

**Group of Experts on Action against Violence
against Women and Domestic Violence
(GREVIO)**

COUNCIL OF EUROPE



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**Questionnaire
on legislative and other measures
giving effect to the provisions of the
Council of Europe Convention on Preventing
and Combating Violence against Women
and Domestic Violence
(Istanbul Convention)**



**RESPONSE SUBMITTED BY THE MEDITERRANEAN
INSTITUTE OF GENDER STUDIES (MIGS)**

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I. Purposes, definitions, equality and non-discrimination

Article 2. Scope of the Convention

Domestic violence is regulated under criminal law, specifically under the provisions of the Violence in the Family (Prevention and Protection of Victims) Laws 2000 and 2004.

Domestic violence is conceptualized as violence in the family; this is defined in Article 3(1):

For the purposes of this Law, violence means any act, omission or behaviour which causes physical, sexual or mental injury to any member of the family by another member of the family and includes violence used for the purpose of having sexual intercourse without the consent of the victim as well as of restricting its freedom.

According to Article 2:

“member of the family” means-

(a) husband and wife who-

- (i) have been legally married, whether the marriage exists or not, or*
- (ii) are or were cohabiting as husband and wife;*

(b) the parents of the persons referred to in paragraph (a);

(c) children of the persons referred to in paragraph (a), irrespective of whether such children are the natural or adopted children of either or both of the said persons, as well as the grandchildren of the persons referred to in paragraph (a); (d) any person residing with any of the above mentioned persons.

In addition, under Article 3(2), a number of offences in the Criminal Code when committed by a family member against another family member also constitute domestic violence/violence in the family; these are listed in Article 4(2).

Until 2021 and the passage of the Prevention and Combatting of Violence against Women and Domestic Violence Law 2021 (VAW Law 2021), the state has have primarily focused its policies their policies and the application of the law on domestic violence (Violence in the Family Laws 2000 (as amended)). Under the provisions of the Family Violence Law, cases of IPV and DV are treated as a public crime and can be investigated by the police ex officio based on information provided by third parties. Moreover, marital rape is a specific offence under Article 5. The law provides a gender-neutral definition of domestic violence that encompasses both victims and perpetrators of both sexes, and all members of the household. Current or previous cohabitation is a requirement for intimate partners or persons legally married.

With the recent passage of the Prevention and Combatting of Violence against Women and Domestic Violence Law 2021 (VAW Law 2021), the legal framework has been expanded and covers all forms of gender-based violence against women, in line with the provisions of the Istanbul Convention, including economic violence and psychological violence. Furthermore, the definition of domestic violence complies with that of the Convention, and the requirement for previous or current cohabitation has been removed, ensuring application of the law to intimate partners that do not have a history of cohabitation.

Historically, laws and policies have focused almost exclusively on family violence without specifically referring to gender based violence against women. This gender neutrality does not

recognise women as the primary victims of such violence, although over 70% of victims of 'family violence' are female. Since governmental and non-governmental services work within the framework of 'family violence', a critical gender perspective that recognizes the specific experiences of women is lost. Although, a gender dimension has been instated in the provisions of the VAW Law 2021, how the law will be interpreted and implemented by the criminal justice system and front-line professionals remains to be seen.

Other relevant legislative provisions governing the prevention and combatting of gender-based violence in Cyprus are the following:

- the Criminal Code was amended in 2003 to include female genital mutilation as a criminal offence under Article 233A (1), punishable with up to 5 years imprisonment;
- the Criminal Code includes forced marriage as a misdemeanour (a criminal offence which is less serious) under Article 150;
- with regard to sexual violence and rape, the Criminal Code includes rape as an offence; the offence was amended in 2020 to comply with the provisions of Article 36 of the Istanbul Convention; indecent assault against a woman is also criminalised;
- other crimes foreseen in the Criminal Code include incest, kidnapping of a woman, kidnapping of woman under the age of 16, corruption of girl under the age of 13, corruption of a girl under the age 16, corruption of a woman with mental and/or psychological disability, promoting corruption of a woman through threats, deceit or the administration of drugs, illegal detention of a woman, exploitation of women in prostitution, living from the profits of prostitution (pimping), among others;
- with respect to sexual violence against girls, the legislation in force is the Preventing and Combating the Sexual Abuse and Sexual Exploitation of Children and Child Pornography Law 2014;
- stalking has recently been criminalised under the Protection from Harassment and Stalking Law 2021 (114(I)/2021);
- sexism and online sexism have also been criminalised under the Combatting of Sexism and Online Sexism Law 2020 (209(I)/2020), although the definition provided is gender-neutral.

Article 3. Definitions

Definitions of "gender" and "woman" in VAW Law 2021

Sex is a protected characteristic in the Cyprus legal framework, in line with the CEDAW Convention and the EU *acquis communautaire*.

In the Cyprus legal framework, there is no specific word for "gender" (often referred to as «κοινωνικό φύλο» or "social sex" as opposed to «βιολογικό φύλο» or "biological sex") and the term «φύλο» refers to sex in the legal framework on women's rights and gender equality. In everyday language, the term «φύλο» has become a term that is used interchangeably to mean both "sex" and "gender". However, in the Greek language the distinction is evident in the definitions used for biological sex (male «αρσενικό» and female «θηλυκό») and gender (men «άνδρες» and women «γυναίκες»). Furthermore, in the social sciences «κοινωνικό φύλο» (social sex) is distinct to biological sex and refers specifically to socially constructed differences attributed to males and females known as social norms, behaviours, and attributes.

Gender/sex in the VAW Law 2021 voted on by Parliament in April 2021 is defined as follows:

“Gender” means beyond biological sex and gender identity, the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men.

The term “woman” in the VAW Law 2021 is defined as follows:

“Woman” means a person of female biological sex or female gender identity and includes such person that has not completed the eighteenth (18th) year of age.

Please note that the definitions contained in the draft law as prepared by the Ministry of Justice – and discussed at length at the joint sessions of the House Committee for Legal Affairs and the House Committee on Human Rights and Equality between Women and Men, with the participation of all relevant stakeholders including NGOs – were in full compliance with those provided by the Convention. The changes submitted to plenary for voting were discussed behind closed doors, without any consultation with relevant stakeholders, and women’s NGOs in particular.

The above definitions deeply problematic as they only conflate biological sex, gender and gender identity rendering them **non-operational**, but also nullify the purpose of the definition of “gender” provided by the Convention. The Convention understands gender roles and stereotypes as harmful, and based on the idea of the inferiority of women. The definition of gender is provided precisely to ensure that violence against women is understood as a gendered phenomenon and addressed within the context of inequality between women and men. The explanatory report to the Convention makes it clear that “the term “gender” under this definition is not intended as a replacement for the terms “women” and “men” used in the Convention”.

