainly” of a detailed presentation of the situation of “certain” named PSP officers “**who are or were** also trade union officials” — and declared the complaint admissible. The Union draws from the passage no more than it says: it did not concern dismissed officers, and the past status there was the **trade union** status and not the employment status. It does say, however, that past status as a trade union official was not treated as an obstacle to admissibility.

308. *And the systemic consequence, which the Union places before the Committee with respect.* If the objection were accepted, every State could defeat any complaint under Article 28 by **completing** the very act of which the complaint complains: the more complete the reprisal, the safer the State; the transfer would be reviewable, the dismissal would not. In the present case that observation is not theoretical. The request under Rule 36 was made **before** the dismissal and precisely in order to prevent it; the Government answered on **28 July 2026** that no irreversible consequence was threatened; and the dismissal followed **three days later** (§§279–300 above). To derive a ground of inadmissibility from the dismissal would be to reward precisely that sequence.

(2) That the dismissal is a new fact outside the subject-matter of the complaint

309. *The objection, in its strongest form:* the complaint was registered before the dismissal; the Annex to the Government’s observations was drawn up before it; the Government has had no opportunity to address a fact which had not yet occurred; and the complainant organisation is not permitted to enlarge its case in the course of the proceedings.

310. *First, as a matter of procedure.* **Rule 36§1** permits the Committee to indicate immediate measures “at any stage of proceedings” — a provision which would be empty of content if the Committee did not take cognisance of facts occurring **in the course of** the proceedings. And **Rule 29§3bis**, under which the Government will be invited to reply to this Response, exists precisely to secure that such material is examined on an adversarial basis. The objection, if it is made, would be refuted by the very procedural step by which it would be made: the Government will have, under Rule 29§3bis, a full and final opportunity to address the dismissal.

311. *Secondly, and decisively: the dismissal is not a new issue; it is the culmination of the issue already raised.* The second sentence of **paragraph 3(d)** of the dismissal decision reproduces **word for word** the closing part of **paragraph 11** of the letter of 20 April 2026 — a document which is **Annex 16 to the Government’s own observations** and which has been before the Committee since the exchange of pleadings — from the words “is capable of operating as a model” to the end of the sentence. The words which identified the trade union office — “holds a trade union position (Vice-President of a Trade Union), a fact which reinforces the negative impact of his conduct, since” — were **deleted**, and in their place were put the words “In addition, your conduct”. What remains is, word for word, the same. The comparison is made at §§291–293 above. This is not, therefore, a new fact

introduced into the proceedings; it is the **execution of a document already within them**.

312. *Thirdly, the Union does not enlarge its requests.* It adds no limb, invokes no new provision of the Charter, introduces no new person and alters none of the findings sought. The third limb — prejudicial measures against elected representatives on account of their representative activities — was submitted as it stands and remains as it stands. What 31 July 2026 changed is the **gravity of the measure**, not the identity of the issue. A complaint does not become inadmissible because the practice complained of worsened while it was under examination.

(3) That a domestic remedy against the dismissal now exists

313. *The objection, in its strongest form:* the dismissal, as an executory administrative act, is amenable to recourse; in addition, the Termination of Employment Law of 1967 affords, before the **Industrial Disputes Court** (Δικαστήριο Εργατικών Διαφορών), both a presumption in favour of the employee (section 6(1): the termination is presumed not to have been for any of the reasons set out in section 5 until the contrary is proved) and — under the **second proviso to section 3(1)** — a power in that Court, in the case of employers employing more than nineteen employees, to order the **reinstatement** of the employee together with compensation of up to twelve months' wages; Mr Maltezos therefore has a domestic avenue capable of yielding precisely the relief sought by the Rule 36 request, and he has not used it; and the Committee ought not to substitute itself for the national bodies while that avenue remains open. The Union itself states the objection in its fullest form, because it prefers to meet it rather than to leave it to be raised unanswered.

