



European
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Charter

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EUROPEAN SOCIAL CHARTER

17th National Report on the implementation of
the European Social Charter

submitted by

THE GOVERNMENT OF CYPRUS

Articles 7, 8, 19, and 27

for the period 01/01/2018 – 31/12/2021

Report registered by the Secretariat on

24 February 2023

CYCLE 2023

Appendix Revised Charter

Questions on Group 4 provisions (Conclusions 2023)

Children families and migrants

Article 7 – The right of children and young persons to protection

With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

1. to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education;

a) *Please provide information on the measures taken by the authorities (e.g. Labour Inspectorates and social services) to detect child labour, including children working in the informal economy. In this regard, please provide information on the number of children actually working (either from existing statistics on this issue or from surveys to be conducted to obtain such information), as well as on measures taken to identify and monitor sectors where it is strongly suspected that children are working illegally (General question, Conclusions 2019).*

The Cyprus national Law regarding the Protection of Young Persons at Work (Law no. 48(I)/2001, as amended) prohibits the employment of any person under the age of 15. Occupational Safety and Health issues regarding young persons are dealt with in detail in the Safety and Health at Work (Protection of Young Persons) Regulations of 2012, as amended in 2015, whereas other labour issues (such as working times, records which must be kept by employers regarding young persons' employment) are dealt with in detail by the Protection of Young Persons at Work Regulations of 2012 (P.I. 78/2012, as amended).

It is noted that the Occupational Safety and Health (OSH) Regulations for protecting young persons (P.I. 77/2012 and P.I. 43/2015), which harmonize Cyprus national legislation with the relevant European Directive 94/33/EC, are enforced by the Department of Labour Inspection (DLI), whilst the Protection of Young Persons at Work Regulations (P.I. 78/2012, as amended) fall under the responsibility of the Department of Labour (DL), both Departments of the Cyprus Ministry of Labour and Social Insurance.

Inspections of workplaces carried out by the Department of Labour Inspection Inspectors focus on OSH issues. During the reference period (1.1.2018 until 30.12.2021), no cases of child labour, nor children working in the informal economy were found.

The Labour inspectorate is the appropriate authority for the enforcement of 30 different Labour Laws. More than 6000 inspections are conducted every year and almost 15000 employees are met. Among other issues employment of young persons according to the specific Law is examined. No cases of child labour were found during the inspections.

b) *If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

Conclusions 2015

The Committee concludes that the situation in Cyprus is not in conformity with Article 7.1 of the Charter on the ground that the duration of light work during non-school days is excessive.

As regards Conclusions of 2015 concerning articles 7.1 and 7.3 please note the following:

1. According to Law on Protection of Young Persons in Employment (48(I)/2001), work and compulsory school attendance cannot go hand in hand. This applies universally as it conflicts with the ban on work for individuals under 15 years of age (article 5).
2. According to articles 7 and 6 of the Law respectively, the only ways to employ a child who has not yet turned 15 years of age, are:
 - a) Either to participate in cultural and related activities where participation times apply by age (2 hours a day for children up to 6 years, 3 hours for children 7-12 and 4 hours a day for children 13-15 years old). The hours of daily work should not coincide, during the school term, with school teaching hours – article 7(4) 48(I)/2001¹, or
 - b) the child has reached the age of 14 and has either successfully completed the high school cycle or has been exempted from the obligation to attend school after approval by the Ministry of Education and can therefore be placed in a combined work/training program with the aim of learning a profession or qualification² – article 6(1) 48(I)/2001.
3. It should be stressed that the 7 hours and 15 minutes of employment only apply to paragraph 2 (b) above, that is, children who have reached the age of 14 and will enter a training program, the prerequisite being that they have either completed their high school cycle studies or have been exempted following a decision by the Minister.
4. Moreover, according to article 7(6) of the Law, it is prohibited to employ children in activities from 19.00 to 7.00 except during the months of June to September when the prohibition hours are between 20.00 and 7.00.
5. Furthermore, according to Regulation 78/2012, and in compliance with article 7.4 of the Law, the continued appearance of a child in a cultural or related activity should not exceed –
 - i. 30 minutes for children up to 6 years old
 - ii. 45 minutes for children aged 7-12
 - iii. 1 hour for children aged 13-15.

¹ A permit is granted for each child for the time of employment, continued or interrupted, which cannot exceed in total the period of 3 months per year for each child (Article 7(3) of the Law).

² After a special permit has been issued by the Minister for the specific program.

6. In addition, according to article 16 of the Law, in case that the daily working time³ exceeds 4.5 hours, a break⁴ of 30 continued minutes is provided to the young person⁵.
7. For children under the provisions of article 6(1) work in an enterprise within the framework of a combined training/work program is included in the working time.

The Law also provides:

- The minimum rest period provided for, is 14 continuous hours in any 24-hour period (article 9),
- A child who attends evening educational courses is not allowed to work after 16.00 during the days of this education (article 8(2)).
- Every child who is employed based on article 6 (paragraph 2(b) above) will be entitled to a weekly minimum rest of 2 consecutive days (48 hours), one of which must coincide with a Sunday, unless organizational or technical reasons dictate the child's employment on Sunday (article 10).
- According to Article 11 of the Law and in compliance with provisions of article 7(6) no child should be employed in any kind of work between the hours of 19.00 to 7.00.
- Children attending a training program at least one (1) month of summer leave is mandatory during school holidays (Article 6(3) of the amending Law 15(I)/2012).

2. to provide that the minimum age of admission to employment shall be 18 years with respect to prescribed occupations regarded as dangerous or unhealthy;

No information required. However, if the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the question(s) raised.

Conclusions 2015

The Committee recalls that the situation in practice should be regularly monitored and asks that the next report provide information on the number and nature of violations detected by the Labour Inspection as well as on sanctions imposed for breach of the regulations regarding prohibition of employment under the age of 18 for dangerous or unhealthy activities.

Sanctions imposed in all cases of workplace accidents depend on the circumstances, the severity and the suitability of any preventive and protective measures required to be taken by the employer, as prescribed by the Safety and Health at Work Laws of 1996 up to 2020. The Department of Labour Inspection (DLI) of the Ministry of Labour and Social Insurance, as the competent Authority for Occupational Safety and Health (OSH) in Cyprus enforces the legislation using the

³ Working time: means the time period of the young persons' presence in their employment, during which they are at the disposal of the employer and carry out their activities or duties, including the breaks to which the young person is entitled according to the provisions of the law.

⁴ Break: means any period during which the young person interrupts their employment for the purpose of rest in accordance with Article 16.

⁵ Young person according to article 2 of the Law is defined as an individual under the age of 18 years of age

following legal tools: (a) legislative contravention letters addressed to employers, (b) out of court fixed monetary fines, and (c) criminal prosecution before a Court of Law.

In the case of the 32 workplace accidents to young persons at work (under 18 years of age) during the period of 2010-2013 inclusive, the DLI sent out contravention letters to each of the employers involved, through which compliance with the OSH legislation was required, within a predefined time-frame. Even though criminal prosecution was not carried out in the 32 cases mentioned above, due to the nature of the accidents to young persons (non fatal, not severe injuries mostly in the Hotel, Restaurant and Catering industry), in certain cases criminal prosecution of the employers involved was carried out due to the failure of the employer to comply with the (a) provisions of the Safety and Health at Work Laws, and (b) The Management of Safety and Health at Work Issues Regulations. In most cases, the main OSH contravention in workplaces was the absence of a suitable written risk assessment, to safeguard the safety and health of the employed persons.

During the years 2014 – 2020 inclusive, the number of workplace accidents to young persons at work, notifiable to the DLI in accordance with the legislation, is listed in the following table. None of the accidents was fatal and did not lead to serious injury. Measures were demanded by the DLI for relevant employers to comply with the OSH legislation. There were not any breeches of the Safety and Health at Work (Protection of Young Persons) Regulations of 2012 and 2015, regarding employment of persons under 18 years of age in dangerous or unhealthy activities, as defined by the Regulations.

Year	Total No. of Workplace accidents	No. of workplace accidents to Young Persons at Work	Percentage of accidents to young persons (of total workplace accidents)
2014	1618	7	0.4%
2015	1596	3	0.2%
2016	1905	7	0.4%
2017	2070	9	0.4%
2018	2156	9	0.4%
2019	2168	5	0.2%
2020	1527	1	0.1%

3. to provide that persons who are still subject to compulsory education shall not be employed in such work as would deprive them of the full benefit of their education;

No information required. However, if the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.