According to the Explanatory Report to the Convention:

*It should also be noted that the term "discrimination against women" should be interpreted as constituting “any distinction, exclusion or restriction made **on the basis of sex** which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field” as provided in **Article 1 of CEDAW**. In the context of this Convention, **the term gender, based on the two sexes, male and female, explains that there are also socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men.***

Furthermore, CEDAW’s General Recommendation 28 clearly states that “sex” and “gender” are two distinct categories:

The term “sex” here refers to biological differences between men and women. The term “gender” refers to socially constructed identities, attributes and roles for women and men and society’s social and cultural meaning for these biological differences resulting in hierarchical relationships between women and men and in the distribution of power and rights favouring men and disadvantaging women.

The conflation of sex, gender, and gender identity has important implications for the effective implementation the Convention and the protection of women and girls:

Implications for data collection

Biological sex is a critical measure in many areas of statistics. This is because males and females have different life experiences, different health needs and problems, and because sexism remains a widespread problem in society. It is of utmost important that data on violence against women and girls remain sex-disaggregated and that such data is further disaggregated to record violence against women exposed to intersectional discrimination. The conflation of biological sex, gender and gender identity in data collection will affect our understanding of the population overall, and our ability to identify inequalities experienced by minority groups including by sex, sexual orientation and gender identity. If any related variable such as gender identity is to be collected, then sex should also be collected.

Implication for policy and practice

We recognize that violence against transgender people falls within the scope of gender-based violence. Furthermore, men can also be targeted with gender-based violence although statistically, the number of such cases is much smaller, in comparison with women. However, Articles 2 and Article 3 of the convention stress that national legislation, policies and measures must address the gendered nature of violence against women and the specific experiences of women and girls in ensuring the rights under the Convention.

Importantly, Article 4(3) requires parties to secure the implementation of their undertakings under the convention without any discrimination on the basis of gender, sexual orientation, gender identity, age, state of health, disability, marital status, and migrant or refugee status or other status. Article 4(3) of the convention has been transposed verbatim in Article 4(1) of the VAW Law 2021.

The conflation of sex, gender, and gender identity in the Law on VAW 2021 risks resulting in gender neutrality in policy and practice on violence against women.

In its baseline reports, GREVIO has criticised any gender-neutral approach of legal provisions and policy documents that address violence against women, including domestic violence.¹ It has noted that such an approach fails to take into account that gender is a primary motive of gender-based violence against women and, consequently, policies and measures that are gender neutral will not effectively respond to the specific experiences of women and girls. GREVIO has stressed that such an approach fails to address the challenges to the safety of women and children who predominantly suffer domestic violence inflicted on them by male perpetrators, as identified by GREVIO in the case of Malta, and Belgium.²

Article 4. Fundamental rights, equality and non-discrimination

With respect to gender-based violence against women³ belonging to disadvantaged groups³, there are gaps in the support and intervention system. The recently established Woman's House provides integrated specialised services to women and girls that are victims of violence against women without discrimination on any grounds, including migrant status or residence

¹ Mid-term Horizontal Review of GREVIO baseline evaluation reports, p. 13-17 <https://rm.coe.int/horizontal-review-study-2021/1680a26325>

² See GREVIO's baseline evaluation report on Malta, par. 11 and GREVIO's baseline evaluation report on Belgium para. 8.

³ Groups of persons that experience a higher risk of poverty, social exclusion, discrimination and violence than the general population, including, but not limited to, ethnic minorities, migrants, people with disabilities, isolated elderly people and children. Beijing Platform for Action (2013), Agreed conclusions on the elimination and prevention of all forms of violence against women and girls (E/2013/27-E/CN.6/2013/11), United Nations, New York, para. 34 (available at [http://www.un.org/womenwatch/daw/csw/csw57/CSW57_Agreed_Conclusions_\(CSW_report_excerpt\).pdf](http://www.un.org/womenwatch/daw/csw/csw57/CSW57_Agreed_Conclusions_(CSW_report_excerpt).pdf)).

status. However, migrant women often do not have access to services or lack adequate specialised support due to cultural, economic and other barriers, as well as institutional racism.

There is no specific research and data on the prevalence of violence against women experienced by women exposed to intersectional discrimination. Lack of data and research impacts policy formulation and access by such groups to support services, protective measures and justice. It is also worth mentioning that, despite the significant migrant population in Cyprus, migrant women are not addressed in the National Action Plans, rendering them invisible on a policy level. There is no evidence to suggest that services for victims of violence are culturally sensitive or able to assist women with special needs or who are facing multiple discrimination.

There is a lack of data on specific forms of 'harmful traditional practices' such as FGM and forced marriage.⁴ In an environment where cultural difference is stigmatised and patriarchal regimes still affect the everyday life of women and men, issues affecting primarily migrant women and girls remain silenced for fear of being further marginalized. In fact, no research or data exists on gender based violence within ethnic minority and migrant communities in Cyprus and thus it is not possible to make any assumptions as to its prevalence. There is no evidence to suggest that services for victims of violence are culturally sensitive or able to assist women with special needs or facing multiple discrimination. These are services that require specially trained personnel and centres that can ensure accessibility or any other needs.

In terms of protecting women with disabilities, there are no specific legal or policy measures on preventing and combatting violence against women with disabilities. The Committee on the Rights of Persons with Disabilities, in their concluding remarks (2017), expressed concern regarding the inadequacy of the legal framework to prevent and combat violence against persons with disabilities, particularly women, as well as the lack of specific and accessible mechanisms for reporting such violence.⁵

FGM and other harmful traditional practices such as honour related violence and forced marriage are not framed as issues in Cyprus, despite an increasing migrant population in Cyprus, and there is a lack of data on specific forms of harmful traditional practices (please refer to shadow report on FGM).

II. Integrated policies and data collection

(Chapter II of the Convention, Articles 7 to 11)

Article 7. Comprehensive and Coordinated Policies

As regards policies to prevent gender-based violence in Cyprus, there have been two National Action Plans for the Prevention of Violence in the Family: (i) between 2010-2013, and (ii) between 2017-2019.⁶

Currently there is no National Action Plan in place for the Prevention of Violence in the Family, nor is there a national action plan on the prevention of gender-based violence/violence against

⁴ Mediterranean Institute of Gender Studies (2012), Flying Team Against Violence: Combating Honour Related Violence and Forced Marriages, Cyprus Report http://www.medinstgenderstudies.org/wp-content/uploads/HRV_Research_Report_Book2.pdf

⁵ Committee on the Rights of Persons with Disabilities, 2017, Concluding Remarks, pp. 6-7, paras. 39-40: http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd8a_gr/dsipd8a_gr?OpenDocument

⁶ Advisory Committee for the Prevention and Combating Violence in the Family: <http://www.familyviolence.gov.cy/cgi-bin/hweb?-V=actionplan&FSECTION=10140&-dactionplan.html&-Sr&VSECTION=0000&VCATEGORY=0000&VCATEGORY=0000>.

women in general. However, the current National Action Plan for Equality between Men and Women 2019-2023 includes “Combating Gender-Based Violence / Full compliance with the provisions of the Istanbul Convention” as a key priority.⁷ However, National Action Plans do not make reference to or foresee actions to combat violence against migrant women, women with disabilities, single mothers, and other disadvantaged groups.