314. That submission is fully answered at **§§23–27** above and is not repeated here: the collective complaints procedure **does not require** the exhaustion of domestic remedies, “even where such remedies exist” — *ANPIT and CISAL v. Italy*, Complaint No. 232/2023, decision of 3 December 2024, §15, citing *SAGES v. France*, Complaint No. 26/2004, §§11–12; likewise *ERRC v. Italy*, Complaint No. 244/2025, decision of 2 July 2025, §17. That is not an indulgence towards the non-use of national avenues; it is a structural feature of a mechanism which examines **State practice** and not individual redress.

315. The Union adds three observations. *First, as to the power to order reinstatement:* the Union does not pass it over in silence — it stated it itself above. It points out, however, exactly what it is. It is not a right of the employee but a **discretion** of the Court, exercisable only where (i) the termination is **found** to be “manifestly unlawful, or unlawful and in bad faith”, (ii) the Court considers that “the circumstances justify it”, and (iii) the remedy has been sought. It is, moreover, a remedy granted at the **end** of contested proceedings. The Rule 36 request is not a request for redress; it is a request for the **preservation of the subject-matter of the present proceedings** while they are pending (§300B above). A remedy which may be granted years hence, if three conditions are satisfied, does not answer the question whether the elected officer whose treatment constitutes the principal evidential material of the complaint will still be an employee when the Committee decides. *Secondly:* the **first and second limbs** of the complaint — published criteria for the public funding of trade union organisations and for access to the machinery of collective consultation — could not be satisfied by **any** domestic remedy directed

against the dismissal of one person, whatever its outcome. A remedy which at best restores one officer to his post leaves the Constitution of the Joint Staff Committee and expenditure article 0401200092 of the State Budget exactly as it found them. *Thirdly, and the weightiest:* the **procedural safeguards** which the Government itself invoked as the reason why the Committee need not intervene — the disciplinary process set in motion on 8 May 2026, the appointment of an Investigating Officer, the evidence taken on 18 and 20 May 2026 — **were not, in the event, the route that was followed**. That process was replaced, by the very authority which had ordered it, with summary termination under the employment legislation, without any mention of a finding of that process (§§294–296 above). An argument founded on the existence of domestic safeguards can, in the present case, be advanced only with difficulty.

315A. The Union adds, of its own motion, the element which would make this objection stronger than any document of the Government has yet formulated it — because it prefers to answer it before it is raised. Cypriot law contains, beyond Law 24/1967, a special regime of protection against reprisals: the **Protection of Persons Reporting Breaches of Union and National Law, Law of 2022 (Law 6(I)/2022)**, transposing Directive (EU) 2019/1937, as amended by Law 13(I)/2024. Section 26 declares the dismissal of a reporting person “**absolutely void**, unless the employer proves that the dismissal or the detrimental change was due to a reason unconnected with the making of the report”; section 25(4) provides that the Industrial Disputes Court, “**without examining the good or bad faith of the employer, orders the re-employment** of the employee”, where that remedy is sought; section 24(1A) provides for an application for an interim order “for the prevention or the termination of reprisals, threats and attempts at retaliation”, to be made “within twenty-one (21) days of the date on which the incident occurred”; sections 23(2) and 24(2) reverse the burden of proof; and section 39(1) makes it a criminal offence, punishable by imprisonment of up to three years or a fine of up to €30,000, *inter alia* to retaliate against a protected person or to institute vexatious proceedings against him.

315B. If that regime is advanced as an objection — that is, that there existed an effective internal route which the officer did not use — the answer has four limbs, and none depends on the others.

- **(a) Procedurally, the question is already decided.** The collective complaints procedure knows no requirement of exhaustion of domestic remedies, “even where such remedies exist” (§§23–27 above). The existence of Law 6(I)/2022 adds nothing to the objection which has not already been answered.
- **(b) No organ of the State applied that regime to the officer’s own case.** In none of the documents of disciplinary file T.Φ. 18.05.004 which are produced — not in the opinion of 2 April 2026, not in the Department’s letters, not in the documents of the disciplinary investigation — is Law 6(I)/2022 mentioned. A State whose organs never considered the application of a guarantee cannot invoke it before the Committee as an answer to the failure of the protection to operate.
- **(c) The Charter protects rights “not merely theoretically, but also in fact”** (§67 above). The criteria for the operation of the regime are measurable and lie exclusively in the State’s possession: whether the Prisons Department has established an internal reporting channel under section 8; whether the list of

competent authorities under section 41A is posted; and the annual reporting data under section 41B. The Union seeks those data at §334 below. Moreover, an interim-protection remedy exercisable within twenty-one days of the incident, introduced in 2024 and with no recorded practice of application brought to the Union's attention, does not render superfluous the protection of Rule 36 in proceedings whose duration is measured in months.

