

Joint Shadow Report - Cyprus

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Authors:

Mediterranean Institute of Gender Studies: The [Mediterranean Institute of Gender Studies \(MIGS\)](#) is an NGO affiliated to the University of Nicosia, which promotes and contributes to social, political and economic projects related to gender equality and women's rights, with a focus on the Mediterranean region. The Institute recognizes the multi-layered levels of discrimination against women and accepts that this discrimination takes different forms. It is committed to the elimination of this discrimination through a combination of research, lobbying and advocacy, education and training, awareness raising, as well as the provision of expertise and consultancy services. MIGS promotes initiatives, which strengthen and enhance civil society participation and empower women, especially relating to governance. Priority is given to women's involvement and participation in policy-making on the national and European level; engaging minority and socially excluded groups in training and debate to help promote a diversified public dialogue; combating gender discrimination and violence against women; enhancing and promoting social empowerment, human rights and people's diplomacy. MIGS is also committed to working in collaboration with organisations and individuals from across the Mediterranean and the European Union.

End FGM European Network (End FGM EU): [End FGM EU](#) is a European umbrella network of 32 organisations working in 15 European countries to ensure a sustainable European action to end female genital mutilation in Europe and beyond. Its vision is “a world free of all forms of female genital mutilation (FGM) where women and girls are empowered and can fully enjoy their human rights”. Its

mission is to be the driving force of the European movement to end all forms of FGM, joining the forces of communities and civil society organisations, and building synergies and cooperation with all relevant actors in Europe and globally.

Moreover, the following Cypriot organisations participated in drafting this report:

Caritas Cyprus

Cyprus Refugee Council

INTRODUCTION

The present joint shadow report is produced by the Mediterranean Institute of Gender Studies (MIGS) and the End FGM European Network, in order to highlight the current situation and propose concrete recommendations on the issue of prevention, protection, prosecution and integrated policies on female genital mutilation in Cyprus. While this report focuses only on the harmful practice of FGM, its aim is not to single it out in isolation, but to put emphasis on it while placing it within the *continuum* of gender-based violence against women and girls.

This report represents the Cyprus chapter of a wider coordinated effort of End FGM EU to engage all its members who are under GREVIO revision to present an **FGM-focused report** in order to bring to the experts' attention the topic, which is too often neglected by State authorities. This project also stems from the Guide on the [Istanbul Convention as a tool to end female genital mutilation](#), which was produced by the Amnesty International End FGM European Campaign (the predecessor of End FGM EU) and the Council of Europe. It puts in practice the Guide's holistic approach by considering its full application to FGM as a form of violence against women and girls. It does not only analyse the application of Article 38 of the Istanbul Convention, but addresses the full range of articles in the Convention and how they are applied to addressing FGM.

1. Legal Framework¹

Criminal law

In Cyprus FGM is criminalised through a specific provision in the Penal Code. Article 233A (1) of the Cypriot Penal Code 1962 (amended in 2011) outlaws "The amputation, or in any way, amputation of all or part of the labia majora or labia minora of a woman's vulva or clitoris; or (b) assisting, instigating, advising or provoking the execution by a third party of any of these acts on a woman's body. Article

¹ See also here <https://map.endfgm.eu/countries/449/Cyprus>

233A(3) adds that “consent of the woman does not constitute a defence or mitigation in the measurement of the sentence.”

However, Article 233A(2) also notes that “The actions described in 233A are not considered illegal if carried out by a doctor where there is need, either for the physical health of the woman on whom it is carried out, or if carried out on a woman in any stage of labour, or after that in relation to labour. The above actions may only be carried out following consultation with two other doctors.” Finally, Art 233A(5) establishes the punishment for violating this law: “Offenses committed in violation of the provisions of the article punishable with imprisonment of up to five years.”

FGM is specifically recognised as a form of VAW under the Prevention and Combatting of Violence against Women and Domestic Violence and Related Matters Law 2021 (115(I)/2021).²

So far, no cases of FGM have been brought to court.