Overall, National Action Plans are not accompanied by specific objectives, qualitative and quantitative indicators, allocation of sufficient funding, and there is no evidence of any follow-up or evaluation. Generally, National Action Plans lack the political will and resources needed for their implementation and largely remain aspirations.

The Advisory Committee on Preventing and Combating Violence in the Family was established by a Council of Ministers Decree in 1996 in accordance with Article 16 of the Family Violence Law 47(I)/1994 that was replaced by Law 119(I)/2000. The Committee consists of persons appointed in their personal capacity by the Council of Ministers and having knowledge and experience of the subject. According to the law, the members come from the Ministry of Justice and Public Order, the Ministry of Health, the Cyprus Police, the Ministry of Education and Culture, the Social Welfare Services, the Law Services, and relevant organizations of the private sector. The Committee monitors the implementation of the relevant law on family violence, promotes multi-agency cooperation and coordination, and raises awareness among professionals and the public more generally.

Recognizing the need for more coordinated and specialized responses to violence against women in Cyprus, the Committee proposed the establishment of the Woman’s House in 2016. The proposal was approved by the Council of Ministers in 2019, and the Committee was charged with coordinating all efforts to establish the Women’s House, in cooperation with the relevant services.⁸

However, the Committee’s role is strictly advisory, and lacks the sufficient human and financial resources to fully carry out its role as provided by law. Furthermore, with the foreseen establishment of a coordinating body as foreseen by the Law on VAW 2021, it is not clear how the Advisory Committee will be integrated into this new structure.

Article 8. Financial resources & Article 9. Non-governmental organisations and civil society

Government cooperation with NGOs (Articles 8 and 9)

In terms of government cooperation with NGOs, while the Government does consult with NGOs and women’s organisations on policies relating to violence against women, although such consultation is often superficial and does not always result in real policy impact. NGOs are involved in the Advisory Committee for the Prevention and Combating of Violence in the Family and the National Machinery for Women’s Rights and, in this way, women’s organisations and NGOs have an advisory role and are directly consulted in, for example, the drafting of National Action Plans and draft legislation on gender equality and violence against women. However, there is a strong need in general for a more multidisciplinary approach on the issue on behalf of the governmental services as well as more systematic cooperation between NGOs and government agencies.

⁷ Office of Commissioner for Gender Equality:

<http://www.institutionforgenderequality.gov.cy/equality/equality.nsf/All/0276C88652C8317AC225850500403411?OpenDocument>.

⁸ Advisory Committee on Preventing and Combating Violence in the Family:
<http://www.familyviolence.gov.cy/cgi-bin/hweb?-A=1&-V=profile>.

The government, in accordance with the Convention, has expanded its collaboration with specialised NGOs in the last five years. However, assessing this relationships/collaboration, we observe within the organisational practices and culture from the collaborating governmental bodies, a stance that portrays a lack of state accountability in the collaboration with NGOs. This puts NGOs in a precarious situation both financially and politically.

Within the framework of these memorandums (outsourcing) (such in the case of the Woman's House, under the operational management of SPAVO), the social welfare services offer essential support services to victims of violence against women. Through these memorandums with NGOs, these services are assigned to specialised NGOs but without the appropriate financial and human resources, and without mechanisms to ensure the adequate state supervision and legal responsibility. NGOs have full responsibility of the legal obligations of the state and for the financial sustainability of the services provided. The legal responsibility of the state should not be understood as a mere 'project' based service. The WH was established as part of the state's obligation under the IC and the Violence against Women Law 2021 with a view to providing effective and comprehensive multidisciplinary support and protection, with the involvement of all relevant state services. The state has the obligation to provide full financing for services provided by NGOs as well as the commitment to provide human resources from the relevant state services.

Article 10. Coordinating Body

An analysis of existing policies and measures to implement the Convention indicates that there is an absence of a comprehensive national policy on combating violence against women and domestic violence. In the absence of such a national policy, measures are implemented in a fragmented manner and with little if any coordination/communication among them. The development of a holistic and integrated policy on combating violence against women in Cyprus would provide the necessary impetus and direction that is currently lacking in each individual ministry and government department, but also within the public administration as a whole. At the moment, government bodies and often services within such bodies, implement initiatives with little if any consultation or coordination. This has resulted in a large 'catalogue' of initiatives and actions without any policy dialogue and/or deliberation and often with no involvement of women's organisations and NGOs. Policies and measures are not accompanied by specific objectives, impact indicators, allocating of funding, and there is no evidence of any follow-up or evaluation.

The current approach has led to legal provisions and measures being implemented in a fragmented manner and with little if any coordination/communication among them. A related issue is the lack of cooperation among the different bodies charged with implementing policies and measures in relation to the directives related to preventing and combating violence against women and domestic violence.

While the government report claims that "For the time being, the ACPHVF is the body responsible for the coordination and implementation, follow up and evaluation of policies and measures for the Prevention and Combating of domestic violence", we stress that this committee is comprised of members active in a volunteer and advisory capacity, and that the Committee does not have executive power or the mandate to implement policies and measures on domestic violence. This responsibility – by law – rests with the competent state authorities. The Committee has employed a single administrative officer since its establishment and its budget is less than 70,000 euros per year.

As mentioned in the government report, the Law on VAW 2021 foresees the establishment of a coordinating body for the Prevention and Combating of Violence against Women and Domestic Violence, that is accountable to the Minister of Justice and Public Order. The

National Coordinating Body is responsible for coordinating, planning, implementation, follow up and evaluation of policies and measures for the Prevention and Combating of all forms of Violence against Women, covered by the Convention.

However, the structure and composition of the coordinating body proposed seems to duplicate that of the ACPHVF, and is basically a committee consisting of representatives of state authorities and two NGOs, contributing in their personal and voluntary capacity. There does not seem to be any government machinery (including human and technical resources) backing this body, that has been mandated substantial responsibilities by law. Furthermore, a body comprised of members from state authorities and NGOs cannot make or execute political decisions and to formulate and implement the policies and measures required for the implementation of the Convention. What is needed is a government unit/department under the Ministry of Justice and Public Order that will have the sufficient technical, human, and financial resources to carry out its mandate. A technical committee to support the work of the unit/department consisting of representatives of the relevant state services, as well as NGOs would be beneficial.