Conclusions 2015

The Committee concludes that the situation in Cyprus is not in conformity with Article 7.3 of the Charter on the grounds that:

- **the duration of light work during school term for children aged 13-15 is excessive**
- **the duration of light work for children subject to compulsory education on non-school days is excessive.**

Please refer to answer in 7.1.

7. to provide that employed persons of under 18 years of age shall be entitled to a minimum of four weeks' annual holiday with pay;

No information required. However, if the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.

Conclusions 2015

The Committee asks confirmation that the above mentioned provisions apply to young workers under 18 years of age as well.

According to Article 2 of the Annual Holidays with Pay the term "Employee" has the same meaning as the term "employee" as interpreted in article 2 of the Social Insurance Law.

In addition, Article 3(1) of the said Law states that: "Each employee is entitled to a leave granted to him by virtue of the provisions of this Law."

There is no exception because of age.

According to Article 2 of the Social Insurance Law "employee" means a person engaged in any insurable employment specified in Part I of the First Schedule. There is no provision in the Social Insurance law stipulating age

In view of all of the above the said provisions apply to young workers under 18 years of age.

The Committee asks whether in the event of illness or accident during the holidays, young workers have the right to take the leave lost at some other time. It also asks whether young workers are allowed to waive their right to annual leave in return for increased remuneration.

According Article 6(1) of the Annual Holidays with Pay (Law No. 8 of 1967) Law states:

"The following are not counted as annual leave days:

- (a) public holidays established by law, custom or convention;
- (b) the period of maternity leave and the period of paternity leave;
- (c) days of incapacity for work due to accident or illness;
- (d) days of strike or counter-strike (lock-out);
- (e) any period for which notice of termination of employment was given;
- (f) the parental leave period and the force majeure leave period;
- (g) the period of care leave.

According to Article 6(2)

"If one of the cases in sub-section (1) is issued for a long-term leave, the leave is considered to have been interrupted and is completed as far as possible within that year".

The Committee recalls that the satisfactory application of Article 7 cannot be ensured solely by the operation of legislation if this is not effectively applied and rigorously supervised. It recalls that the situation in practice should be regularly monitored and asks that the next report provide information on the monitoring activities of the Labour Inspectorate, its findings and sanctions imposed in cases of breach of the applicable regulations to paid annual holidays of young workers.

According to the existing legislation, workers, both adults and young workers, are not allowed to waive their right to annual leave in return for increased remuneration.

Inspections of the Labour Inspectorate include the application of the right to paid annual leave for young workers. Cases of breach result in filing penal cases, however numbers of convictions or sanctions imposed concerning young workers in specific cannot be extracted.

8. to provide that persons under 18 years of age shall not be employed in night work with the exception of certain occupations provided for by national laws or regulations;

No information required. However, if the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.

Conclusions 2015

The Committee requests information on the proportion of young workers not covered by the ban on night work, including on the number of young workers employed in the above-mentioned sectors.

The Committee requests information showing that these exceptions are necessary for a proper functioning of the relevant economic sector and that the number of young workers concerned is low.

The Committee recalls that the situation in practice should be regularly monitored and asks that the next report provide information on the monitoring activity of the Labour Inspection, its findings and applicable sanctions in relation to possible illegal involvement of young workers under 18 in night work. It also asks information on the activity of the Labour Inspection of supervising the above mentioned derogations for young workers of at least 16 years of age in practice.

No young persons are employed during the aforementioned night hours.

10. to ensure special protection against physical and moral dangers to which children and young persons are exposed, and particularly against those resulting directly or indirectly from their work.

a) *Please provide updated information on the measures taken to strengthen the protection of children, including migrant, refugees, and displaced children, from sexual exploitation and abuse (in particular in response to the risks posed by the Covid-19 pandemic) during the reference period, including information on the incidence of such abuse and exploitation.*

With regards to the measures taken to protect all children, in cases where any person under 15 years of age is invited to perform in cultural and related activities (e.g. theatre or TV show, TV or radio advertisement), an application to a Committee set up under the Protection of Young Persons at Work Regulations must first be made, in order for the Committee to grant a license for the child to participate in the event, subject to the provisions of both sets of Regulations, duly enforced by the DLI and the DL, with the participation of the Social Services of the Deputy Ministry of Welfare.

b) Please provide information on the impact of the Covid-19 pandemic on the monitoring of the exploitation and abuse of children, as well as measures taken to strengthen monitoring mechanisms.

The Covid-19 pandemic impacted all aspects of work activities in Cyprus. Regarding the protection of children participating in the above described activities, new guidelines were issued to employers to safeguard the safety and health of employed persons, including children, to minimize the risk of Covid-19 infections.

c) Please provide information on the protection of children from all forms of violence, exploitation and abuse in the digital environment, in particular sexual exploitation and abuse and solicitation for sexual purposes (grooming).

The Republic of Cyprus, during the reporting period, continued its efforts for the protection of children against any form of violence, including sexual abuse and exploitation.

The Violence in the Family (Prevention and Protection of Victims) Laws of 2000 and 2004 [L.119(I)/2000 and L.212(I)/2004] were amended in 2015, 2017 and 2019. The amendments provide for the rights of children, victims of violence, to psychological support, even without the consent of the parents/guardians.

The Implementation of the National Strategy for the Prevention and Combating of Sexual Abuse and Sexual Exploitation of Children and Child Pornography Law of 2017 [L.112(I)/2017] was enacted. Among others, the Law provides for the creation of a Committee and a Council responsible for the implementation of the National Strategy, which was approved by the Council of Ministers in 2018. In October 2021, a new three-year action plan that includes preventive and protective measures, was approved by the Council of Ministers.

A National Action Plan on the Prevention and Combating of Violence in the Family 2017–2019, has been prepared by the Advisory Committee on the Prevention and Combating of Violence in the Family in cooperation with all the relevant Ministries/Services/other stakeholders and approved by the Council of Ministers on May 25, 2017. A new National Action Plan is being prepared by the newly established National Coordinating Body for the Prevention and Combating of Violence Against Women, which among other will include actions based on the provision of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

The Children's House (CH) has been in operation since September 2017, under the supervision and in cooperation with the Social Welfare Services of the Deputy Ministry of Social Welfare. The CH adopts a multidisciplinary approach in a child

friendly environment, while all services (forensic interview, medical/psychological/social services) are provided under one roof. A multidisciplinary/interagency team discusses the cases referred to the House once a week and also in emergency cases. This team consists of a Coordinator, a Social Worker and a Psychologist of the CH and representatives from the Social Welfare Services, the Police, the Ministry of Health and the Ministry of Education, Sport and Youth. The CH provides support and prepares the children for their testimony in Court. Furthermore, a recent development in legislation (the Witness Protection (Amended) Law of 2019 and the Violence in the Family (Prevention and Protection of Victims) (Amended) Law of 2019) allows a judge to use the CH for child testimony during trial through a teleconferencing system. This development is considered a step forward towards child friendly justice and highlights the significance of the CH in that direction.

During the pandemic, all the relevant services continued to receive referrals on child sexual abuse and exploitation and report the cases to the Children's House, which continued its operations. The Children's House in cooperation with the relevant services continued to handle cases of sexual abuse and/or exploitation of children.

A helpline (1466) was created by an NGO and operates 24 hours, 7 days a week. The helpline was not only created for cases of sexual abuse and/or exploitation of children, but as a helpline to provide help and guidance to children and families. In case a sexual abuse of a child is reported to the line, the call center informs immediately the Children's House.

d) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.

Conclusions 2015

Protection against sexual exploitation - The Committee asks the next report to indicate whether the legislation provides protection against all forms of sexual exploitation of children, as outlined above, including simple possession of child pornography, until 18 years of age. In the meantime, the Committee reserves its position on this point.

It is noted that all the above are provisions are included in the national legislation (L. 91(I)/2014).

Protection against the misuse of information technologies - The Committee notes that the legislation was adopted outside the reference period. It wishes to be informed about its implementation.

The legislation (L. 91(I)/2014) is fully adopted and implemented.