- **(d)** *The Law itself provides that it supplements the protection of trade union rights and does not displace it.* By section 4(5), its provisions “do not affect the right of workers to consult their representatives or their trade unions, and their protection against any unjustified detrimental measure arising from such consultations, as well as the autonomy of the social partners”.

315C. There is a further point, which is not defensive. Section 8 of Law 6(I)/2022 obliges legal persons of the public sector to establish internal reporting channels “following consultation with the social partners, where this is provided for by national law”. Who counts, and who is asked, as a “social partner” within the Prisons Department is precisely the question of architecture set out at §§102–107 above. If a channel exists, the question is who took part in the consultation for its establishment; if it does not, the State has not put into operation, four years after its enactment, the very regime which would have protected the officer whose dismissal it defends.

315D. The Union makes clear, finally, what it does not contend by the foregoing. It does not submit to the Committee a request for the application of Law 6(I)/2022 — that would be a matter for domestic procedures and falls outside its competence. It invokes it for two purposes only: as an answer to an anticipated objection, and as a source of verifiable criteria for whether the protection which Cypriot law proclaims operates in practice.

(4) That the announcement of 22 December 2025 is a document of the complainant organisation's own making

316. *The objection, in its strongest form:* this is an announcement drafted by the Union itself, in strong rhetorical terms, containing unproved allegations against a named officer who is not a party and has not been heard; it proves nothing and ought not to be taken into account.

317. The objection would be well founded if the Union produced the announcement **as evidence of the truth of its contents**. It does not, and says so expressly at §§187C and 187H above. The announcement is produced for two facts only, both objectively verifiable and wholly independent of the Union's credibility: **the date** on which the allegation was made publicly, and **its content**. Both are attested by a **third party**: the Cypriot news outlet **AlphaNews.live** republished the text **verbatim** on 22 December 2025 at 09:16, under the title “Συντεχνιακός πόλεμος στις Φυλακές” (“Trade union war at the Prisons”) (**Annex J**). That point in time cannot have been manufactured after the event — and the point in time is the only thing that matters: **forty-three days** after the publication Mr Maltezos was placed under the supervision of the officer whom the publication had named (Order No. 3/26 of 3 February 2026), who thereafter signed the **two service notes of 9 and 16 April 2026** which were attached to the letter on the strength of which the disciplinary investigation was ordered, and **eighteen service notes in all, almost daily from 10 March to 29 May 2026**, which are contained in the bundle of attendance records produced by the

Government itself (§222 above). That sequence in time does not depend on whether the announcement was telling the truth.

318. The Union emphasises, so that there may be not the slightest misunderstanding, that **it seeks no finding against the named officer**. He is not a party before the Committee, he has not been summoned, he has not been heard, and no judgment upon him personally is sought or would be proper. The question is not his individual responsibility. It is whether the State **permitted** an officer who had been publicly named as a rival trade union actor to be placed, forty-three days later, in a position of direct supervision over the person who had named him, and to generate the documents on which his dismissal was founded — and whether there exists in the Republic **any rule or administrative practice** which prevents that. That question is put, in neutral and general terms, at **§334(vi)** below, and presupposes no judgment upon any individual.

(5) That the allegation concerning favourable posts is unsubstantiated

319. *The objection, in its strongest form:* the allegation that posts and shifts are allocated according to trade union affiliation is of the gravest kind, is unaccompanied by any document, and cannot support a decision on admissibility.

320. The Union **accepts** that, as it stands, the allegation is not proved, and **does not ask the Committee to accept it** (§187H above). It answers three things. **First**, it has made a **formal and binding offer of proof** in four categories, set out at **§187G** above, and undertakes to produce the material within any time limit the Committee may fix, whether now or at the merits stage. **Secondly**, the decisive documents — shift rosters, deployment lists, transfer orders, secondment papers — are in the possession of the respondent State (§187H above); the Union cannot produce service records which it does not keep, hence the request at **§333(g)** below. **Thirdly**, and this is what matters at the present stage: the fact that all fifteen supervisory posts in the Department were held by members of the one organisation **was not introduced into the case by the Union**. It was introduced by **§20 of the Government's own Annex**, as a point in its favour. A Government which does that cannot complain that the fact is examined.