Article 11. Data collection and research

Comprehensive data collection on all forms of violence against women disaggregated by sex and age of victim and perpetrator, type of violence, relationship between victim and perpetrator is urgently needed as foreseen by the Istanbul Convention and the Victims' Rights Directive.

The Advisory Committee for the Prevention and Combating of Violence in the Family has formally submitted to the Ministry of Justice a proposal for a unified and centralised data collection mechanism and processing of administrative data on domestic violence.⁹ The development of a national database would help in recording domestic violence incidents and improving insight to the phenomenon, as well as the identification of high-risk groups, the development of intervention programmes, and would enable the monitoring and evaluation of the effectiveness of preventive and intervention measures. To date, no action has been taken in this area.

Similarly, there is no official register of judicial data that would permit monitoring cases of gender-based violence against women throughout the criminal justice process.

There is no data available to ascertain the number and type of protection orders issued for victims of violence/abuse in Cyprus. It is therefore not possible to assess their prevalence or effectiveness in protecting victims. Furthermore, it is not possible to assess which factors legal authorities generally take into account when deciding on the duration and the conditions of a protection order.¹⁰

In addition, there is no information as to whether protection orders are actively monitored or whether it is generally left up to the victim to report violations. It is also not possible to ascertain which activities monitoring authorities undertake to check compliance with protection orders, as data is not available.¹¹

This data gap on violence against women and domestic violence is problematic, as it impedes an in-depth understanding of the root causes but also the extent of these issues in Cyprus.

⁹ Advisory Committee for the Prevention and Combating of Violence in the Family <http://www.familyviolence.gov.cy/upload/20191124/1574612858-17082.pdf>

¹⁰ Pavlou, S., Shakos, A. (2020), The application of the EC Directive 2011/99/EU and the European Protection Order: Cyprus, Mediterranean Institute of Gender Studies. Available at: https://www.artemis-europa.eu/wp-content/uploads/2020/09/ARTEMIS-Research-Report_Cyprus.pdf

¹¹ Ibid.

Furthermore, the lack of comprehensive data and research impedes informed analysis and policy-making that would create much needed services and mechanisms to support and protect victims.

Research on prevalence violence against women in Cyprus is scarce; with the only survey that of the Advisory Committee for the Prevention and Combating of Violence in the Family in 2012.¹² Research is lacking on all forms of violence against women, including forms such as female genital mutilation and forced marriage; the effects on children of witnessing domestic violence; violence against women experienced by specific groups of women, such as elderly women, women with disabilities, lesbian women, migrant women and/or women from ethnic minorities.

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III. Prevention

(Chapter III of the Convention, Articles 12 to 17)

In light of the overarching general obligations in the area of prevention provided for in Article 12, paragraphs 1 to 6, please provide an account of preventive action taken, including to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men. Such preventive action must address the specific needs of persons made vulnerable by particular circumstances and place the human rights of all victims at their centre. It must also encourage all members of society, especially men and boys, to contribute actively to preventing all forms of violence, and include the promotion of programmes and activities for the empowerment of women. Please also indicate which measures have been taken to ensure that culture, custom, religion, tradition or so-called honour are not considered as justification for any acts of violence.

Please bear in mind that the above principles apply to all preventive measures taken in accordance with the obligations contained in Chapter III.

Article 13. Awareness Raising

Awareness raising campaigns and/or other prevention programmes on violence against women are not carried out systematically, and are mainly carried out by NGOs on a project basis, sometimes with the support of state funding. Awareness on specific forms of violence such as FGM, forced marriage, sexual violence and rape, are even more scarce.

The Advisory Committee for the Prevention and Combating of Domestic Violence has published a number of booklets and other information material, including a booklet about the Cypriot legislation concerning domestic violence analysing the most important legal aspects

¹² Advisory Committee for the Prevention and Combating of Domestic Violence in the Family, 2012, "Extent, Frequency, Nature and Consequences of Domestic Violence against Women in Cyprus". Available at: <http://www.familyviolence.gov.cy/cgi-bin/hweb?-A=971&-V=research>.

¹³ Advisory Committee for the Prevention and Combating of Domestic Violence in the Family, 2012, "Extent, Frequency, Nature and Consequences of Domestic Violence against Women in Cyprus". Available at: <http://www.familyviolence.gov.cy/cgi-bin/hweb?-A=971&-V=research>.

of the law. Posters, leaflets, and other material have also been published, which are disseminated among relevant authorities and the public. The Committee has also been involved in the organisation of training seminars and workshops for professionals, aimed at providing information and training relevant professionals on handling cases of domestic violence.¹⁴

Since transposition of the Victim's Rights Directive, there have been no specific awareness raising or information activities or campaigns on the rights protected under the law. Despite this, awareness raising campaigns on domestic violence and sexual abuse and exploitation of children are foreseen in the National Action Plan to Prevent and Combat Violence in the Family (2016-2019).¹⁵

Similarly, there is a general lack of awareness and training regarding the European Protection Order, both among legal practitioners likely to come into contact with victims, as well as among NGOs active in the field of victim support. Consequently, protected persons do not have access to information on their right to an EPO nor the relevant procedures for requesting one should they travel to another Member State.¹⁶

There are several concerns in relation to the impact of awareness campaigns implemented by government authorities in Cyprus. Firstly, public awareness initiatives are not implemented systematically and there is no evidence that initiatives to date have had any impact on the wider society. Furthermore, existing initiatives have focused on informing people of their rights and on encouraging potential victims and high-risk groups to report cases of violence.

Another issue in relation to the awareness raising campaigns that have been implemented thus far is that, again, only very generic terminology is used consistent with the gender-neutral family violence framework, and the links between women's rights, gender equality and violence against women and domestic violence are not addressed. Thus, the question remains as to what measures are being taken to combat those gender norms, attitudes and behaviours that contribute to an environment where violence is tolerated and acceptable.

Despite the importance of strategies to reach adolescents and young adults in prevention programmes to address violence against women, primary prevention has largely been absent from policy and programmes, which focus primarily on adult victims and their children. Indeed, the Ministry of Education does not implement any prevention programmes, training activities, or awareness raising actions on a systematic basis in schools at any level. In the absence of any real government action in the area of primary prevention, a number of NGOs such as the Cyprus Family Planning Association and the Mediterranean Institute of Gender Studies systematically work with young people with the education system to raise awareness and provide information on issues related to gender based violence.