Protection from other forms of exploitation - The Committee wishes to be informed of the implementation of measures for protection of child victims. It also wishes to be informed of the measures taken to support street children

A children's rights perspective is incorporated in all relevant laws of Cyprus. Treaties and Conventions that have been ratified by the Republic of Cyprus, have superior force to any domestic law. The Convention on the Rights of the Child which has

been ratified and implemented by the Republic of Cyprus, since 1991, explicitly prohibits any form of violence against children, including corporal punishment.

The Violence in the Family (Prevention and Protection of Victims) Law of 2000–2019 explicitly prohibits corporal punishment against children (0–18 years) by a parent or any other family member or any person with parental authority over children.

The Penal Code has many provisions which penalize actions against the person. So in the hypothetical case when a teacher hits a student he will be charged with assault or causing bodily harm or similar offences contained in the Penal Code Cap.154.

Clause 6 of article 54 of Children Law was repealed in June 2013, in order for all legislation to explicitly prohibit all forms of corporal punishment of children in all settings, including the home and to fully conform with the provisions of the Convention of the Rights of the Child.

With regards to corporal punishment a relevant clause is also included in the Regulations of the Ministry of Education and Culture, based on the Law 99/1989 which regulate the operation of public secondary schools. Furthermore, the Ministry has issued in September 2009 a circular addressed to all head-teachers of public schools indicating that any form of corporal punishment in schools is strictly prohibited. Head-teachers were asked to discuss the circular during a staff meeting and consider it as a high priority. Similarly, with regards to school violence and school bullying another circular was sent to schools in April 2012 outlining the main international research results and asking teachers to intensify their efforts in early detecting such problems and immediately inform the competent authorities of the Ministry.

There is no specific legislation concerning street children. Children in need of care and protection are covered by national legislation.

Article 8 – The right of employed women to protection of maternity

With a view to ensuring the effective exercise of the right of employed women to the protection of maternity, the Parties undertake:

1. to provide either by paid leave, by adequate social security benefits or by benefits from public funds for employed women to take leave before and after childbirth up to a total of at least fourteen weeks;

a) Please provide information whether the Covid-19 crisis had an impact of on the right to paid maternity leave (in particular whether all employed women concerned – in the private as in the public sector - continue to receive at least 70% of their salary during the whole length of the compulsory maternity leave during the Covid-19 crisis).

The right to maternity leave has not been affected by the crisis. All women who fulfill the relevant insurance conditions and were entitled to maternity benefit received the benefit at 72% of their salary. The maternity benefit is provided for 18 weeks. In addition, the Social Insurance (Amendment) Law 168(I)/2021 increased the period for which maternity benefit is paid for a second, third or even subsequent births /adoption /acquisition of a child through a surrogate mother. In particular, the maternity benefit is it extended from 18 to 22 weeks for all cases of second childbirth / adoption / childbirth by surrogate mother, and to 26 weeks in cases of third childbirth / adoption / childbirth by surrogate mother, for the purpose of caring for the newborn and balancing the professional family life. Furthermore, the periods for which insured persons received special Covid benefits were considered as paid insured periods for the purpose of entitlement of benefits (including maternity benefits)

b) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.

Conclusions 2015

...The Committee accordingly asks the next report to clarify whether interruptions in the employment record are taken into account in the calculation of the qualifying period for entitlement to maternity allowance and whether the minimum rate of such allowance corresponds at least to the poverty threshold, defined as 50% of the median equivalised income, calculated on the basis of the Eurostat at-risk-of-poverty threshold value.

The Committee furthermore notes that maternity allowance is still based on the wages earned in the previous insurance contribution year, instead of those earned in the months closer to maternity leave. In this respect, the Committee asks the next report to provide information on the situation of employed women who do not qualify for maternity allowance.

Pending receipt of the requested information, the Committee concludes that the situation in Cyprus is in conformity with Article 8§1 of the Charter.

Certain interruptions of the employment record give rise to insurance credits which may be used to fulfil the second qualifying condition of paid or credited insurable

earnings, in the previous contribution year not lower than 20 times the weekly amount of the basic insurable earnings.

Insurance Credits are provided for the following interruptions of the employment record:

1. Every period after the age of 16 years for which the insured person is in full time education
2. for each period beginning on the first day of the contribution year immediately preceding that in which he became insured and ending on the last day of the contribution period preceding that in which the insured person became insured;
3. for each day during which he/she is entitled to sickness, unemployment, maternity parental leave, paternity or employment injury benefits
4. for the period of time during which he/she is entitled to a invalidity pension
5. for each day which is for him/her a day of incapacity for work or unemployment, if he/she is ordinarily engaged in insurable employment as defined in Part I of the First Schedule and ordinarily earns his/her livelihood by such employment;
6. for each day of incapacity for work forming part of a period of interruption of employment which follows the exhaustion of his/her entitlement to sickness benefit, if he/she is ordinarily engaged in insurable employment as specified in Part I of the Second Schedule and ordinarily earns his/her living from such employment:

Provided that, the total period for which an insured person is considered to have insurable earnings pursuant to paragraphs 5 and/or 6 cannot be longer than six (6) months in each period of interruption of employment;

7. for any period during which he is absent from work on carers leave or absent due to force majeure.

The 1st insurance condition stipulates that a person should have been paid contributions at least 26 weeks and have paid 26 times the weekly amount of basic insurable earnings from the beginning of the person's insurance career regardless if there are any gaps in employment. All periods are assimilated to meet this condition

The second qualifying condition refers to the insurable earnings of previous year and those earnings can be paid or credited. Hence for the gaps in the employment record for the reasons described above the insurance record is credited with contributions.

As a result the legislation provides an income to those women with very large gaps in their employment record

Minimum maternity benefit: There is no minimum benefit stipulated in the legislation. The level of benefit corresponds to the earnings (in respect of level of earnings and any gaps in employment) and the "minimum benefit" is calculated on the basis of a person meeting the minimum requirements for qualification of benefit.

In 2021 the Median equivalized income for females aged 16-64: €17,113 or €328.21 weekly

Source:

Eurostat

https://ec.europa.eu/eurostat/databrowser/view/ILC_DI03_custom_4241974/default/table?lang=en

Poverty Threshold: €164.1 weekly

“Minimum benefit” for 2021: €52.29 weekly

However as mentioned the level of benefit depends on the second qualifying condition which can be fulfilled entirely by insurance credits. In other words the benefit is payable even if in the previous contribution year the applicant had no income. In addition the benefit is free of tax.

In the year 2021, 7913 applications were submitted, of which 661 applications were rejected, i.e. 8.4%.

The reasons for rejection are as follows:

1. Insufficient weeks of insurance (33 applications) **5% of rejected**
2. Insufficient contributions in the reporting year (your insurable earnings in 2020 were less than €3679.2 which is the minimum amount based on which an insured person is entitled according to the Social Insurance Legislation). (359 applications) **54.31% of rejected**
3. Insufficient contributions (insurance earnings up to the day your maternity leave started were less than €4573.40 which is the minimum amount based on which an insured person is entitled according to the Social Insurance Legislation). (107 applications) **16.19% of rejected**
4. Double benefit (82 applications) **12.41% of rejected**
5. Late submission. (22 applications) **3.32% of rejected**
6. Not registered in the Social Insurance Scheme (23 applications) **3.48% of rejected**
7. Other reason (eg full salary). (35 applications) **5.29% of rejected**

Maternity Benefit applications for the years 2014-2020

YEAR	APPROVED	REJECTED
2014	6343	708
2015	6596	884
2016	5953	716
2017	6146	775
2018	7003	805
2019	6446	560
2020	6548	620

2. to consider it as unlawful for an employer to give a woman notice of dismissal during the period from the time she notifies her employer that she is pregnant until the end of her maternity leave, or to give her notice of dismissal at such a time that the notice would expire during such a period;

Please provide information:

- i) whether the Covid-19 crisis had an impact on the possibility of dismissing pregnant employees and employees on maternity leave and*
- ii) whether there were any exceptions to the prohibition of dismissal during pregnancy and maternity leave during the pandemic.*

i) According to the data of the Department of Labour, Covid-19 had no impact on the possibility of dismissing pregnant employees and employees on maternity leave. Such a behavior would be considered cause of discrimination in employment under the Law on Equal Treatment between Women and Men in Vocational Training and Employment Law of 2002 to 2021 because it is deemed unlawful according to the aforementioned legislation.

ii) No exceptions during the pandemic. The only exceptions are the ones referred to in the previous reports and are provided under the section 4B of the Protection of Maternity Laws of 1997 to 2022.

