



Committee of the Parties

Council of Europe Convention
on preventing and combating violence
against women and domestic violence
(Istanbul Convention)

Recommendation on the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by Cyprus

IC-CP/Inf(2022)10

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The Committee of the Parties to the Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter referred to as “the Convention”), acting under the terms of Article 68(12) of the Convention;

Having regard to the purposes of the Convention to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence; to contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women; to design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence; to promote international co-operation with a view to eliminating violence against women and domestic violence; and to provide support and assistance to organisations and law enforcement agencies to effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence;

Bearing in mind the provisions of Article 66 (1) of the Convention concerning the monitoring role of the Group of Experts on Action against Violence against Women and Domestic Violence (hereinafter referred to as “GREVIO”);

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Cyprus on 10 November 2017;

Having examined the Baseline Evaluation Report concerning the implementation of the Convention by Cyprus adopted by GREVIO at its 27th meeting (20-24 June 2022), as well as the comments of the Government received on 22 November 2022;

Considering the overarching priorities set out in Chapter I of the Convention (purposes and scope of the Convention, definitions, equality and non-discrimination, due diligence and gender-sensitive policies);

Bearing in mind the primordial importance of the provisions set out in Chapter II of the Convention, in particular the obligations to (1) ensure a holistic response to violence against women by devising a set of comprehensive and co-ordinated policies implemented by way of effective multi-agency cooperation; (2) institutionalise and fully mandate one or more co-ordinating bodies as required by Article 10 of the Convention; (3) adequately resource policies, measures and mandates introduced to prevent and combat all forms of violence against women, including government and nongovernmental specialist support services; and (4) to collect relevant statistical data disaggregated, at a minimum, by sex, age, type of violence, relationship of the perpetrator to the victim and geographic location;

Welcoming the measures taken and progress achieved by the Cypriot authorities in implementing the Convention and noting in particular:

- comprehensive legislative changes, in particular in the area of criminal law, to broadly incorporate the concepts, the definitions and the criminal offences provided under the Convention into its legal framework, including amendments to the definition of rape and the criminalisation of forms of sexual and gendered online harassment such as sexual images/videos taken without consent and disseminated online;
- the setting up of the Women’s House, a multi-agency and multi-professional crisis centre offering victims of domestic violence a complete range of support services all under one roof, 24 hours a day, seven days a week and providing a mini-case conference involving a range of professionals that discuss individual cases and create a risk management plan for the victim;
- the setting up of an institutionalised national co-ordinating body with dedicated resources, whose role is to foster co-ordination between the relevant stakeholders;
- the setting up of specialised investigative units within Cyprus’s police force, responsible for investigating cases of domestic violence and staffed with trained law enforcement officials, whose work has been recognised to have led to an increase in the reporting of cases;

- the important efforts made and results obtained in mainstreaming gender equality into policies, including from a budgeting perspective, with parallel training for public officials;
- the significant steps taken, including through legislation, training and promising educational policies, to ensure that equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relations and the right to personal integrity are taught at all levels of education and that dedicated training is provided to educators to this effect;
- the new legal obligation that requires all relevant administrations to ensure regular training, as well as systematic, compulsory education and awareness raising of staff who may come into contact with victims of violence against women and/or handle cases of violence against women.

A. Recommends in light of the considerations indicated in the preamble above, that the Government of Cyprus take the following measures identified in GREVIO's report¹ or immediate action to:

1. assess the impact of the co-existence of the 2000 Law on Violence in the Family and the 2021 Law on the Prevention and Combating of Violence against Women and Domestic Violence and for Related Matters, take measures to simplify the legal framework and resolve inconsistencies in the applicable definitions and provisions, in line with the Istanbul Convention (paragraph 9);
2. ensure that the provisions of the Istanbul Convention are implemented without discrimination on any of the grounds listed in Article 4, paragraph 3, including on the basis of place of residence, when it comes to ensuring access to specialised support services and, in particular, develop and improve accessibility to protection and support services for asylum-seeking and/or migrant women, including domestic workers, and in the same spirit, integrate the perspectives and needs of women who are or may be exposed to or at risk of intersectional discrimination into the design, implementation, monitoring and evaluation of comprehensive and co-ordinated policies for preventing and combating violence against women (paragraph 18);
3. develop, adequately fund and, subsequently, evaluate dedicated long-term and co-ordinated policies on all forms of violence covered by the Istanbul Convention on the basis of the principles and definitions set out in the Istanbul Convention, which should assess, in particular, the number of victims of conflict-related sexual violence resulting from the 1974 conflict and/or the number of those victims currently residing in the territory controlled by the Republic of Cyprus and take measures to address and counter the social stigma experienced by them (paragraphs 32 and 33);
4. increase the financial resources allocated to preventing and combating all forms of violence against women and provide dedicated, sufficient and sustainable funding lines for programmes and policies in this area, including for the work of women's organisations specialised in preventing and combating violence against women, through transparent and accountable public procedures while also pursuing and increasing efforts to implement gender-responsive budgeting and to monitor public spending (paragraph 39);
5. ensure that the national co-ordinating body set up in line with Article 10 of the Convention is empowered and sufficiently resourced to co-ordinate and implement all existing policies on violence against women, in close consultation with women's rights organisations, while avoiding any overlap with the functions of the Advisory Committee for the Prevention and Combating of Violence in the Family and the competence of the Ministry of Justice; and set up a separate body entrusted with the monitoring and evaluation of the relevant policies, in order to ensure objectivity in the evaluation (paragraph 52);

¹ The number of the paragraph setting out GREVIO's proposals and suggestions in the report is indicated in brackets.