Article 14. Education

Research carried out by the Mediterranean Institute of Gender Studies (MIGS) (2008, 2011) among adolescents showed that there is a high tolerance for gender based violence, and that this is directly linked to negative gender stereotypes and discriminatory attitudes towards women. Despite the importance of creating strategic approach to adolescents and young

¹⁴ Advisory Committee for the Prevention and Combating of Violence in the Family. www.familyviolence.gov.cy

¹⁵ Cyprus National Report: Developing Directive-compatible practices for the identification, Assessment and Referral of Victims [JUST/2014/JACC/AG/VICT/7406]

¹⁶ Pavlou, S., Shakos, A. (2020), The application of the EC Directive 2011/99/EU and the European Protection Order: Final Research Report, Mediterranean Institute of Gender Studies. Available at: https://medinstgenderstudies.org/wp-content/uploads/2021/06/D36_ARTEMIS-Final-Research-Report_FINAL_edited_CLEAN.pdf

adults on the prevention of gender-based violence and the promotion of gender equality, this dimension has largely been ignored by those involved in policy formulation and implementation in relation to education.

The National Action Plan on Gender Equality 2019-2023 places particular emphasis on education and the elimination of gender stereotypes through activities under the Chapter on Education and the Chapter on Mass Media, such as research on gender equality in these fields and the sensitization and training of teachers, parents and students, as well as journalists and policy-makers in the mass media. Despite this, however, gender equality in education and the elimination of gender stereotypes was identified as an area that has received little attention or support.¹⁷

In recent years, the Ministry of Education has made some notable towards the implementation of actions and programmes for gender equality and the prevention of gender-based violence. The Ministry of Education and Culture continues the implementation of the Action Plan for Gender Equality for the years 2018-2020 and for this purpose there is a special Interdepartmental Committee, in which representatives of all departments and services of the Ministry participate, and which coordinates all gender equality issues related to actions of the Ministry. However, the Action Plan does not include qualitative and quantitative indicators, allocation of sufficient funding, and there is no evidence of any impact evaluation.

Despite a major educational reform that included the revision of the school curricula at all levels, there are still substantial gaps in the inclusion of issues such as sex education, gender roles, and gender relations. This contributes to maintaining the patriarchal character of Cypriot society in which there is still prejudice against open discussion of issues concerning matters such as gender and sexual orientation. Although, some progress has been made in terms of eliminating gender stereotypes in the curricula and the inclusion of gender equality issues in health education, this fell short of the hopes of civil society activists that lobbied for the inclusion of comprehensive sex education at all levels. Furthermore, the educational reform does not include awareness raising activities to combat gender stereotypes at all levels of the educational system. Such activities are largely carried out by NGOs in a limited number of schools due to limited resources and funding.

The Mediterranean Institute of Gender Studies (MIGS), within the framework of the EU funded project GEAR against IPV¹⁸, pilot-tested and evaluated educational material aimed at secondary school students' awareness raising and empowerment by specially trained teachers. The GEAR against IPV Approach¹⁹ uses exclusively experiential activities through which, adolescents are guided to explore their personal gender stereotypical attitudes and their impact to their own lives, to "discover" and to exercise life skills that will help them to develop healthy relationships, free from any form of violence. It introduces gender equality in education as a violence prevention strategy, motivates and qualifies teachers with the necessary skills and the "know how" in order to implement such primary prevention interventions when integrated into the school curriculum. GEAR against IPV consists a precise fulfilment of Article 14 of the Convention but failed to receive the full support of the Ministry of Education in order to integrate into the school curricula.

Article 15. Training of professionals

Some efforts have been made to train front line professionals on violence against women. However, front line professionals (Police, Social Welfare Services, and Health Services) often lack the ability (human resources, lack of direction and supervision from senior government

¹⁷ Cyprus Shadow Report to the CEDAW Committee 70th Session, https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CYP/INT_CEDAW_NGO_CYP_31500_E.pdf

¹⁸ <https://www.gear-ipv.eu/>

¹⁹ <https://www.gear-ipv.eu/the-gear-against-ipv-ii-project/the-gear-against-ipv-approach>

officials) to offer adequate support and protection. Overall, there is limited expertise in relation to violence against women among front-line professionals. This is a direct outcome of the lack of specialised training provided. Training is offered by NGOs, but mainly on project basis and not systematically due to lack of funding.²⁰ Training on violence affecting specific groups of women is also lacking, particularly in relation to migrant women and women with disabilities.

The Police are provided with training on violence against women and domestic violence upon entry into service, as well as in-service training for police officers of various ranks. Specialised training is provided on issues such as sexual violence, child interviewing techniques, and risk assessment, among others.²¹

Article 17. Participation of the private sector and the media

The media is a powerful tool for awareness raising and for contributing toward the prevention of domestic violence. The media can play a critical role in challenging those gender norms and attitudes that perpetuate gender inequality and violence against women. Despite this, state authorities have not made any systematic effort to engage the media in initiatives to combat violence against women and domestic violence.

The media in Cyprus largely portrays women in ways that support gender inequality and that reinforce negative gender stereotypes.²² This is particularly true when reporting issued related to violence against women. Most journalists and media professionals are not gender aware and often promote and perpetuate gross gender stereotyping and common myths associated with violence. Despite this, it must be acknowledged that in recent years journalists have taken an increased interest in human rights issues, including issues related to women's rights and violence against women. Research findings by research centres and NGOs are published with more frequency than previously in the print media and are taken up by TV and radio programmes which have promoted increased awareness and public debate. Despite this, a lot more needs to be done to sensitize the media on gender equality issues, as well as to make full use of this medium in reaching a wider audience.

IV. Protection and support

(Chapter IV of the Convention, Articles 18 to 28)

Please provide general information on measures taken to offer appropriate protection and support to women victims and child witnesses of any form of violence covered by the Convention as required by Article 18, paragraphs 1 and 2. This includes measures to ensure multi-agency co-operation and effective referrals to general and specialist support services. Please bear in mind the general principles set out in Article 18, paragraph 3 that must be applied to all measures taken in implementation of Chapter IV of the Convention. These are the need for a gendered understanding of violence against women, a focus on the human rights and safety of victims, and an integrated approach to protection and support services. All protective and supportive measures must also aim at avoiding secondary victimisation, address the specific needs of vulnerable persons, including child victims, and aim at the empowerment and economic independence of women victims. In addition, general and specialist support services must be offered irrespective of the victim's willingness to press charges or testify against the perpetrator.

²⁰ Interview with Advisory Committee for the Prevention and Combating of Violence in the Family

²¹ CYPRUS CONTRIBUTION: Targeted consultation to Member States in the framework of the initiative on gender-based violence against women and domestic violence.