- b) If the previous conclusion was one of non-conformity, please explain whether and how the non-conformity was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

Conclusions 2015

Prohibition of dismissal: The Committee takes note of the report's statement that there is no example of how the courts interpret the abovementioned notion because no such case was filed during the reference period. It reiterates nevertheless its request for relevant examples of case law, if any, to be provided in the next report.

Conclusion – Pending receipt of the requested information, the Committee concludes that the situation in Cyprus is in conformity with Article 8.2 of the Charter.

No such case has been filed during the reference period.

Please find attached a relevant example of case law



Αρ Αίτησης
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5. to prohibit the employment of pregnant women, women who have recently given birth or who are nursing their infants in underground mining and all other work which is unsuitable by reason of its dangerous, unhealthy or arduous nature and to take appropriate measures to protect the employment rights of these women.

- a) *Please provide updated information to confirm that no loss of pay results from the changes in the working conditions or reassignment to a different post and that the women concerned retain the right to return to their previous employment at the end of the protected period.*

In the case a woman cannot be employed in her workplace due to health and safety concerns and as a result, she is transferred to another post or, should such transfer not be possible, she is granted leave instead, States Parties must ensure that during the protected period, she is entitled to her average previous pay or provided with a social security benefit corresponding to 100% of her previous average pay. Further, she should have the right to return to her previous post.

In case of changes in the working conditions or reassignment to a different post of pregnant women, no loss of pay results from that and women concerned retain the right to return to their previous employment at the end of the protected period.

In case of unjustified salary deduction, the provisions of the Protection of Wages Law of 2007-2012 apply. According to this law, no deductions are permitted.

The Protection of Maternity (Safety and Health at Work) Regulations of 2002 (P.I. 255/2002), as amended in 2015, harmonize the Cyprus Legislation with the provisions of European Union Directive 92/85/EEC on the application of measures to improve the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding.

The competent authority for the enforcement of these Regulations is the DLI of the Cyprus Ministry of Labour and Social Insurance. The provisions of the Regulations apply at any time where employed persons include women of child bearing age and where ever the nature of the work being carried out may create risks to the safety and health of women who are pregnant, who have recently given birth or who are nursing.

According to Regulation 3 of the Protection of Maternity (Safety and Health at Work) Regulations, in cases where the application by the employer of the results of the risk assessment does not avoid risks to the safety and health of employed women who are pregnant, who have recently given birth or who are nursing, the employer must take all necessary measures to avoid those risks by changing the working conditions or the working time arrangements for the women workers involved. In case these changes are not feasible in practice, the employer must relieve the concerned worker of her work and assign different work to her which does not involve risks to her safety and health for as long as this is required. If the above is still not feasible, and so long as this is duly justified, then the woman involved must be relieved of her work duties for as long as this is required to safeguard her safety and health without adversely affecting any of her rights, including her salary. Additionally, employers may not allow employed women who are pregnant, who have recently given birth or who are nursing to carry out work duties defined in the Regulations (Annex II, Section A for pregnant women and Section B for nursing women).

- b) *If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

Conclusions 2015

The Committee asks the next report to confirm that the abovementioned legislation applies to all employed women, whether in the private or in the public sector. As regards the possibility for the concerned employees to be temporarily transferred to another work or exempted from their duties while the risk persists, the Committee asks whether they maintain a right to reinstatement to their post when their condition permits it.

It furthermore asks the next report to provide a copy (in English or French) of the abovementioned annexes, identifying specific hazards. It recalls in this respect that Article 8§5 of the Charter requires national law to prohibit the employment of pregnant women, women who have recently given birth and women nursing their infants in underground work in mines (with the exception of women who occupy managerial posts and do not perform manual work; work in health and welfare services or spend brief training periods in underground sections of mines). National law should also ensure a high level of protection against all known hazards to the health and safety of women who come within the scope of Article 8§5, in particular as regards activities involving exposure to lead, benzene, ionizing radiation, high temperatures, vibration or viral agents. The Committee asks the next report to indicate whether underground work in mines is prohibited and how the dangerous activities involving exposure to the specific risks mentioned above are regulated for the group of women concerned.

The relevant legislation in Cyprus is the Protection of Maternity (Safety and Health at Work) Regulations of 2002 (No. 255/2002) as amended in 2015 by P.I. 42/2015, to take into account the European Regulation

No 1272/2008 on Classification, Labelling and Packaging of substances and mixtures (CLP).

These Regulations, issued under the Safety and Health at Work Laws of 1996 to 2020, harmonize the Cyprus Legislation with the provisions of European Union Directive 92/85/EEC on the application of measures to improve the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding.

The Regulations apply to all employed women, whether in the private or in the public sector in Cyprus.

As regards the possibility for the concerned employees to be temporarily transferred to another work or exempted from their duties while the risk persists, according to the Regulations, such an arrangement should be in force for as long as necessary to avoid risks to the safety and health of the pregnant employed women, the nursing employed women or to those who have recently given birth. This arrangement is based on the results of the risk assessment which the employer must carry out to assess the risks to the safety and health of all his employed persons. No other rights of these categories of workers must be adversely affected. Therefore, employers must reinstate them to their post when their condition permits it.

— A copy in English of the **Annex** to the above mentioned Regulations is duly attached. This is an unofficial translation of the original legal text in the Greek language and in case of ambiguity, the Greek text prevails.

Regarding underground mining work, this is expressly prohibited in accordance with the First Table and the Second Table in the Annex to the Protection of Maternity (Safety and Health at Work) Regulations, listed above, regarding working conditions for the pregnant employed women, the nursing employed women or to those who have recently given birth.

Article 19 – The right of migrant workers and their families to protection and assistance

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

- 1. to maintain or to satisfy themselves that there are maintained adequate and free services to assist such workers, particularly in obtaining accurate information, and to take all appropriate steps, so far as national laws and regulations permit, against misleading propaganda relating to emigration and immigration;**
- 2. to adopt appropriate measures within their own jurisdiction to facilitate the departure, journey and reception of such workers and their families, and to provide, within their own jurisdiction, appropriate services for health, medical attention and good hygienic conditions during the journey; Pending Υπουργείο Υγείας**
- 4. to secure for such workers lawfully within their territories, insofar as such matters are regulated by law or regulations or are subject to the control of administrative authorities, treatment not less favourable than that of their own nationals in respect of the following matters:**
 - a) remuneration and other employment and working conditions;**
 - b) membership of trade unions and enjoyment of the benefits of collective bargaining;**
 - c) accommodation;**
- 5. to secure for such workers lawfully within their territories treatment not less favourable than that of their own nationals with regard to employment taxes, dues or contributions payable in respect of employed persons;**
- 6. to facilitate as far as possible the reunion of the family of a foreign worker permitted to establish himself in the territory;**
- 7. to secure for such workers lawfully within their territories treatment not less favourable than that of their own nationals in respect of legal proceedings relating to matters referred to in this article;**
- 8. to secure that such workers lawfully residing within their territories are not expelled unless they endanger national security or offend against public interest or morality;**
- 9. to permit, within legal limits, the transfer of such parts of the earnings and savings of such workers as they may desire;**
- 10. to extend the protection and assistance provided for in this article to selfemployed migrants insofar as such measures apply;**
- 11. to promote and facilitate the teaching of the national language of the receiving state or, if there are several, one of these languages, to migrant workers and members of their families;**
- 12. to promote and facilitate, as far as practicable, the teaching of the migrant worker's mother tongue to the children of the migrant worker.**

No information required. However, if the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.

19.1 to maintain or to satisfy themselves that there are maintained adequate and free services to assist such workers, particularly in obtaining accurate information, and to take all appropriate steps, so far as national laws and regulations permit, against misleading propaganda relating to emigration and immigration;

Conclusions 2015

The Committee stresses the importance of promoting responsible dissemination of information, and of deterring the promulgation of discriminatory views. It considers that in order to combat misleading propaganda, there must be an effective system to monitor discriminatory, racist or hate-inciting speech, particularly in the public sphere. Committee asks whether such a system exists in Cyprus, and if so it requests detailed information on its activities.