(6) That this is, in the end, about two individuals

321. *The objection, in its strongest form:* the matter concerns two prison officers in a public service of thousands of employees, and does not establish a “general” problem. That objection has already been advanced (§§143, 249 above) and is fully answered in **Part VII** (§§140–180: four elected officers, three services, two Ministries, three employment statuses, three disciplinary regimes) and in **Part X** (§§249–255: the argument from size inverts the Committee's own guidance). The Union adds here only this, which the dismissal has made stronger than it was: the **stated reasoning** of the decision of 31 July 2026 is not individual. It is, in terms, that the conduct is capable of “operating as a model or of cultivating corresponding attitudes and practices **among other members of staff**” (§§291–293 above). A measure whose stated reason is its effect on the conduct of others cannot be characterised, by the authority which took it, as concerning one individual.

321A. The Union adds a temporal dimension, documented by two exhibits produced with the present Response (documents Nos. 32 and 33 of the Schedule). The practice which the complaint describes did not first appear in 2026, nor with Mr Maltezos. On 1 July 2023 part of a cell ceiling collapsed onto a prisoner at the Central Prisons; the **then Press Spokesperson of the same Prison Officers' Branch Council** (Prison Officer No. 539) made statements about the incident, and the Branch Council issued an announcement describing the matter as one touching "the safety, the health and the welfare of the prison staff and of the prisoners". On 3 July 2023 he was given instructions to prepare a report of facts concerning those statements; according to the same day's report in the *Cyprus Times* (13:09), which reproduces the Union's announcement of that day in full (**document No. 33**), he was further told that this "constitutes a disciplinary offence, on the basis of the legislation of the Prisons Department" and that, should he continue to make public statements, "his position will be burdened still further"; the same report records that, in a telephone conversation with the President of the Union's Board, the Acting Director of the Department "confirmed" that the instructions had been given. On **7 July 2023** there followed a written **Service Note** of an Inspector of the Prisons Department (**document No. 32**), issued "upon instructions of the Direction", by which the oral instruction was made written: a report was required concerning statements "to the media or the press or on social media about an incident which occurred at the Prisons", with the twin reproach that they were made "without the Director's permission" and that they "possibly" fall outside his trade union duties — and with the closing sentence: "It is stressed again that the preparation of a report concerns only the administrative investigation and is not a disciplinary process."

321B. Three elements emerge from those two documents, each of independent significance for the present objection. **First**, the doctrine that public trade union speech presupposes "the Director's permission" — the same doctrine on which the disciplinary prosecution and the dismissal of Mr Maltezos rested in 2026 (§§195–203 and 291–293 above) — was being applied, in the same terms and by the same Directorate, as early as 2023, against the then holder of the same trade union office, and in respect of statements on a matter whose factual basis was never disputed. **Second**, the measure follows the **office** and not the person: two successive holders of the office of Press Spokesperson of the same Branch Council were called, one in 2023 and the other in 2025–2026, to account for the same category of acts — public speech on behalf of the members. A measure which repeats itself against whoever holds the office does not concern an "individual"; it concerns the function which Article 28 protects. **Third**, the sequence which the Committee sees completed in the case of Mr Maltezos — "administrative investigation", then disciplinary process, then dismissal — appears here at its first stage, with, indeed, the express assurance that it "is not a disciplinary process", four days after, according to the press report, he had already been told that it "constitutes a disciplinary offence". The Union notes, finally, that its announcement of 3 July 2023 already invoked, among its legal bases, Article 28 of the Revised Charter through the ratifying Laws of 2000 and 2011 — three years before the present proceedings. The outcome of the 2023 investigation does not appear from any document in the Union's possession; for that reason the production of the relevant file and of its conclusion is requested at §333(i) below. The Union makes clear, finally, consistently with the method of §§151–152 above: it asks the Committee for no finding in respect of the 2023 case; it produces it exclusively as documented evidence of the character and the duration of the practice.