²² Global Media Monitoring Project (GMMP) Cyprus National Report 2020 <https://medinstgenderstudies.org/wp-content/uploads/2021/07/Cyprus-Report-GMMP.pdf>

Articles 18 – 28 Protection and Support

Overall, general and specialist victims support services are not sufficiently available to meet the needs and provide better support of all groups of women. Cyprus lacks rape crisis centres or specialized services for victims of rape and sexual assault.²³

The following support services for women victims of violence are partially or fully funded by the state:

- There is a **National Helpline for Violence in the Family (1440)**. The Centre for Emergency Assistance Helpline (1440) was established in 1990 and is run by the NGO Association for the Prevention and Handling of Violence in the Family (SPAVO).²⁴
- The **Social Welfare Services (SWS)**, part of the Ministry of Labour and Social Insurance in Cyprus, provides support and counselling to the victims of violence and their children/families in cooperation with other relevant agencies.²⁵
- The **Association for the Prevention and Handling of Violence in the Family (SPAVO)** provides psychological support and counselling to adults who are victims or perpetrators of domestic violence.²⁶ SPAVO also provides shelter services to women and their children in three major cities.²⁷
- The **Woman's House (Σπίτι της Γυναίκας)** was set up at the end of 2020. It is a multi-agency and multi-professional crisis centre for victims of VAW and their children. It is based on the Family Justice Centre model and operates as a “one-stop-shop” according to which all the services involved are co-located and coordinated under the same roof, with the aim of effectively managing cases. The provision of services is not conditional on the victim having to press charges against the perpetrator. The multi-professional network of services in the Woman's House includes services provided by social workers, psychologists, healthcare professionals, legal professionals and the police. The mother and her dependent children will receive the initial services at the Woman's House in order to avoid their separation and thus avoid further re-victimisation.

State services for the support and protection of victims of domestic violence are inadequate in responding to the victim's needs. There is a deep gap in experience, professional and specialized staff, and interagency cooperation is weak. The establishment of the Woman's House is a positive development in this regard, but it is still in its pilot phase, and has yet to be rolled out across Cyprus. In addition, there is evidence of resistance on behalf of the police and the social welfare services, to effectively cooperate with the SPAVO in the context of the Woman's House, and to allocate stable and adequate human resources. For example, it is not clear whether the Police have a permanent officer on site as foreseen by the Ministerial Decision, and whether the Police make full use of the Woman's House (that have specially designed spaces) for taking statements from victims and their children.

The lack of effective multi-agency cooperation and coordination is a major obstacle to the effective implementation of laws and policies on violence against women and domestic violence. This is related to the lack of effective coordinating body that leads to a fragmented approach with different bodies, mechanisms, and policies in place with little recognition of the links between them.

²³ https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CYP/INT_CEDAW_NGO_CYP_31500_E.pdf

²⁴ <https://domviolence.org.cy/en/>

²⁵ http://www.mlsi.gov.cy/mlsi/sws/sws.nsf/dmlmission_en/dmlmission_en?OpenDocument

²⁶ <https://domviolence.org.cy/en/>

²⁷ https://domviolence.org.cy/en/xoroi_filoxenias/

Another obstacle to effective multi-agency cooperation and coordination is the lack of exchange of information between the Police and other relevant services, including in the context of the operation of the Woman's House. The failure to share information can lead to system failures that put women and children at increased risk of further harm / escalation of violence. Clear procedures in this regard by exchanging information with the services involved must be put in place. Confidentiality and protection of personal data are often an obstacle in the exchange of information between the services involved. Compliance with principles of personal data protection under the Physical Protection Act Persons against the Processing of Personal Data and Free Movement of these Data Law (Law 125 (I) / 2018) (GDPR), often constitutes a challenge for the Police and the services involved. In recognition of this challenge, a specific article providing for the exchange of essential information among relevant services was included in the 2021 VAW Law but it is not clear whether the mechanisms are in place for this to be fully implemented in practice.

In relation to child witnesses of violence, the only measure recently implemented is the placement of a Child Advocate in the core staff of the Woman's House, with the aim to provide specialised support to children experiencing domestic violence. The role also aims to ensure that the rights of the child are taken into account in all procedures and processes, and that they are child-friendly and safe, including in civil and criminal procedures. SPAVO also provide specialised support to children staying with their mothers in the shelters that they operate.

In relation to sexual violence and rape, there are no rape crisis centres or sexual violence referral centres in the Republic of Cyprus. While a protocol for emergency services for cases of rape was developed, it was only piloted in one hospital and has not been evaluated or rolled out across the state health services.

V. Substantive law

(Chapter V of the Convention, Articles 29 to 48)

Please provide information on the legal framework pertaining to violence against women, with particular emphasis on the criminalisation of acts of violence against women, unacceptable justifications for such acts (including crimes committed in the name of so-called honour), sanctions and measures, action taken to provide women victims with adequate civil remedies and to ensure their right to claim compensation as well as to prohibit mandatory alternative dispute resolution processes.

Article 31. Custody, visitation rights and safety

Child victimisation in the context of violence against women very often continues and escalates in the context of parental disputes over child contact arrangements. Research has shown that child contact can be an area of ongoing psychological, emotional and physical abuse of women and children.

In Cyprus, there are widely accepted perceptions in policy and practice, that children have the right to have a personal relationship and direct contact with both parents. Often, however, in cases of domestic violence against the women, the woman's right to be free from violence and abuse is seen to be in conflict with the child's right to have contact with their father. Thus, while many children may want contact with their father, this needs to take place under conditions that guarantees the safety and wellbeing of both mother and child. Importantly, children must be given the opportunity to express their views and wishes regarding decisions that affect their

lives. There is currently no mechanism in place to ensure child participation in legal processes in the context of domestic violence against women.²⁸

The issue of child contact has been closely linked to the term ‘parental alienation’ (PA), a topic that is currently being discussed in the House Committee for Human Rights and Gender Equality in Cyprus. Often, however, parents accused of parental alienation are mothers experiencing domestic abuse. In this context, the consequences of court mandated contact with violent men can endanger the lives of women and their children.²⁹

While there is little credible scientific support for the theory of parental alienation syndrome, the term is used abusively and with relative success by perpetrators of violence to gain credibility in the family law system. The court system has been known to downplay even well-documented cases of abuse and to give more weight to parental alienation than to abuse allegations. This has had devastating effects on the lives of children, as their views, wishes and best interests are rarely considered.

MIGS regrets that, despite a clear and express provision in the *draft law* on VAW to ensure that violence against women is taken into account in family court decisions on child custody and visitation rights, this provision (Article 12(3) of the draft law) was arbitrarily and inexplicably removed from the law passed by the Cyprus Parliament (VAW Law 2021). As a result, Cyprus’s legal framework does not comply with Article 31 of the IC.