It asks for complete and up-to-date information on any measures taken to target illegal immigration and in particular, trafficking in human beings.

Conclusion - Pending receipt of the information requested, the Committee defers its conclusion.

1. Trafficking in human beings - Legal framework

Law 60 (I) / 2014 ('Anti-trafficking Law')

The Prevention and Combat of trafficking and exploitation of persons and the protection of victims Law [60(I)/2014] came into force in April 2014. This law has replaced the 2007 Anti-Trafficking Law [87(I)/2007]. It is harmonized with the European Directives 2011/36/EU and 2004/81/EC, and implements other European and International Conventions, which Cyprus has ratified, such as: (i) the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, (ii) the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, (iii) the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and (iv) the Council of Europe Convention on Action against Trafficking in Human Beings.

The purpose of this Law is to take measures to prevent, suppress and combat the trafficking offence, exploitation and abuse of persons, to protect and support victims of such offences, to establish control mechanisms and to promote international cooperation for the implementation of the above measures.

The law covers firstly the type of criminal offences and the jurisdiction of Courts, and measures for the prevention, investigation and prosecution of such offences (Art. 6-28). Secondly, the law provides for the protection and promotion of the rights of victims without any discrimination and access to compensation (Art. 29-37). It also includes special provisions concerning support and protection of child

victims of trafficking, including in the context of criminal investigations (Art. 38-41, 58). Thirdly, the Law provides for the identification of victims and for support and protection measures (Art. 42-60). It thus describes the establishment of a National Referral Mechanism for the handling of THB cases and the referral of victims. This Mechanism provides that whenever a government department, service or NGO contacts potential victims, they refer them to the Social Welfare Services where victims receive information, especially concerning their rights regarding administrative and judicial proceedings. Potential victims are then referred to the Police which is the competent authority for the formal identification of victims. In the meantime, potential victims are placed at the governmental shelter. The law also provides for the rights of the victims and defines which competent authorities must provide such rights. Lastly, the Law provides for prevention and intervention programmes (Art. 61) and for the administrative structures to be put in place for the implementation of this Law, with the most important being the establishment of the Multidisciplinary Coordinating Group to combat Trafficking in Human Beings (THB) (Art. 62-70).

Law 60(I)/2014 has been amended in 2019 aiming to strengthen the prevention and prosecution framework. To this end, the amending law increases the penalties of the offences provided in the Law from 10 to 25 years, and when child victims are concerned, the penalty is life sentence. More specifically, the penalty for human trafficking is raised up to 25 years and when the purpose of human trafficking is for organ removal, or the victim is a child, then the penalty is raised to life imprisonment.

Furthermore, it amends article 17 concerning the criminalization of the use of services of victims, increasing the penalty from 3 years that was before, to 10 years or 50,000 euro, or both. It also introduces an article (17A) regarding the criminalization exclusively of the use of sexual services, stipulating that any person who asks for or receives or uses the services of a victim of sexual exploitation, is guilty of this offence. It therefore removes, for the case of sexual exploitation, the «reasonable assumption» condition.

The term “demand” is also introduced in the law, stipulating that it includes:

- a) The client, who asks and buys services of human trafficking;
- b) The trafficker, who recruits, puts into prostitution or exploits in any way the victims;
- c) The employer, who hires the services obliged to provide the victims;
- d) The owner of the club or other place of leisure where victims are exposed, and
- e) Any other person who is involved in any way in the trafficking chain.

In addition, the fact that a person (the user) may claim that he was not aware that the person from whom he received the service was a victim indeed, does not constitute a defence.

CAP 105 – Aliens and Immigration Law

The Aliens and Immigration Law (Chapter 105) regulates a variety of issues pertaining to the entrance, residence, status and general treatment of aliens and immigrants in Cyprus, including EU nationals. Relevant anti-trafficking provisions include among others sanctions on employers who illegally employ undocumented migrants, transposing thus European Directive 2009/52/EU.

CAP 154 – The Penal Code

The Penal Code brings together all major offences and prescribes criminal responsibility in Cyprus. It contains provisions pertaining to participation in offences, penalties, offences against public order, religion, personal liberty, property, human life and health, human dignity and fame etc.

Law No 109(I)/2014 ('Guaranteed Minimum Income Law')

The creation of a Guaranteed Minimum Income (GMI) ensures a minimum decent standard of living, based on criteria such as income, property ownership and composition of the family, as well as any specific needs. Law 109(I)/2014 covers Cypriots as well as all EU citizens if, for five years before making an application for support, they have resided and still reside legally and continuously in the free areas of the Republic of Cyprus. For third-country nationals (TCN), the legislation covers long-term residents (Law 129(I)/2014 'On Aliens and Immigration') and people whose legal status is based on the provisions of Law 59(I)/2014 'On Refugees', with the exception of asylum seekers. The legislation also covers the victims of trafficking and exploitation of human beings in accordance with the provisions of Law 60(I)/2014 'On Preventing and Combating Trafficking and Exploitation of Human Beings and Protecting Victims Thereof'.

Law No 95(I)/2001 ('Witness Protection Law')

The Witness Protection Law aims at the protection and assistance of witnesses, whose lives, physical integrity or freedom is threatened as a consequence of them being in possession of certain information or data regarding the perpetration of certain offences, which they provided or agreed to provide to judicial bodies and which are crucial for the purposes of the investigation and trial. It sets out the Protection Plan for Witnesses and for Collaborators of Justice, which contemplates measures such as non-disclosure of identity during legal proceedings, keeping the address of the victim as well as all documentation relating to the criminal proceedings confidential during the trial, housing in a safe and secret accommodation, and change of identity.

Law No 165(I)/2002 on the provision of free legal aid

The Legal Aid Law regulates the provision of aid to people otherwise unable to afford legal counselling, assistance and representation in Cyprus. It sets out the particular types of dispute where legal aid can be granted, the beneficiaries of that aid, the necessary documentation and the procedures which need to be followed for the provision of the aid.

Law No 133(I)/2004 on the European arrest warrant and the surrender procedures between Member States of the European Union

Law No 133(I)/2004 is a piece of legislation specifically intended to transpose into the Cypriot legal order Council Framework Decision 2002/584/JHA of 13

June 2002 on the European arrest warrant and the surrender procedures between Member States. Law No 133(I)/2004 introduces in Cyprus the simplified system of surrender of sentenced or suspected persons for the purposes of execution or prosecution of criminal sentences within the space of the European Union.

Law No 126(I)/2012 on Private Employment Agencies

This Law regulates the operation of the private employment agencies.

International conventions

Cyprus has ratified a series of relevant international conventions, namely the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and the Council of Europe Convention on Action against Trafficking in Human Beings. The application of these conventions is provided in Law 60 (I) / 2014.

Multidisciplinary Coordinating Group against Trafficking in Human Beings

The Multidisciplinary Coordinating Group (MCG) against Trafficking in Human Beings, chaired by the Minister of Interior, in his capacity as the National Coordinator, operates institutionally since 2007. The role of the MCG is for policy-making, for taking practical and operational measures and for coordination of actions to address the problem and examine solutions.

The Group is composed of all the relevant government services and of up to four NGOs. The following bodies are represented in the Multidisciplinary Coordinating Group: Ministry of Interior, Law Office of the Republic; Ministry of Justice and Public Order; Ministry of Foreign Affairs; Ministry of Labour, Welfare and Social Insurance; Ministry of Health; Ministry of Education and Culture; Police; Department of Labour; Social Welfare Services; Civil Registry and Migration Department; Asylum Service; National Machinery for the Rights of Women; Union of Municipalities of Cyprus; up to four NGO's.

The Group meets up to three times per year, and if need be, in smaller Ad-hoc groups to deal with specific issues.

Strategic Framework

National Action Plans against Human Trafficking (NAP):

The NAPs are adopted by the Multi-disciplinary Coordinating Group and endorsed by the Ministerial Council.

The first National Action Plan for the Coordination of Actions to combat Trafficking in Human Beings was drawn up in 2001. This was followed by several National Action Plans (NAPs), namely the 2010-2012 NAP, the 2013-2015 NAP, the 2016-2018 NAP, the 2019-2021 (prolonged until 2022).