(7) That the Union was itself provocative

322. *The objection, in its strongest form:* the Union's public statements were extreme and disparaging; the measures were a proportionate response to them; and an organisation which expresses itself in that manner cannot invoke the Charter. Elements of this objection have already been advanced as an argument of proportionality (§218 above). The answer is given at §§192–193 and 218 above and is, in substance, a single one: the subject-matter of the statements for which an elected representative was called to answer — the circulation of narcotics and the under-staffing at the Central Prisons — was not contested opinion. The trafficking and use of narcotics in Wing 1A were the subject of **findings of the Republic's own Permanent Assize Court** in case 19600/2022 (judgment of 29 July 2025), which was satisfied beyond reasonable doubt as to that use (§192 above); and the under-staffing was established by the Council of Europe's own monitoring body, the **CPT**, in its report of 10 December 2025, which described the staff-to-prisoner ratio as “dangerously low” (§218 above). That is precisely the situation which the European Court of Human Rights addressed in *Straume v. Latvia*, §108 (§147 above): “the duty of loyalty cannot be relied upon to deprive trade unions and their representatives of the very essence of their right to defend their members' interests”.

PART XV — CONCLUSION AND REQUESTS

323. The complaint satisfies each condition of admissibility laid down by the Protocol and the Rules. It is brought by a registered, active, pan-Cypriot trade union which is independent of the employing authorities; in writing; signed by the officer entitled to represent it; against a State bound by the Charter and by the collective complaints procedure; in respect of three accepted provisions, read alone and in the light of Article E; and it specifies the alleged failures with evidence and argument.

324. There is no ground of inadmissibility corresponding to the “manifestly ill-founded” filter of the European Convention on Human Rights, and Parts III and IV of the Government's observations are arguments on the merits.

325. The complaint is not, and never was, about two men. Four elected officers of this Union — in the Prisons Department, in the Cyprus Police and in the Game and Fauna Service — have been made the subject of the disciplinary process on account of what they said or did as elected representatives. Three services; two Ministries; three employment statuses; three disciplinary regimes; three years. The Government's explanations account for one of those three cases and not for the other two. The practice also has a documented pre-history: as early as July 2023, the then Press Spokesperson of the same Branch Council was called upon, in writing, to account for public statements made “without the Director's permission” (§§321A–321B above; documents Nos. 32–33).

326. The first and second limbs of the complaint concern no individual at all, and the material concerning the domestic avenues concerns the absence of an avenue rather than the situation of any person. The Government's request that the complaint be declared inadmissible in its entirety cannot be granted consistently with its own reasoning.

327. The third limb concerns individuals because Article 28 cannot be engaged in any other way. The Government's position, on this point, refutes itself: it accepts that Article 28 protects "workers' representatives" — that is, **persons** — and asks, at the same time, that the complaint be rejected **precisely because** it concerns persons. If that objection were accepted, Article 28 would become inoperative in the collective complaints procedure: no complaint under it could ever be admissible, because none can be formulated without reference to the persons whom the Charter protects. A complaint of that very structure — a national trade union in the security sector of a State, under Articles 5 and 28, alleging prejudicial measures against named elected representatives on account of their trade union activities — was declared admissible by this Committee on 13 May 2020 in **Complaint No. 179/2019**, was decided on the merits on 4 July 2023 with findings of violation of both Articles by twelve votes to one, and gave rise to **Recommendation CM/RecChS(2024)1** of the Committee of Ministers of 14 February 2024.

328. Above all, the Government's own defence establishes the general character of the question. Its justification for the measures is a general instruction of the central personnel authority of the Republic, applicable to every public servant in every Ministry, that no public servant has any fixed or predetermined entitlement to trade union release time and that trade union meetings are to be moved outside working hours where service needs so require; the structural composition of a State department's entire officer corps; and a departmental policy. A State which pleads its general practice as the answer cannot also say that the complaint about that practice is individual.