Child Protection Law

The general legislative framework covers cases of FGM as a form of violation of a girl's human rights or child abuse. However, FGM is not specified in the Child Protection Law (1957). [The Law on Children, Chap. 352](#) prohibits cruelty to children under the age of 16. Art 54 defines cruelty as the “wilful assault, ill-treatment, neglect, abandonment [or] exposure likely to cause the child unnecessary suffering or injury to health, including injury to or loss of sight, hearing, limb or organ”. Under The Commissioner for the Protection of Children’s Laws 2007 (Law №. 74(1)/2007), the Commissioner also has investigative powers and can intervene in any issue/case relating to children, to represent their interest, in line with the [Convention on the Rights of the Child 1989](#).

Law on asylum

In Cyprus, FGM can be a ground for refugee status. A woman or girl who has been subjected to or fears being subjected to FGM on return to her country of origin may apply for refugee status in Cyprus, according to Provision 3(c) of the [Refugee Law \(L. 6\(I\)/2000\)](#). The law does not specifically refer to FGM, however a woman or girl can claim asylum on the grounds that she belongs to a particular social group that practises FGM. Provision 4(a) on “non-refoulement” specifically states that a “refugee or applicant shall not be deported or sent to the borders of a country where, on the grounds of sex, race, religion, nationality, membership of a particular social group or political perceptions, his life or freedom will be endangered or subjected to torture or inhuman or degrading treatment or persecution”

2. Policy Framework³

² Available in Greek only: http://www.cylaw.org/nomoi/arith/2021_1_115.pdf.

³ See also here <https://map.endfgm.eu/countries/449/Cyprus>

The Ministry of Health has developed a [National Strategy on Sexual and Reproductive Health 2018-2025](#), targeting young people with a particular focus on adolescent girls⁴. A key area of action is prevention and handling of sexual violence. The aim of combatting harmful practices, including FGM, is noted in the introduction of the National Strategy; however, no action related to FGM is foreseen in the National Strategy⁵. Moreover, the plan lacks a dedicated budget, a clear timeline for its implementation and proper indicators for evaluation. To date, there is no evidence that any actions have been implemented. Therefore, this document shall not be considered as a National Action Plan but rather a political declaration of intentions.

Moreover, neither is there any inter-agency coordination mechanism on FGM nor any dedicated funding scheme to tackle FGM.

MAIN ISSUES AND RECOMMENDATIONS

1. Prevention

Articles 13&14

It appears that overall, FGM is not treated as a matter of importance or relevance to Cyprus by the State and the State authorities⁶. To date, neither nationwide awareness raising campaigns nor targeted information campaigns aimed at affected communities have been carried out by the state authorities. It is therefore necessary to **allocate adequate funds for non-stigmatising awareness-raising activities for the prevention of all forms of violence against women, including FGM.**

Additionally, no official mechanism or process of consultation and cooperation between State/government authorities and communities affected by FGM has been established⁷. This shortcoming must be addressed, as a proper community engagement mechanism would facilitate awareness raising and sensitisation activities and increase their impact.

When it comes to education, there is an inadequate integration of gender equality, sexuality and gender-based violence at all levels, and it is unclear whether or how far FGM is specifically covered. While sexuality education has been included in the health education curriculum, the lack of a monitoring and evaluation system means that there is no evidence of its implementation or effectiveness⁸. Training for teachers and educators on issues of sexuality and gender-based violence is available but optional and at the discretion of the individual educator. Non-formal educational

⁴Available in Greek only.

⁵ [Cyprus National Report, Beijing 25+](#), 2019: para. 141.

⁶ [CEDAW Cyprus Shadow Report](#), 2018: p.7.

⁷ EIGE European Gender Equality Institute (2018). Female genital mutilation: [estimating girls at risk in the EU – focus on Cyprus](#). / [Female genital mutilation Estimating the number of girls at risk in the EU](#) (pp.81-91).

⁸ CEDAW Cyprus Shadow Report, 2018: pp.14-15.

interventions in primary and secondary education are mainly led by civil society organisations and specialised NGOs.