6. ensure the collection of systematic and comparable data on all forms of violence against women, from all relevant administrative sources, disaggregated by all relevant categories, including by executing plans to establish a dedicated centralised database, notably by all criminal justice actors to allow cases to be traced along the criminal justice chain; and taking measures to collect data on emergency barring orders and protection orders issued under civil and criminal legislation and any breaches thereof as well as data on decisions on custody/visitation/residence concerning children that have expressly taken into account reports of domestic violence (paragraph 59); while, at the same time, addressing, through research, all forms of violence against women, including in relation to groups of victims who may be subjected to intersectional discrimination; supporting research that studies the effects on children of witnessing domestic violence; and investing in the evaluation of existing policies, laws and practices to assess the level of implementation and of victim satisfaction with services provided (paragraph 66);
7. ensure that training and protocols for law-enforcement officials who receive reports and investigate cases of violence against women and for prosecutors and judges who prosecute/decide on these cases, address, as applicable, the concept of power and control; the need to adequately record all reports of violence against women and take into account patterns of abusive behaviour; how to receive reports and interview victims while avoiding secondary victimisation; and how to comprehensively collect/ensure the collection of evidence beyond the victim's statement (paragraph 94 and 95), while at same time ensuring that the implications of the new provision on rape based on lack of consent and the role of interim restraining orders in breaking the cycle of violence, as well as the importance and preventive role of perpetrator programmes are addressed (paragraph 95);
8. set up rape crisis or sexual violence referral centres in sufficient numbers in the country and provide medical and forensic examinations, trauma support and psychological counselling for victims; ensure that forensic evidence is collected and stored with the consent of the victims, regardless of whether the matter has been reported to the police; strengthen protocols/guidelines and training on the management of cases of sexual violence and rape in hospitals; and address and provide specialist support to victims of conflict-related sexual violence (paragraph 153);
9. take action in the area of custody and visitation rights, in line with the relevant GREVIO findings, to ensure that in the determination of custody and visitation rights of children, incidents of violence covered by the scope of the Istanbul Convention are taken into account and, in addition, to ensure that in the exercise of any visitation or custody rights, the rights and safety of the victim and her children are safeguarded (paragraph 180);
10. qualify with more precision the concept of consent in the context of the rape and sexual violence offences criminalised by the Criminal Code, align Article 146e of the Criminal Code more closely to Article 36c of the Istanbul Convention and ensure harmonised and appropriate sanctions for all sexual acts without the consent of the victim, including where the circumstances of the case preclude valid consent (paragraph 197);
11. provide the specialist investigative units on domestic violence with the training, guidance and the expertise to handle other cases of violence against women, beyond domestic violence; assess to what extent the new protocols in place on gender-based violence are being applied, including the obligation to open an investigation, regardless of the lodging of a formal complaint by the victim; and identify and address all factors that contribute to attrition (paragraph 236);
12. bring the Cypriot legal framework and practice in line with the requirements of the Istanbul Convention as set out in Article 52 and 53 by introducing a clear legal framework governing emergency barring orders in cases of domestic violence and corresponding restraining orders to the victim and affected children that ensure on the one hand, the removal of the perpetrator from the residence in situations of immediate danger without lengthy

proceedings, and on the other hand, enables the victim to apply, under civil law, independently from other legal proceedings, and without high evidentiary requirements, for further protection, including for affected children, while ensuring that such emergency barring orders and restraining orders are monitored and enforced and sanctions for breaches are effectively applied in practice (paragraphs 250 and 261)

13. identify and remedy any administrative or procedural barriers to obtaining legal aid, including in particular those faced by asylum seekers, and ensure that those victims of violence against women who meet the criteria can benefit from free legal assistance in the context of civil and criminal proceedings (paragraph 272);
 14. in the area of gender-sensitive asylum determination procedure, collect disaggregated statistics on the number of asylum claims made on the basis of gender-related forms of persecution and the number of decisions granting refugee status on this basis; ensure that all forms of gender-based violence, including cases of forced marriage, can be recognised as a form of persecution within the meaning of Article 1 A (2) of the 1951 Convention relating to the Status of Refugees and that the relevant professionals benefit, to this end, from appropriate training and gender guidelines; and address and resolve the structural shortcomings in the asylum determination procedure which gravely impact on violence against women victims' chances to secure refugee status (paragraph 283);
 15. in the area of accommodation of asylum seeking women and girls, develop standard operating procedures to screen victims of violence against women upon arrival, or swiftly after, with a view to ensuring their prompt transfer to open reception facilities or private accommodation and their access to specialist support services and counselling; ensure safe and adequate accommodation, including through single-sex accommodation for women; develop and implement guidelines on gender-sensitive reception of asylum seekers and on the prevention of gender-based violence against women and girls in asylum accommodation and take urgent measures to prevent the commission of acts of violence against women in the Pournara reception centre (paragraph 289);
 16. uphold the obligation to respect the principle of non-refoulement of victims of violence against women, including those asylum-seeking women and girls arriving by sea (paragraph 293).
- B. Requests the Government of Cyprus to report to the Committee of the Parties on the measures taken to improve the implementation of the Convention in the above-mentioned areas by 4 December 2025.
 - C. Recommends that the Government of Cyprus take measures to implement the further conclusions of GREVIO's baseline evaluation report.