From 2016 onwards, the NAPs include specific targets and practical measures, under the following 5 thematic areas: (I) Legal and Strategic Framework, (II) Repression and Prosecution, (III) Identification and Recognition of Vots, (IV) Protection and Support of VoTs, and (V) Prevention. Specifically, the 2016-2018 NAP aimed to provide a framework, in which real goals and specific actions were set out in order to combat THB and all its forms of exploitation. It consisted of chapters, including coordination, prevention, victims' identification, victims' support and protection, suppression, information gathering, education, international coordination, and evaluation.

The NAP 2019-2021 followed the framework established by the previous NAPs and comprised five chapters, namely (i) Legal and Strategic Framework, (ii) Crime repression and prosecution, (iii) Victim referral and identification, (iv) Victim protection and support, (v) Prevention. The chapters follow the structure of Law 60(I)/2014.

All actions included in the NAPs are funded by each competent Service. Cyprus has also access to funding from the EU in order to implement certain actions, such as awareness – raising campaigns, hotlines, etc.

Currently, the Multidisciplinary Coordinating Group against THB is in the drafting process of the new National Strategy and Action Plan for 2023-2026.

National Referral Mechanism (NRM) – Guide for handling victims of trafficking:

The NRM was drafted by the MCG and adopted in May 2016. It is based on Article 44 of Law 60(I)/2014. It defines the cooperation framework between the relevant services and between the relevant services and NGOs, in order to ensure the access of victims to their rights and to create a protective framework. The NRM provides mapping of the processes and the role of each government agency and competent NGOs, and the coordination of action, for the effective referral of the victims.

More specifically, according to the anti-trafficking Law, if a person or service believes or has reasonable suspicion that any person may be a victim of trafficking, he/she refers the potential victim to the Social Welfare Services. Social Welfare Officers provide potential victims with information and notify the Police anti-trafficking unit, who is responsible for the official identification of trafficking victims. It should be noted that victims are often identified in police raids following a complaint or inquiry, made by competent government agencies or NGOs. If the potential victim is identified by the Police, then a Social Welfare Officer attends the Police Office, in order to inform the victim about his / her rights.

Measures to address human trafficking and protection of victims

Apart from the legal framework, the Government undertakes a number of practical and action-oriented measures.

Support and protection of victims

As a matter of Law, victims are entitled to psycho-social services, health care, translation and interpretation services, education, vocational training and financial assistance. In order to safeguard and respect the rights of victims of trafficking, the Social Welfare Services of the Deputy Ministry of Social Welfare focuses on providing support and protection services to victims. All victims receive immediate support and assistance, including accommodation. Furthermore, victims are entitled to financial, psychological, and social support, which they receive from the government, in cooperation with non-governmental organizations.

Translation and interpretation services are provided to all victims of trafficking at the stages of protection and social support, during the period of their stay at the state shelter. Any interaction of the victim with the social welfare officers takes place in the presence and services of an interpreter qualified in the language needed.

It is important to mention that in close cooperation with the Anti-Trafficking Police Unit and the Attorney General Office, the Social Welfare Services are closely monitoring, supporting and protecting victims of trafficking during the court procedure, covering all their basic and special needs (travelling expenses, accommodation, personal and other expenses, etc). Also, victims of trafficking are monitored individually through a personal care plan prepared by the SWS with the contribution of other Services. The evaluation and the progress of the cases are discussed within the context of multidisciplinary meetings between the relevant Services.

In January 2022 the Ministry of Justice & Public Order and the Deputy Ministry of Social Welfare signed a Memorandum of Cooperation between the Police and the Social Welfare Services for the referral, handling, protection and briefing of potential and recognized victims of trafficking. Moreover, a Memorandum of Understanding will be signed between Police and Labor Inspectors Office on 16/01/2023, regarding human trafficking issues.

The government adequately trains staff to provide support to victims of trafficking. Victims are referred by the Social Welfare Officers to the Ministry of Health for mental and psychological assessment and to the Ministry of Labour for employment services, etc.

Social Welfare Services operate a specialized shelter for victims of trafficking with a capacity of 15 places. The shelter is one of the options available to accommodate only women victims of sexual exploitation. Upon admission the Social Welfare Officer informs the victim about the shelter regulations, their rights and obligations as well. The victim may remain in the shelter for a period not exceeding four (4) weeks. However, under certain circumstances accommodation can be extended.

In case a victim does not wish to stay in the shelter, financial and other support (housing provided by NGOs) is provided for as long as required. The government provides a rent subsidy and a monthly allowance for female sex trafficking victims who choose not to stay in the shelter as well as to female labor trafficking victims and all male victims. Also, trafficking victims have the right to apply for the Guaranteed Minimum Income Benefit (GMI), which aims to ensure a socially

acceptable minimum standard of living for persons (and families) legally residing in the Republic of Cyprus whose income and other economic resources are insufficient to meet their basic and special needs. It is a claim of last resort and is subsidiary to other claims. More specifically, victims are entitled to the monthly GMI which is in essence monetary support, but there are also supplementary allowances/ services as follows: rent allowance and house loan interest allowance (mutually exclusive), subsidies for municipality and other levies (no specified amount), extraordinary needs, care and assistance needs. Social Welfare Services also provide emergency financial assistance in cases of delayed distribution of monthly allowances.

All victims of trafficking and/or sexual exploitation that are non-EU citizens, both women and men, have free access to employment like Cypriots and EU citizens during the period of the judicial examination of their case. Victims who wish to work can visit the Public Employment Services where they are provided with support in finding employment by a suitably trained and qualified Employment Counsellor, through a personalised approach. The Employment Counsellors that are responsible for providing support to victims make every possible effort to place them in a safe employment position. Victims also have access to vocational training.

Within the framework of implementing the action 1.2 of the Action Plan against Trafficking 2016-2018, the Social Welfare Services signed a protocol of cooperation with Cyprus Stop Trafficking (NGO). The main purpose is to enhance the coordination, cooperation and collaboration between the Social Welfare Services and the civil society sector in the provision of services and support victims of trafficking including their access to information, housing, employment and social integration.

In cases of child victims, the Social Welfare Services determine the best interest of the child in cooperation with all the departments and NGOs involved. The child is informed of his/her rights and is referred to the services needed (e.g. Mental Health Services for psychological support, health services, educational psychological services, etc.). In July 2015 the Council of Ministers approved the establishment of an Ad Hoc Committee for the development of a National Strategy for the Prevention and Combating of Sexual Abuse and Sexual Exploitation of Children and Child Pornography. In the framework of this Strategy, the Children's House was established in 2018, with the aim to protect sexually abused and exploited children. It offers all necessary services under the same roof, protecting thus the children to be retraumatized during investigations. The Children's House coordinates the competent authorities, i.e. Police, Social Welfare Services, Medical Services, Mental Health Services and Educational Services.

The Ministry of Labour and Social Insurance strives, through its complaint resolution procedures, to protect the rights of all workers that are employed in Cyprus. Especially for migrant workers, a mechanism for examining and resolving complaints is established at each District Labour Relations Office. These complaints mainly concern violations of the employment's contract. The Department examines each complaint within 3 weeks from its submission. The complaints of migrant workers, which include both domestic workers and laborers, are firstly filed in the Aliens and Immigration Department, where they

are stamped and recorded, and then the District Offices of the Labour Relations Department undertake to invite both parties in order to investigate the complaints and seek, in the first place, a mutually acceptable solution on amicable terms. Complaints and statements are put down in writing. The whole procedure is done both in Greek and in English, so as to achieve a clear understanding of each party's positions.

Protection and support to victims is also given during the trial process. Before the trial, the Police refer all victims for psychological support to the Mental Health Services of the Ministry of Health. The main reason for this is to provide the necessary specialized support and to empower these persons for the trial. Moreover, according to article 3(4) of the Witness Protection Law [L. 95(I)/2001], victims of trafficking are considered as witnesses who are entitled to protection measures according to the Protection of Witnesses Law. According to Article 5 of the same law, the Court can order specific protection measures to be implemented during trial, including the conduction of the trial behind closed doors, the placement of a partition in the court room, the use of CCTV, as well as the use of any other means or systems that will ensure that the witness does not have direct eye-contact with the defendant(s). These measures are used taking into consideration the circumstances of each case and the psychological condition of the victim. In any case, all victims/ witnesses are accompanied by the Police during the trials.