It would be key to **ensure that educational programmes on gender equality and gender-based violence, including FGM, are implemented in schools in an intercultural and intersectional perspective**. For this purpose, teachers and educators must be trained as well on these issues.

Article 15

Training on FGM is not included in mandatory initial or continued training/education of most relevant professionals which may encounter women and girls already affected by FGM or who are at risk of FGM. FGM training is only available for health professionals, and even for them it is optional.⁹

With regards to healthcare professionals and medical staff, systematic and mandatory training is not provided. The Ministry of Health reported the implementation of a workshop on FGM and that they have organised lectures on recognising survivors of FGM. In addition, there are trained gynaecologists at the Makarios Public Hospital who can treat women survivors of FGM. Further, officers in the Social Welfare Services who encounter survivors of FGM have reportedly received training¹⁰. However, as in the case of healthcare professionals, it is unclear how systematic and mandatory this training is. Lacking a monitoring and evaluation system, it is difficult to assess the effectiveness of these trainings.

According to the [Cyprus National Report to Beijing 25+](#) of 2019, training and guidelines for staff in the asylum and immigration services on “preventing gender-related persecution” are provided by the UN High Commission for Refugees (UNHCR) and the European Asylum Support Office (EASO).¹¹ However, it is unclear whether these trainings and guidelines are being effectively used in the context of the asylum interviewing process, and effectively taken into account by the reviewing authority.

To remedy this situation, both **health professionals and asylum officers must be trained on GBV and FGM through programmes that are systematic and compulsory**.

Article 17

Although the [National Action Plan on Equality between Men and Women 2019-2023](#)¹² includes training of media professionals as a key pillar of action for the elimination of gender stereotypes, there is no explicit mention of gender-based violence or FGM. It would be more effective to include **systematic training of media professionals** as part of the NAP’s implementation with the involvement and commitment of the Cyprus Radio-television Authority and the Journalists Association.

⁹ EIGE European Gender Equality Institute (2018). Female genital mutilation: estimating girls at risk in the EU – focus on Cyprus. [Female genital mutilation Estimating the number of girls at risk in the EU](#) (pp.81-91).

¹⁰ Cyprus National Report, Beijing 25+, 2019: para. 143.

¹¹ Ibid: para. 97.

¹² Available in Greek only.

2. Protection

Articles 20 & 22

The general services available to survivors of FGM are not comprehensive and are limited to the provision of healthcare services. Specifically, survivors of FGM or women/girls at risk of FGM with refugee status have the right to healthcare and are entitled to register with the national health system (GESY), on an equal basis as Cypriot citizens.¹³ Since 2016, survivors of FGM are entitled to medical support from trained gynaecological doctors at the Makarios Public Hospital, and psychosocial support from the Mental Health Services and the Social Welfare Services¹⁴. However, to our knowledge survivors face practical obstacles in accessing specialised medical healthcare (e.g. lack of information, prejudice and racism).

There are no specialized services for survivors of FGM, neither from the State nor from NGOs. It would be key to promote the development of both **comprehensive and holistic general services, as well as specialised services for FGM survivors** in Cyprus. Such services must be **adequate, of quality, non-discriminatory and accessible** to all FGM survivors, regardless of migration and residence status.

Moreover, there is no provision of psycho-sexual support, including the option for genital reconstructive surgery, for women and girl survivors of FGM within the public health system in Cyprus. It is essential that **holistic health services** for FGM survivors (including psychosocial and sexual support and reconstructive surgery) are **available, accessible and fully covered by the public health system** in Cyprus.

Articles 19 & 21

Women affected by GBV, including FGM survivors often report to NGOs that they are not provided adequate and timely information in a language they understand by all front-line professionals including in the asylum sector, social welfare services and the police. Migrant and refugee women report that the information (on psychosocial, legal and health services/rights) received is mainly from NGOs¹⁵.