329. And behind that instruction stands an instrument which the Government does not mention but which the Republic itself has filed in its own Administrative Court: the Constitution of the Joint Staff Committee, approved by the Council of Ministers on 28 July 1993, which names one trade union as the channel through which the terms of employment of the totality of public servants are regulated; which reserves to that channel the subjects of hours of work, leave and discipline; which gives that organisation both seats on the Committee, the trade union seat on the Permanent Sub-Committee, the power to convene, the appointment of the workers' side on every departmental committee, and sole access to the arbitration machinery; which, on the Ministry of Finance's own statement, cannot be amended to admit another organisation without that organisation's consent; and whose clause 10 guarantees to its officers, in the words of Article 6(1) of ILO Convention No. 151, the facilities necessary for the prompt and effective performance of their duties, **both during and outside their hours of work**.

330. The complainant's Branch Vice-President was given two hours on Tuesdays and two on Thursdays, revocable if a service issue arose; his union absence was recorded as absence without leave; his earned rest was deducted; and the initiation of the gravest disciplinary procedure available in the Cypriot public service was founded, in the words of the letter which requested it, on "particular concern ... that the Prison Officer in question holds a trade union position ... a fact which reinforces the negative impact of his conduct, since it is capable of operating as a model ... among other members of staff".

331. Whether that is compatible with Articles 5, 6 and 28 of the Charter is a question about the law and practice of a State. It is the question this complaint raises.

332. The complaint also alleges discrimination contrary to **Article E**, read in conjunction with each of Articles 5, 6 and 28. That allegation is comparative between two **organisations**. The individual measures are among the treatments compared; they are not the object of the comparison, and the comparison cannot be restated as a question about any person. The Government's observations do not address it.

333. The Union respectfully requests the Committee to:

- **(a) declare the complaint admissible in its entirety;**
- **(b) reject the Government's alternative request** for partial inadmissibility;
- **(c) call for the twenty-three annexes** relied on in the Annex to the Government's observations — and, if the Committee is not minded to call for all of them, at least for its **Annex 13** (the opinion of the Department of Public Administration and Personnel of 2 April 2026), its **Annex 16** (the letter of the Prisons Department of 20 April 2026), its **Annex 21** (the written instruction concerning Mr Konstantinou) and its **Annex 23** (the medical opinion of 6 July 2026) — and, if they are produced, afford the Union a short further opportunity to address them;
- **(d) invite the Government to identify** the decision in *ERRC v. Italy* on which it relies; and
- **(e) indicate to the respondent State the immediate measures set out at §300A above** — and in particular the **suspension of the decision of dismissal of 31 July 2026** and the reinstatement of the officer to his post, pending the Committee's decision; and
- **(f) note that the dismissal occurred three days after the filing of the Government's observations** on admissibility, in which it was submitted that no irreparable harm had been demonstrated;
- **(g) invite the Government to produce**, so that the allegation set out at §§187E–187H above may be tested and not merely asserted, the following service records of the Prisons Department for the period **from 1 January 2025 to the present**: (i) the shift schedules; (ii) the staff placement lists by post and by wing; (iii) the transfer and placement orders; and (iv) the papers of secondments within and outside the Department — in anonymised form or upon any other terms which the Committee may consider appropriate for the protection of the data of third parties, the Union stating that, if those records are produced, it will simultaneously file the material of the offer of proof at §187G above; and
- **(h) if the Government, in its reply under Rule 29§3bis, advances a ground of inadmissibility, or a new fact or item of evidence, upon which the Union has not addressed the Committee in Part XIV above, afford the Union a short opportunity to reply under Rule 28§3** — a request which the Union makes in the alternative and upon that express condition, stating that it does not seek a further round for any other reason and does not ask for any extension of the time limit of 9 September 2026; and
- **(i) invite the Government to produce: (aa) the file of the administrative investigation ordered by the Prisons Department's Service Note of 7 July 2023 (document No. 32; §§321A–321B above) concerning the statements of the then Press Spokesperson of the Prison Officers' Branch Council, including its conclusion and any decision by which that investigation was closed; and (bb) the decision of the Chief of Police of 13 December 2024 (entry 26 of the**

Schedule of documents; Part VII.D above) by which the disciplinary prosecution of the President of the Police Body Branch Council was suspended.