Prevention measures

Training of professionals is a very important issue in the fight against trafficking in human beings. The National Coordinator, implementing the National Action Plan, has designed and provided a large-scale training on indicators of human trafficking in order to proactively recognize a possible victim and on the National Referral Mechanism to front-line officers. Hence, the first large-scale training was organized in 2017, where around 220 persons were trained, including police officers (incl. border guards), immigration officers, social welfare officers, health officers, asylum officers, municipalities, labour inspectors, etc. Special training on prevention was also provided to civil wedding officers in municipalities, due to high prevalence of human trafficking for the purpose of sham marriages.

As far as the Cyprus Police is concerned, human trafficking is incorporated in all recruitment and sergeant courses, as well as in the Crime Investigation Department's courses. Also, specialized trainings are offered to members of the Immigration Department, as well as to members of Community Policing. In order to identify the needs for training, by the end of each year, an assessment on court decisions is carried out taking into consideration the Serious Organised Crime Threat Assessment (SOCTA) and Organised Crime Threat Assessment (OCTA) in connection with the situation in Cyprus and the legal framework. Courses are divided according to the needs of the target groups, which are members of the Immigration Department, Community Policing, Criminal Investigation Departments and other members who are entitled to carry out operations. After the identification of training needs, the Police Anti-trafficking Office, in collaboration with the Cyprus Police Academy, prepare specialized courses to meet those needs. Generally, THB specialized training programs include

subjects such as law, victims' identification, EU strategies, investigation techniques, trends, connection with other crimes, etc.

Police officers, especially the front-line officers, undergo specialized and systematic training, which includes an overall awareness on trafficking issues, evolving trends, dealing with potential victims, identification techniques and handling of victims. Apart from those specialized training programs, knowledge on THB issues is offered to all members of the Cyprus Police during regular training programs that are offered at the Police Academy, such as basic training programs for recruit police officers, sergeant courses, and crime investigation courses.

In addition, special training programmes are offered by the Police Anti-trafficking Office to Officers of other relevant Ministries, such as Welfare officers, labour inspectors, employment agencies, officers in local authorities, especially in the field of prevention and identification of potential victims.

Welfare Officers and Asylum Officers undergo a specialized training every year, which includes an overall awareness on trafficking issues, evolving trends, dealing with potential victims, identification techniques and handling of victims.

As far as the Ministry of Education and Culture is concerned, the Cyprus Pedagogical Institute (CPI) constantly supports teachers and schools, by providing trainings and workshops indirectly related to trafficking in persons. Specifically, in regards to the implementation of the anti-racist policy, the CPI provides trainings such as the yearly two-day teacher trainings for primary and secondary school teachers, and by organizing conferences on issues of racism, gender issues and human rights. In addition, the CPI organizes in-service teachers' training seminars, on a school basis, as well as a series of seminars where teachers can attend in the afternoon, as an optional choice.

The exchange of information is framed by International Conventions, Bilateral and Multilateral agreements and the European acquis. Another important channel of communication is the liaison officers. The exchange of information in Cyprus Police is carried out through the Directorate of European Union and International Police Cooperation, where the National Units of Interpol and Europol belong. Exchange of information is carried out on a constant basis mostly through the channels of Interpol and Europol, as well as Mutual Legal Assistance Requests and through Liaison Officers of other Member States serving in Cyprus.

Based on the Mutual Legal Assistance Law, Cyprus Police comes into contact with other countries through the mutual legal assistance requests in order to ask assistance and support for the investigation of any case. Moreover, Cyprus Police participates in several projects such as European Multidisciplinary Platform Against Criminal Threats (EMPACT) which enables the Police to build on existing networks of cooperation. As a European member state, Cyprus also uses the channel of Eurojust.

The role and competences of the Police Anti-trafficking Office have been expanded since March 2015. Specialized investigators joined existing staff, and undertake tasks within an upgraded framework. Among the new tasks of the Office, is the investigation of THB cases. The empowerment of the Office aims at the qualitative, proper and in-depth investigation of trafficking cases by the

Police, as well as the improvement of the operational aspect of the police actions. Since the expansion of the Office, the number of convictions has increased.

The Police participates in the EMPACT Operational Action Plan for THB, which is under the umbrella of the Standing Committee on Operational Cooperation on Internal Security (COSI) and coordinated by Europol. This is an ongoing action and concerns the EU priorities to combat human trafficking focusing on organized crime groups that act in Southeast and Southwest Europe.

The Police is the competent authority for identifying victims of trafficking. An identification manual is in use, based on suggested procedures of identification of international organizations and it is used in police trainings of all levels. The manual explains in detail all the necessary action that the police officer needs to take during the first contact with a presumed victim, the indicators of trafficking cases, and the indicators used in identifying victims and traffickers. Additionally, it includes the impact of trauma due to victimization and the possible attitude and behavior that the victims may express. It explains the reasons behind the reluctance of the victims to cooperate with the police and how to handle the presumed victim during the first interview. Also, it elaborates on how trafficking can be masquerading beneath crimes with lesser punishment and condemnation, such as illegal migration, false marriages, impersonation, labor differences etc. In addition to the manual of identification, the police issued a pocket size operational guide. The operational guide for police officers regarding THB includes brief descriptions of the forms of trafficking, the difference between smuggling, illegal migration and trafficking, and how the general public perceives and thinks about the victims. It also includes a detailed list of the identification indicators, and a list of possible questions that the police officer can ask the presumed victim during the interview, in order to determine whether the case is a trafficking case. The immediate needs of the victims and the necessary actions to be taken at scene are listed in the operational guide. Furthermore, it includes the phone numbers of police departments that deal with victims of trafficking or with the investigation of trafficking cases, for a more professional and competent handling of such cases but most importantly the victims.

Lastly, the identification of victims is based on a specific Victim Assessment Form, which was approved by the Chief of Police and is based on international recognized indicators.

In March 2021, the Police launched the anti-trafficking 4-digit hotline 1497, aiming to receive as much information possible on cases of trafficking. Information from the public can be given anonymously. Similarly, in September 2022 the Police launched and the online platform on the official Police website. The Police operates also the general 4-digit hotline 1460 (the so-called 'The citizen's line') at which people may refer in order to provide information, make a complaint or ask for assistance. When the information concerns trafficking, it will be referred to the competent Police Anti-trafficking Unit, or if a victim calls, they will be assisted following the National Referral Mechanism.

The Asylum Service carries out Vulnerability Screening and Assessments at the First Registration Reception Center in Kokkinotrimithia, where all of the new arrivals/asylum seekers are currently passing through; vulnerable persons are identified, including victims of trafficking, which upon first indications of trafficking, a referral is made immediately to the Social Welfare Services by way of the official

referral form. Most of the trafficking cases referred are women and girls that were tricked into traveling for a better future, work, studying, etc.

Since October 2020, through a European co-funded project, the Social Welfare Services have employed forty-two (42) Social Welfare Officers for the handling of asylum seekers, including unaccompanied minors. A number of them have been placed at the Receptions Centers ('Pournara' and 'Kofinou') to cover asylum seekers needs, including identification and monitoring vulnerable people. In May 2021 through the same program, nine (9) Institutional Officers have been placed at the Reception Centre 'Pournara' and are working on a 24-hour basis, in order to meet the needs of unaccompanied minors.

Within the framework of the national Action Plan against Trafficking 2016-2018, a protocol of cooperation between the Social Welfare Services and an NGO was signed, aiming to enhance the coordination, cooperation and collaboration between the government and the NGOs, in the provision of protection and support of victims of trafficking, including their access to information, housing, employment and social integration. To this end, an annual financial support of €30,000, beginning in 2017 is granted to an NGO-run shelter to accommodate victims. The Social Welfare Services also fund another NGO in order to run a small shelter for women victims of THB. Social Welfare Services also informally partnered with other NGOs to house victims in apartments. Moreover, a cooperation protocol was signed between the Cyprus Police and twelve (12) NGOs for the protection and promotion of human rights, which also covers issues of trafficking in human beings.

The Ministry of Interior has designed and executed a wide-range awareness raising campaign, under the logo «ΤΩΠΑ ΞΕΠΕΙΣ» (Now You Know) to target demand for sexual services provided by trafficking victims, aiming to inform citizens of the criminal liability of the demand and use of such services. The campaign lasted 3 weeks – 1 month and was aired on TV, radio, cinemas, social media and digital media. Funding was secured by the European Funds (Internal Security Fund). For the purpose of giving information on the campaign and generally on human trafficking, a dedicated website was designed, which will be up on the internet for one year (until May 2023). The website can be found by clicking www.toraxereis.com, where the spot can also be watched.

