

**EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITE EUROPEEN DES DROITS SOCIAUX**



21 August 2026

Case Document No. 2

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

ADDITIONAL INFORMATION FROM ISOTITA IN SUPPORT OF REQUEST OF IMMEDIATE MEASURES

Registered at the Secretariat on 21 July 2026

Nicosia, 21 July 2026

Mr Henrik Kristensen
Secretariat of the European Social Charter
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.: 118/2026 GS/MS

Dear Mr Kristensen,

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

Subject: Further information and supporting documents — developments subsequent to registration, relevant to admissibility, to the merits and to the pending request for immediate measures

1. We refer to your letter of 15 June 2026 and to our message of 16 June 2026, in which we undertook to keep the Committee informed of developments. Two developments have since occurred, both after the registration of the complaint on 11 June 2026. We set them out below, together with the documents evidencing them, because each bears directly on the questions now before the Committee — in particular on the request for immediate measures, on which the respondent Government has been invited to submit observations by 30 July 2026.

I. The Attorney-General has declined, without any investigative step, to examine the criminal dimension of the matters complained of

2. On 27 May 2026 the Union lodged with the Attorney-General of the Republic — the authority in whom Article 113 of the Constitution vests the institution and conduct of criminal prosecutions — and with the Chief of Police a formal complaint requesting the criminal investigation of the pattern of conduct which forms the substance of Complaint No. 264/2026 (Annex 1). The complaint rested on thirteen distinct statutory bases drawn from the Criminal Code (Cap. 154) and from four special laws, including the offences of abuse of office by a public officer, of improper influence over placements, transfers and the exercise of disciplinary power, of workplace harassment and of victimisation of a person who has lodged a complaint. It concerned two members of the Union by name: Mr Georgios Maltezos, Vice-President and press spokesman of the Union's Prison Officers' Branch, and Mr Konstantinos Konstantinou, President of the same Branch, to whom internal duties were assigned in disregard of a binding medical certificate held on his personal file. It listed six categories of records whose collection it requested, and 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 their joining a rival organisation.

3. By letter of 6 July 2026 (ref. ΓΕ 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". The letter, together with an unofficial English translation prepared by the Union, is submitted as Annex 2. It describes the complaint as concerning the administrative treatment of one officer; the second affected member is not mentioned in it at all.

4. 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 of the affected members or from any witness; none of the six categories of records was called for; no preliminary inquiry was entrusted to the Police; and the evidence which the Union had offered to deliver in confidence was never requested. Nor is the conclusion reasoned by reference to any of the thirteen statutory bases invoked: the letter does not identify which constituent element of which offence was found wanting, or on what material.

5. On 8 July 2026 the Union replied (Annex 3). It requested, on the basis of Article 29 of the Constitution — which entitles every person to a "duly reasoned" decision on any complaint addressed to a competent public authority — a reasoned determination on each allegation and each legal basis; it asked 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 were complained of — an administration which had itself referred the underlying legal question, namely the lawfulness of the trade-union absences, 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 to date.

6. We do not ask the Committee to review that decision; that is not its function. We record it because of its direct 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, and 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 the anti-union retaliation complained of can even be examined.

II. The Prisons Department is deducting the earned rest time of Mr Maltezos as the price of his trade-union office

7. The second development emerges from the Prisons Department's own records, annexed as Annex 5: the monthly attendance sheets of Mr Maltezos for March, April and May 2026, in their successive versions, together with the related service notes. On those sheets, each day of absence for trade-union duties is entered as "Σ.Χ." ("trade-union time") and charged against the officer 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 amount to 16.50 hours for March, 35 hours for April and 44 hours for May — a cumulative "debt" of 95.50 hours as at 31 May 2026, for seventeen days of trade-union absence in all.

8. The debit is not a mere bookkeeping record. It is carried forward from month to month and set off against the compensatory rest which the officer has already earned by working on Sundays, on public holidays, at night and on emergency call-outs. The April sheet, for instance, records 25 hours of emergency call-out and 3.56 hours of night work which, instead of being restored to him as rest, are absorbed by the "debit balance". Rest already earned by additional work is thus being withheld from him, hour by hour, as the price of trade-union office.