Articles 23 & 24

In Cyprus, shelters for women survivors of domestic violence and their children are provided by an NGO, with funding from the state. There are no specific shelters for survivors of FGM or women/girls at risk of FGM. The national helplines of 1440 (Domestic Violence) and 1455 (Cyprus Family Planning Association) in Cyprus do not have specific protocols on FGM.

¹³ EIGE European Gender Equality Institute (2018). Female genital mutilation: [estimating girls at risk in the EU – focus on Cyprus](#). / [Female genital mutilation Estimating the number of girls at risk in the EU](#) (pp.81-91).

¹⁴ See footnote 6 above.

¹⁵ Angeli, M. (2020). [Gender dynamics in the reception & integration of displaced migrants](#), Mediterranean Institute of Gender Studies.

It would be important that **FGM prevention and protection services are integrated in broader sexual and gender-based violence referral systems between different sectors, including within helplines and shelters.**

Articles 60 & 61

Cyprus has adopted a gender-sensitive interpretation of the grounds for refugee status under the Geneva Convention, which is enshrined in Article 3C of the [Refugee Law 2000 \(6\(I\)/2000\)](#), and women or girls who have been subjected to FGM or are at risk of FGM may be granted asylum¹⁶. Cyprus has incorporated the principle of non-refoulement into its national legislation, which is set out in Article 4(a) of the [Refugee Law 2000 \(6\(I\)/2000\)](#).

Asylum procedures and reception centres are gender-sensitive to a limited degree. Female asylum seekers may request the gender of the interviewer and the interpreters¹⁷. There is a mechanism to identify vulnerable asylum seekers. However, women or girls who have been subjected to FGM or are at risk of FGM are considered of low vulnerability unless they report health complications due to FGM or other indicators of vulnerability (such as mental health issues, pregnancy, etc.). If they are indeed identified as vulnerable they will be referred to the general health services¹⁸. Finally, there are no specialised services for survivors of FGM available at reception centres¹⁹. A comprehensive **mechanism for early identification of vulnerable people**, as well as a **referral system between reception centres and services for survivors** of gender-based violence would be key in Cyprus.

3. Prosecution

Articles 38, 42 & 45

FGM is a specified crime under the Cypriot Penal Code 1962 (Article 233A) (the amendment that included FGM passed in 2011), including preparatory acts to the commitment of the crime, punishable with imprisonment of up to five years. The principle of extraterritoriality applies (see Legislative Framework section above). To our knowledge, there is no evidence of cases of FGM being brought to court. Currently, there is no in-depth mandatory training for prosecutors on the issue of FGM, while **it would be key that they would be trained on this, as well as on gender- and age-sensitivity**. This is essential to ensure that investigations and prosecutions are gender, child and culturally sensitive.

¹⁶ European Institute for Gender Equality (EIGE), [Female genital mutilation: estimating the number of girls at risk in the EU](#), 2018.

¹⁷ European Institute for Gender Equality (EIGE), [Female genital mutilation: estimating the number of girls at risk in the EU](#), 2018.

¹⁸ AIDA Country Report on Cyprus, 2020: pp. 52-53 and 96-97. Available at: <https://asylumineurope.org/reports/country/cyprus/>.

¹⁹ Ibid: p. 119; EIGE European Gender Equality Institute (2018). [Female genital mutilation: estimating girls at risk in the EU](#) – focus on Cyprus. / [Female genital mutilation Estimating the number of girls at risk in the EU](#) (pp.81-91).

In addition, cases of FGM can fall under the Child Protection Law (1957). Even though FGM is not specifically mentioned, [the Law on Children, Chap. 352](#) prohibits cruelty to children under the age of 16. Art 54 defines cruelty as the “wilful assault, ill-treatment, neglect, abandonment [or] exposure likely to cause the child unnecessary suffering or injury to health, including injury to or loss of sight, hearing, limb or organ”²⁰. Under [The Commissioner for the Protection of Children’s Laws 2007](#) (Law No. 74(1)/2007) and the Prevention and Combatting of Violence against Women and Domestic Violence and Related Matters Law 2021 (115(I)/2021), the Child Commissioner also has investigative powers and can intervene in any issue/case relating to children to represent their interest, including where there is a conflict of interest with the parents, in line with the [Convention on the Rights of the Child 1989](#).²¹

Articles 50 & 53

It would be essential to **strengthen preventive and protective measures, including restraining and protection orders**, for women and girls at immediate risk of violence or further violence in the Cypriot legislation criminalizing FGM. These could be travel bans in cases of high risk of FGM, as well as measures to protect other female siblings, if any, and keep monitoring the family within a fixed period to prevent any (further) acts of FGM. These measures should be taken promptly and appropriately.