VI. Investigation, prosecution and procedural law and protective measures

(Chapter VI of the Convention, Articles 49 to 58)

Please provide information on action taken in accordance with the principles set out in Article 49 of the Convention, in order to ensure that:

- i) investigations and judicial proceedings are carried out without undue delay while taking into consideration the rights of women victims during all stages of the criminal proceedings; and
- ii) acts of violence against women are investigated and prosecuted in an effective manner.

To this end, the competent authorities must be able to respond promptly and appropriately to all forms of violence covered by the Convention, issue emergency barring orders or restraining or protection orders and take measures of protection during the investigations and criminal proceedings. Non-governmental/civil society organisations must be able to assist and/or support women victims in legal proceedings (for example as third parties) and appropriate arrangements must be made to facilitate women victims’ access to justice.

Article 51. Risk assessment and risk management

Since 2018, there is a protocol in place for risk assessment in cases of Intimate Partner Violence (IPV), including in cases of ex-spouses and ex-partners, which is implemented by the Police as mandated by law.³⁰ The protocol refers to Articles 20 and 21 of Law 51(I)/2016 on individual assessment of victims, as well as Law 14(III)/2017 ratifying the Istanbul

²⁸ IJCC Policy Briefing: Cyprus, Domestic abuse and impact on children, https://medinstgenderstudies.org/wp-content/uploads/2020/12/ijcc_cyprus_briefing_english.pdf

²⁹ Ibid.

³⁰ Cyprus Police, (2018), Protocol for risk assessment in cases of Intimate Partner Violence (IPV). Available at (in Greek only): <http://www.familyviolence.gov.cy/upload/20180227/1519724395-27633.pdf>.

Convention. Objectives of the risk assessment protocol include to prevent revictimization, escalation of violence, and lethal violence.

The protocol may only be applied by members of the police that have been specially trained in its use and application. The Police Domestic Violence and Child Abuse Office, responsible for the monitoring of cases of domestic violence, is responsible for ensuring that police officers are trained to implement the protocol. The protocol is based on the international risk assessment tools DASH, SARA and B-SAFER, adapted to the Cyprus context; the protocol is situation based and risks that are taken into consideration may include factors associated with the perpetrator, as well as with the victim.³¹

According to the protocol, the police, having conducted the risk assessment, must immediately contact the social welfare services by telephone, informing them of the level of risk, whether children are involved, whether the victim will need alternative accommodation, whether protection orders will be applied for and whether the physical presence of a social worker is required under the circumstances. In cases where the risk assessed is high, the police must carry out a multi-agency meeting with the social welfare services and/or the health services, and where necessary any other agency or service, for the coordination of the joint handling of such cases.³²

However, no evaluation of the risk assessment protocol has been carried out to date and there is “no information available regarding its implementation and its effectiveness in managing risk and reducing intimate partner violence against women”.³³ Furthermore, risk factors associated with coercive and controlling behaviour are not given sufficient attention, nor is the protocol culturally competent.

No other public services carry out risk assessments for domestic violence or intimate partner violence. However, in cases of domestic violence where child victims or child witnesses are involved, the social welfare services carry out an informal risk assessment based on professional judgement and experience; no specific tools for risk assessment are used and social workers do not undergo any specialised training.³⁴ SPAVO carries out a risk assessment with respect to victims who use their services, and the Woman’s House carries out risk assessment within the framework of multi-agency cooperation, although barriers to information sharing may jeopardise the safety of victims and their children.

In Cyprus, there is no mechanism in place for conducting homicide reviews, despite the rising number of killings of women in the last two decades.

Specifically, according to recent study³⁵, 11 cases of femicide were perpetrated during the period 2019-2020, as well as 2 child victims. With the exception of one case, all took place in context of intimate partner violence.

³¹ European Institute for Gender Equality, EIGE, (2019), “Risk assessment and management of intimate partner violence in the EU”, Luxembourg: Publications Office of the European Union, pp.56-57. Available at: <https://eige.europa.eu/gender-based-violence/risk-assessment-risk-management>.

³² Cyprus Police, (2018), Protocol for risk assessment in cases of Intimate Partner Violence (IPV), pp. 23&26. Available at (in Greek only): <http://www.familyviolence.gov.cy/upload/20180227/1519724395-27633.pdf>.

³³ European Institute for Gender Equality, EIGE, (2019), “Risk assessment and management of intimate partner violence in the EU”, Luxembourg: Publications Office of the European Union, p. 57. Available at: <https://eige.europa.eu/gender-based-violence/risk-assessment-risk-management>.

³⁴ Ibid.

³⁵ Kofou, E., Kouta, C., Pavlou, S., Shakou, A. (2021). Country report on femicide research and data: CYPRUS. Nicosia: Mediterranean Institute of Gender Studies. <https://medinstgenderstudies.org/report-on-research-and-data-on-femicide-in-cyprus/>

The quantitative data collected within the framework of the study clearly demonstrates that women of migrant background are at increased risk of femicide. The study identified that the majority of victims of femicide in Cyprus during this period were migrant women third country nationals (55%) or EU nationals (18%), while the majority of perpetrators were male Cypriot citizens (73%).

Importantly, the qualitative analysis showed that there had not been any institutional involvement prior to the femicide. Out of 11 cases, only one case of IPF was known to the authorities (the police and the social services) before the femicide took place. In this case, a protection order had been issued. Additionally, only 2 out of 10 cases were known to others such as family members, neighbours, or friends.

Article 52. Emergency barring orders

In Cyprus, the following protection measures exist under criminal law:

- Interim restraining orders against the perpetrator (Article 22 of the Family Violence law and Article 30 of the Preventing and Combating Violence against Women and Domestic Violence Law of 2021);
- Interim removal orders to remove a victim who is a minor from the family home or from his/her place of residence (Article 22 of the Family Violence law and Article 32 of the Preventing and Combating Violence against Women and Domestic Violence Law of 2021);

Interim restraining orders and interim removal orders: these may be issued before the filing of criminal charges for a period of up to 8 days from the date of service of the order to the perpetrator. The court may extend the duration of the interim orders by a further 8 days, provided that the duration of the interim orders does not exceed 24 days before the filing of criminal charges.

Article 53. Restraining or protection orders

Women victims of domestic violence in Cyprus have legal access to protection measures including temporary protection orders restraining the perpetrator from contact with the victim, as well as restraining orders prohibiting perpetrators from entering or remaining in the marital home. In Cyprus, protection orders may be imposed under both criminal law and civil law.

Under criminal law, protection orders are regulated by:

- (i) Specific laws on forms of interpersonal and violence in the family, namely by the Violence in the Family (Prevention and Protection of Victims) Laws 2000 and 2004 (as amended);
- (ii) Prevention and Combatting of Violence against Women and Domestic Violence Law 2021.