9. The Department's file itself confirms that the absences were neither sudden nor undeclared. Eighteen standard-form service notes record that the officer was informed in advance — as a rule "two days beforehand" — and that the Department's management "provides him with two hours' leave of absence for the exercise of his trade-union duties"; a handwritten reply of the accounts office dated 13 May 2026 adds that time beyond those two hours "is considered absence from duty without leave". The two-hour ceiling was fixed unilaterally, without consultation, negotiation or any hearing of the Union, which remains excluded from every institutional mechanism of dialogue in the public service. And for the same absences the officer is simultaneously subject to the disciplinary procedure described in the complaint, which remains pending: the deduction of rest operates as a second, parallel sanction, imposed by accounting entry, without a decision of any competent organ, without a hearing and without reasons.

10. The records disclose a further matter which we place before the Committee with reluctance, but which the documents themselves establish. There exist successive, divergent versions of the same monthly sheets: a first version of the March sheet charges two hours per day, in manuscript, while a later version charges 5.50 hours per day, the days charged not fully coinciding; the April sheet exists both with a positive balance of 11.89 hours and with a debit balance of 51.50 hours. Four service notes covering absences of 19, 21, 26 and 28 May 2026 were all drawn up retrospectively on 29 May 2026. The picture is of a file reconstructed after the event, on terms progressively less favourable to the officer.

11. On 20 July 2026 the Union brought this practice before the Registrar of Trade Unions, who is also the Director of the Department of Labour Relations of the Ministry of Labour and Social Insurance (Annex 4). It requested, among other things: the referral of the matter for inspection under the Organisation of Working Time Law of 2002 (Law 63(I)/2002, transposing Directive 2003/88/EC), which guarantees minimum daily and weekly rest as a mandatory health-and-safety standard applicable to the public sector, and which permits derogations for prisons only by collective agreement or agreement between the employer and the workers' representatives, and then only on condition of equivalent compensatory rest, no such agreement existing here; the immediate restoration of the 95.50 hours withheld; and the examination of the practice as unlawful anti-union discrimination under section 50(1) of the Trade Unions Laws and as a detrimental change of working conditions under the Prevention and Combating of Violence and Harassment at Work Law of 2025.

III. Relevance to the proceedings before the Committee

12. Both developments postdate the registration of the complaint, and each bears on the proceedings in a distinct way. The attendance sheets and service notes corroborate, out of the respondent's own contemporaneous records, the pattern of treatment which forms the substance of the complaint. The closure of the criminal avenue without a single investigative step confirms what the complaint submitted as to the absence of clear and effective domestic protection against anti-

union discrimination. And the continuing accumulation of the "debt" of rest — alongside a disciplinary procedure active since 8 May 2026 which may result in compulsory retirement or dismissal — shows that the harm at which the request for immediate measures is directed is not prospective but accruing, week by week, as these proceedings run their course.

13. Consistently with our letter of 16 June 2026, we would therefore respectfully invite the Committee to weigh any submission by the respondent Government that the contested measures amount to routine administrative management against the documents now annexed — which are, without exception, records authored by the respondent's own services — and against the chronology they establish; and to treat the present submission as renewing, with whatever additional force these developments lend it, the request for immediate measures.

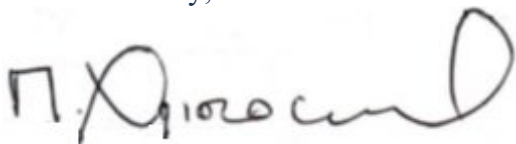
14. All annexes are in Greek, save for the courtesy translation contained in Annex 2; the passages essential to this letter have been rendered in English above. Complete translations of any annexed document will be supplied within whatever time the Committee may indicate.

15. The annexes are as follows: Annex 1 — Complaint to the Attorney-General of the Republic and the Chief of Police, 27 May 2026; Annex 2 — Letter of the Law Office of the Republic, ref. ΓΕ 93/1984/350, 6 July 2026, with unofficial English translation; Annex 3 — The Union's reply to the Law Office, 8 July 2026; Annex 4 — Letter to the Registrar of Trade Unions and Director of the Department of Labour Relations, 20 July 2026; Annex 5 — Prisons Department records: monthly attendance sheets of Mr Georgios Maltezos for March, April and May 2026, in their successive versions, and related service notes.

16. In accordance with your instruction, the present letter and its annexes are addressed exclusively to DGI-ESC-Collective-Complaints@coe.int. We remain at the disposal of the Committee and of the Secretariat for any clarification or further material.

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

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'P. Christofi', with a large, stylized loop at the end.

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