Also, focusing on the prevention and protection side of FGM legislation could be very beneficial for the elimination of the practice, while always considering the best interest of the child as a key priority. Currently, there are no FGM risk assessment and management protocols duly taken into account in any stage of the investigation and application of protective measures.

4. Integrated Policies

Articles 7, 8 & 9

In Cyprus there is no coherent mechanism to ensure that FGM is tackled comprehensively at all levels of government. There is no National Action Plan that includes specific actions on preventing and combating FGM. FGM is not included in the [National Action Plan for Equality Between Men and Women \(2019-2023\)](#) nor in the newly developed [National Action Plan for the Implementation of the UN Resolution 1325 on Women, Peace and Security](#)²². FGM should be included in any future Strategy on preventing and combating violence against women, as foreseen by the recent law on preventing and combating violence against women and domestic violence of 2021²³.

²⁰ [UEFGM](#)

²¹ 2011, [Report on the Commissioner for Children’s Rights in Cyprus to the UN Committee on the Rights of the Child](#), page 7

²² Available in Greek only.

²³ The Prevention and Combatting of Violence against Women and Domestic Violence and Related Matters Law 2021 (115(I)/2021). Available in Greek only: http://www.cylaw.org/nomoi/arith/2021_1_115.pdf.

It is essential to **establish a multi-agency coordination mechanism for policies and services** in order to establish a comprehensive and homogeneous system to tackle FGM in Cyprus. Interdepartmental procedures and health protocols must be in place in order to effectively inform, support, and protect affected women and girls. Such procedures must be continuously monitored and evaluated with the involvement of affected communities and NGOs. To this end, the state authorities must allocate more adequate and sustainable human, technical and financial resources for the implementation of the action plans and structures working on gender-based violence and FGM, to both state bodies/structures and NGOs. The state relies heavily on NGOs to carry out actions to prevent and combat FGM with the help of cultural mediators from affected communities, often without allocating dedicated funding. Appropriate financial and human resources are key to ensure the effective implementation of policies and services.

In addition, there should be a more meaningful involvement of CSOs in policy making and implementation with the allocation of adequate funding based on short-term and long-term goals/indicators. Some of the NGOs working on women's rights, LGBTQI+ and gender equality are often invited to consultations about policies, however, the recommendations of CSOs and community organisations are not always taken into account or often community perspectives are not effectively included or reflected in the action plans, strategies and other policies. There is an urgent need for establishing appropriate mechanisms and spaces for effective community engagement in the identification of needs, strategies, actions and decision-making, as well as in monitoring and evaluation.

Article 11

Despite there being some attempts to record the number of cases of FGM survivors by the healthcare services, there is no evidence that data is collected systematically on a regular basis, nor is any data available indicating how many survivors do access and use them. There is not any yearly evaluation of these services either. Cyprus must **establish a robust data collection system on the prevalence of FGM involving the asylum, health and social welfare services, as well as the law enforcement agencies.** Currently, the extent of the phenomenon is unknown (apart from risk-estimations- see [EIGE, 2018](#)). Given the small numbers of FGM practising communities in Cyprus, such a system should not be hard to establish and it would play a crucial role in informing future research and policy making. This system should lead to the **establishment of a national register to quantify the numbers of women and girls living with FGM or at risk of it in Cyprus.**

In addition, further research is needed on the needs of FGM survivors and women/girls at risk of FGM, as well as scholarly investigation of the attitudes among FGM affected communities on the practice and the wider society.