Under civil law, protection orders are regulated by family law, specifically by the Parents' and Children's Relations Law 1990 (as amended).

The protection measures under criminal law can be adopted either before judicial proceedings (provisional restraining order) or afterwards (restraining order) and the duration of these measures is variable. In addition, protection orders can be adopted independently from other legal proceedings.

There is no data available to ascertain the number and type of protection orders issued for victims of violence/abuse in Cyprus. It is therefore not possible to assess their prevalence or effectiveness in protecting victims. Furthermore, it is not possible to assess which factors legal

authorities generally take into account when deciding on the duration and the conditions of a protection order.³⁶

In addition, there is no information as to whether protection orders are actively monitored or whether it is generally left up to the victim to report violations. It is also not possible to ascertain which activities monitoring authorities undertake to check compliance with protection orders, as data is not available.³⁷

There is no data available to ascertain the number and type of protection orders issued for victims of violence/abuse in Cyprus. There is no formal register of protection orders and the competent authorities, such as the police and the Social Welfare Services do not collect data on protection orders. It is therefore not possible to assess their prevalence or effectiveness in protecting victims. Furthermore, it is not possible to assess which factors legal authorities generally take into account when deciding on the duration and the conditions of a protection order.

VII. Migration and asylum

(Chapter VII of the Convention, Articles 59 to 61)

Please provide information on the measures taken in relation to migrant women victims of violence as covered by the Convention, whose status makes them particularly vulnerable.

Please also provide information on the measures taken in relation to women asylum seekers who are fleeing gender-based violence.

In relation to preventing gender-based violence in reception centres, the Refugee Law 2000 (6(I)/2000)³⁸ provides that the competent authorities shall take into consideration gender and age-specific concerns and the situation of disadvantaged groups and that appropriate measures shall be taken in order to prevent assault and gender-based violence, including sexual assault and harassment.³⁹ Up until today, there are no specific guidelines or procedures in effect to guarantee the efficient implementation of these provisions.

The Refugee Law 2000 (6(I)/2000)⁴⁰ sets out an identification mechanism for vulnerable persons arriving to Cyprus as asylum seekers. Specifically, it provides that an individual assessment shall be carried out to determine whether a specific person has special reception needs and / or requires special procedural guarantees, and the nature of those needs. These individualised assessments should be performed within a reasonable time period during the early stages of applying for asylum, and the requirement to address special reception needs and / or special procedural guarantees applies at any time such needs are identified or ascertained. However, in the absence of specific legislative or procedural guidelines, the identification and assessment of special reception and procedural needs take place

³⁶ Pavlou, S., Shakos, A. (2020), The application of the EC Directive 2011/99/EU and the European Protection Order: Cyprus, Mediterranean Institute of Gender Studies. Available at: https://www.artemis-europa.eu/wp-content/uploads/2020/09/ARTEMIS-Research-Report_Cyprus.pdf

³⁷ Ibid.

³⁸ Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000): http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html

³⁹ Article 9ΙΔ(7) Refugee Law

⁴⁰ GLIMER Cyprus Policy Brief: Addressing the gendered dynamics of asylum seeker and refugee integration provision in Cyprus <https://www.glimer.eu/wp-content/uploads/2020/09/WP6-Policy-Brief-Cyprus.pdf> and European Council on Refugees and Exiles (ECRE), AIDA Country Report: Cyprus 2019 update https://asylumineurope.org/wp-content/uploads/2021/04/AIDA-CY_2020update.pdf

fragmentally, while the assessment tools and approaches to be used are neither defined nor standardised.⁴¹

Regarding the right to choose the gender of the asylum examiner and the interpreter, the Refugee Law 2000⁴² provides that they can be of the same gender as the applicant, but only if they make such a request. However, due to the absence of information and legal advice or representation, most applicants do not have knowledge of this right in order to make such a request.⁴³

It has been well documented that increasing numbers of women, either alone or with family, are seeking protection from conflict and violence in their countries, and that these women are often subject to violence during their journey and/or on arrival in a destination country. Despite this, there is a general lack of data concerning SGBV among asylum seeking and refugee women as well as a low rate of reporting due to victim shaming, limited access to services, and legal vulnerability (European Parliament, 2016).

An unpublished study carried out by MIGS in 2020, 50% of women arriving during the period March to November 2019 had reported some form of SGBV. Other groups clearly identified as being at heightened risk of SGBV, include children and LGBTQI+ individuals. Despite this, reception and integration policies, procedures, and support services fail to take into account the specific needs of SGBV survivors, prevent further risk of SGBV, and fail to contribute to healing and recovery.

A recent study revealed that migrant women are the majority of victims of femicide in Cyprus. Migrant women often do not have access to services or lack adequate specialised support due to cultural, economic and other barriers, as well as institutional racism. He stressed that this calls for a re-examination of the Cyprus government's reservation to Article 59 of the Istanbul Convention in relation to autonomous residence permits for migrant women experiencing violence.

Research shows that bullying to exclude or lose residency is a very powerful tool used by perpetrators so that victims of domestic violence and domestic violence do not seek help from the authorities or move away from the perpetrator.

Research shows that fear of losing residency, their right to their children, or being deported, is a very powerful tool used by perpetrators so that victims of violence against women and domestic violence do not seek help from the authorities. As a result, many of the victims, whose residence status depends on that of the perpetrator, remain in relationships where they are forced to endure situations of abuse and violence for a long period of time.

Pursuant to Article 26 (2) (c) of the Law on the Right of Citizens of the Union and Members of Their Families to Move and Reside Free in the Republic, in the case of a third-country national who is the spouse of a European citizen:

(2) Divorce or annulment of the Union citizen's marriage shall not entail loss of the right of residence of the family members of a Union citizen who are not nationals of a Member State where:

⁴¹ European Council on Refugees and Exiles (ECRE), AIDA Country Report: Cyprus 2019 update https://asylumineurope.org/wp-content/uploads/2021/04/AIDA-CY_2020update.pdf

⁴² Article 13A(9)(b) and 13A(9)(b) of the Refugee Law

⁴³ European Council on Refugees and Exiles (ECRE), AIDA Country Report: Cyprus 2019 update https://asylumineurope.org/wp-content/uploads/2021/04/AIDA-CY_2020update.pdf

c) this is warrant by particularly difficult circumstances, such as the family member having been a victim of domestic violence, as this is laid down in The Violence in the Family (Prevention and Protection of Victims) Law while the marriage was subsisting;

However, this provision does not apply to migrant women married to Cypriot citizens but to other EU nationals living in Cyprus.

As for undocumented immigrants who are victims of any form of violence, their situation is even more precarious with no legal rights.