334. The Union further respectfully invites the Committee, if it considers it useful to the determination of the questions before it, to invite the Government to state:

- **(i)** the criterion, if any, by which the recipient of the appropriation under expenditure article 0401200092 of the State Budget is determined, and whether that criterion is published;
- **(ii)** the criterion, if any, by which participation in the Joint Staff Committee is determined, and whether the Constitution of that Committee approved by the Council of Ministers is published; and
- **(iii)** whether the officers who authored, or on whose information the Government relies for, the Annex to its observations — namely the Acting Director of the Prisons Department and the officers of the Department of Public Administration and Personnel who issued the opinion of 2 April 2026 — are members or office-holders of PASYDY, the Government's Annex having stated at its §20 that the entire officer corps of the Prisons Department was so;
- **(iv)** whether the Head of the Game and Fauna Service, who ordered the investigations referred to at §§154–159 above and who is a public servant, is a member or office-holder of PASYDY; and
- **(v)** whether any organisation other than the Cyprus Police Association participates in, or may participate in, the Joint Police Committee, and by what criterion participation in that Committee is determined; and
- **(vi)** whether any rule, circular or administrative practice of the Republic governs the participation of officers exercising supervisory, appraisal or disciplinary functions in the same trade union as the staff subject to those functions;
- **(vii)** whether the Prisons Department has established an internal reporting channel under section 8 of Law 6(I)/2022, since when, and — given that section 8(1) provides for establishment “following consultation with the social partners, where this is provided for by national law” — which social partners, if any, took part in that consultation;
- **(viii)** whether the list of competent authorities which section 41A of the same Law obliges the Ministry of Justice and Public Order to post on its website is posted, and since when;
- **(ix)** the data which the competent authorities submitted to the same Ministry under section 41B for the years 2023 to 2026, namely the number of reports received through an external reporting channel;
- **(x)** whether any organ — the Prisons Department, the Public Administration and Personnel Department or the Minister — considered, at any stage before the decision of 31 July 2026, the application of Law 6(I)/2022 to the officer's case; and
- **(xi)** the trade union facilities — full or partial release from service duties, standing or case-by-case — granted in the years 2022–2026 to officers of any trade union organisation active in the public service, including the branch

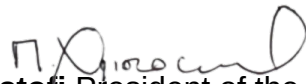
bodies of PASYDY in the Departments and Services referred to in the present complaint, and the criterion by which such facilities are granted.

335. As to (iii) and (iv), the Union is conscious that the trade union affiliation of an individual is information which a State may be reluctant to disclose, and it does not press for disclosure in any form which the Committee considers inappropriate. It puts the question because the Government's own Annex has already put the fact in issue at its §20, and because the answer bears directly on whether the measures complained of were taken by persons with an institutional interest in the outcome. If the Committee prefers to put question (vi) alone, the Union is content.

336. The Union remains at the disposal of the Committee and of the Secretariat for any clarification or further material, and will supply full English translations of any annexed document within whatever time the Committee may indicate.

337. Please accept, Mr Kristensen, the assurance of our highest consideration.

Yours sincerely,



Prodromos Christofi President of the Board Pan-Cyprian Trade Union ISOTITA

SCHEDULE OF ANNEXES AND DOCUMENTS

Where an item is marked “already before the Committee”, the reference is to the indexed and continuously paginated bundle of Annexes 1–14 (383 pages) filed with the complaint on 11 June 2026.

A note on numbering. The annexes to this Response bear **letters (A–J)**. The documents produced bear **numbers (1–33)**. Where the text speaks of an “Annex” by **number**, the reference is either to an annex of the Union's bundle of 11 June 2026 or to an annex of the Government, and this is stated expressly in each case.

A. Annexes to this Response

Annex	Contents	Status
A	Constitution of the Pan-Cyprian Trade Union ISOTITA, as amended on 2 April 2024 — complete English translation (text as filed at pp. 325–383 of the bundle of 11 June 2026)	Already before the Committee: Constitution and certificate of registration (Registrar of Trade Unions, registration no. 1006, 18 December 2017) at Annex 14 of the bundle of 11 June 2026. Complete English translation prepared
B	Schedule of the provisions of the Constitution relevant to the questions raised by the Government's	Prepared