CONCLUSIONS

In conclusion, the Mediterranean Institute of Gender Studies and End FGM EU would like to call upon the Cypriot authorities to keep working towards putting an end to FGM, by taking the following measures:

Prevention

- Allocate adequate funds to (non-stigmatising) awareness-raising activities for the prevention of all forms of violence against women, including FGM, with the involvement of the affected communities;
- Promote and fund educational programmes concerning gender equality and gender-based violence, including FGM, to be implemented in schools in an intercultural and intersectional perspective;
- Establish a national training programme for teachers and educators on gender-based violence, including FGM;
- Establish systematic training for health professionals to ensure proper detection, registration and follow-up of cases of FGM;
- Compulsory multidisciplinary educational modules on FGM for healthcare professionals, particularly for those undertaking specializations in gynaecology and obstetrics;
- Establish systematic and mandatory training for asylum professionals and social workers to ensure proper identification, protection and psycho-social support of the survivors and those at risk.
- Ensure media professionals, including journalists, are adequately trained around sensitive language and imagery on how to talk about FGM;
- Provide systematic and mandatory in-service training on gender-based discrimination and violence, including FGM, to all professionals dealing with FGM affected women and girls;
- Provide long-term, sustainable financing for a tool to support professionals in FGM prevention and in the protection of girls at risk (such as the UEFGM Knowledge Platform);

Protection

- Promote the development of both comprehensive and holistic general services, as well as specialised services for FGM survivors in Cyprus, which are adequate, of quality, non-discriminatory and accessible to all FGM survivors, regardless of migration and residence status.
- Provide psycho-sexual support for women and girls survivors of FGM, including the option of genital reconstructive surgery, within the public health system;

- Provide systematic and mandatory training for professionals in all sectors around FGM, and strengthen the system of dedicated referral units or focal points throughout Cyprus to provide support to survivors and prevention measures for girls at risk;
- Institutionalise services within existing structures, including FGM prevention and protection services which should be integrated in broader sexual and gender-based violence referral systems between different sectors;
- Provide adequate funding and support for NGOs to provide specialised services to women and girls from FGM affected countries.
- Institute and strengthen a systematic mechanism for early identification of vulnerable asylum seekers and a referral system between reception centres and services for survivors of gender-based violence, including FGM.

Prosecution

- Ensure in-depth mandatory training for public prosecutors on FGM;
- Ensure law-enforcement agencies engage promptly and appropriately in the prevention and protection of a woman or a girl at risk by taking preventive operational measures and ensuring the collection of evidence (e.g. adopting child protection measures);
- Guarantee investigation and prosecution procedures that are gender, child and culturally sensitive;
- Offer protection orders for women and girls at immediate risk of violence or further violence;
- Protect the rights and interests of survivors, including their special needs as witnesses.

Integrated policies

- Integrate measures to prevent and combat FGM in the NAP on Equality between Men and Women beyond 2023 as well as in a future Strategy on combating violence against women domestic violence;
- Develop an integrated national protocol on FGM and establish a multi-agency coordination mechanism for comprehensive policies and services with adequate human and financial resources;
- Ensure that professionals contribute to and are aware of national and regional protocols and guidelines concerning FGM;
- Invest in data collection and research on FGM and establish a national registry on the number of cases of women and girls affected by FGM who live in Cyprus;
- Ensure the meaningful involvement of civil society in policy making and implementation;
- Allocate adequate and sustainable human, technical and financial resources to the public and non-governmental structures working on gender-based violence and FGM;

- Scale up the support for activities carried out by civil society, including through substantial financial allocations to the crucial work of cultural mediators and social workers;
- Facilitate appropriate mechanisms and spaces for effective community engagement in the identification of needs, strategies, actions and decision-making, as well as in monitoring and evaluation;
- Establish thorough and transparent monitoring and evaluation mechanisms for existing protocols at all levels of government.

We thank the GREVIO for the opportunity given to civil society to provide our expertise and concrete recommendations to improve Cypriot authorities' actions to end FGM.