The Ministry of Interior, in partnership with the Police and the Social Welfare Services designed a campaign under the logo «ΜΗ ΦΟΒΑΣΑΙ» (Don't be afraid) aiming to inform possible victims on certain victimization indicators and prompting them to reach the 4-digit hotline (1497). The campaign included flyers and posters in 10 languages (Greek, English, French, Romanian, Bulgarian, Polish, Russian, Ukrainian, Hindi, Arabic). In partnership with Hermes Airports, the campaign was portrayed on the digital screens in the airport departure and arrival halls, posters were placed in visible areas of the airport, including restrooms, and flyers in the 10 languages were placed in stands in the airport. In addition, these posters and flyers were disseminated to the Police divisions, the Aliens and Immigration district offices, the Migrants Information Centers in all districts, the Nicosia Municipality, the Social Welfare Services and the Asylum Service (and its Reception Centres) and were portrayed in public places and were also available in NGOs premises. The poster is attached in EN.

19.2 to adopt appropriate measures within their own jurisdiction to facilitate the departure, journey and reception of such workers and their families, and to provide, within their own jurisdiction, appropriate services for health, medical attention and good hygienic conditions during the journey;

Conclusions 2015

The Committee asks that the next report provide a complete and up to date description of the circumstances under which help may be given to migrants upon reception when they suffer these difficulties.

As soon as migrant workers registered as employees with Cyprus residence, they are entitled to register under the National Health System and are entitled to receive full healthcare benefits.

The Committee asks whether it is the case that migrants or other residents of Cyprus have been refused financial assistance with healthcare, and requests that the next report provide disaggregated statistical information concerning the number of patients having applied for subsidised healthcare provision, and the number of applications accepted or refused.

According to the recent national health system reform, that took place between 2019 and 2020, all migrant workers, including third country nationals, registered as employees with Cyprus residence are entitled to register to National Health System and are entitled to receive full healthcare benefits.

It also notes, from the Country Report on Cyprus 2013 of the European network of legal experts in gender equality and non-discrimination, that in 2005 the Equality Body ruled that the refusal to issue a health card (which entitles the holder to free treatment in hospital) to asylum-seekers due to the fact that they did not have their residence permit was discriminatory (File No. A/P 1339/05). The Ministry of Health then issued a circular to hospitals requiring them to issue health cards to asylum seekers even in the absence of residence permits, where there is an emergency (N. File YY11.23.03, 12 December 2005). The Committee asks whether this decision also applies to other migrants. It asks what measures are in place to ensure that all residents have access to emergency healthcare.

Citizens who are granted the status of asylum-seeker in the Republic of Cyprus are considered to legally reside in Cyprus. However, citizens without a residence permit (i.e. irregular migrants) cannot be registered to the National Health System before they register their residence status.

19.4 to secure for such workers lawfully within their territories, insofar as such matters are regulated by law or regulations or are subject to the control of administrative authorities, treatment not less favourable than that of their own nationals in respect of the following matters:

Conclusions 2015

Remuneration and other employment and working conditions - The Committee asks what remedies, such as compensation, are available for migrant workers in such situations, and what sanctions may be imposed on employers by the inspectors or other competent bodies.

The Committee asks for further information and statistics concerning complaints of mistreatment submitted to the competent bodies.

The Committee asks whether vocational training with a view to improving the skills of workers and their opportunities is available in Cyprus on the same basis for migrants and nationals.

The Committee notes the introduction of the Recognition of Professional Qualifications Act 2008 and asks for further information on how non-EU migrants can have their qualifications recognised.

/ The Committee considers that in general, despite the applicable legal framework, there is considerable evidence of exploitation of migrant workers in Cyprus, who also have little access to training and promotional opportunities and do not enjoy the guarantee of equal rights in practice – as noted in particular in the MIPEX, Eurofound and ECRI reports referenced above. The Committee therefore concludes that the situation is not in conformity with Article 19§4 of the Charter.

a) remuneration and other employment and working conditions;

The Public Employment Services (PES) of the Department of Labour offer all job seekers who have access to the labour market, without any discrimination, assistance in finding employment, through registration, job search services and placement services, which include vocational guidance, counseling and referrals to training programmes and job vacancies. Furthermore, all job seekers can participate in the Employment Subsidization Schemes that are promoted by the Department of Labour.

EU citizens have free access to employment. Recognized refugees, persons with complementary protection status and persons with temporary protection status, as well as all victims of trafficking and /or sexual exploitation, also have free access to employment and the services provided by the Public Employment Service. Asylum seekers have access to specific sectors of employment regulated by a ministerial order. The range of these sectors has been expanded in 2019. Other non-EU citizens that legally reside in Cyprus and have a work permit have access to employment equal to Cypriots.

The most important legislative measure that has been taken for the protection of workers who are not covered by specific legislation or collective agreements is the introduction of the National Minimum Wage applied as from 1/1/2023.

Furthermore, the Department of Labour Relations with a view to the proper implementation of labour legislation and the safeguarding of employees' rights,

focuses on the enforcement, monitoring and inspection of the application of the labour legislation. In this respect it continues to carry out inspections with emphasis in workplaces where most vulnerable group of workers are employed. In 2023 attention will also be given during inspections in the correct application of the National Minimum Wage Decree.

In addition to the above, the Ministry of Labour and Social Insurance organizes campaigns in mass media and social media to inform the public about their labour rights. These campaigns over the years have proven to have a very positive impact in raising public awareness.

As regards domestic workers, Cyprus is currently in the process of ratifying ILO Convention 189 and to adopt new Legislation for the application of the ratified Convention. Both Legislative papers have been forwarded to Parliament for adoption in the first quarter of 2023.

Ratifying ILO Convention 189 will incorporate current procedures in relation to examining and resolving labour complaints / disputes for domestic workers. This will ensure that domestic workers from 3rd countries continue to receive equal rights as enjoyed by local and EU nationals, especially in relation to ILO prescribed fundamental rights.

The Ministry of Labour and Social Insurance safeguards equal treatment of non-EU national workers as regards terms and conditions of employment through written terms of employment. The Department of Labour Relations continuously strives, through its complaint resolution procedures, to protect the rights of all workers, including domestic workers that originate from third countries.

As per the decision of Cyprus Council of Ministers in 2019, the complaint resolution mechanism has become even more effective. In particular, the aforementioned decision provides for the abolition of the relevant Committee of the Resolution of Complaints by third country nationals, which was constituted by representatives of the Department of Labour Relations (Ministry of Labour and Social Insurance), the Civil Registry and Migration Department (Ministry of Interior) and the Immigration Department (Police of Cyprus). The complaints related to labour matters are now examined directly by the Department of Labour Relations, which in turn informs the Civil Registry and Migration Department. This new procedure has proven to be more efficient as the examination time has reduced significantly (approximately 3 weeks from the date the complaint was filed).

Furthermore, in cases where, during the investigation, exploitation or violation of human rights is detected, complaints are being forwarded to the Commissioner for Administration and Protection of Human Rights.

Especially as far as the protection of wages is concerned, the Department of Labour Relations strives through strict recommendations to ensure that the employer pays outstanding wages and benefits to the employee. In case he fails to do so, a sanction imposed to the employer is not granting him the permission to replace the employee.

As regards the Recognition of Qualifications of non-EU migrants, please note that although the Recognition of Professional Qualifications Act only applies to EU nationals, non-EU migrants have equal rights of recognition of their professional qualifications and license to practice a regulated profession by the national competent authorities, as long as they secure a work permit for temporary

employment with an employer who has or will apply for a permit to employ third country nationals.

Membership of trade unions and enjoyment of the benefits of collective bargaining - The Committee asks for any available statistics concerning the number of migrants who are members of trade unions or other employment organisations.

The Committee asks what redress migrants may seek if they are prevented from exercising their rights to trade union membership. In the meantime, it reserves its position on this issue.

The Committee refers to its Statement of Interpretation (General Introduction, Conclusions 2015) and asks for information concerning the legal status of workers posted from abroad, and what legal and practical measures are taken to ensure equal treatment in matters of employment, trade union membership and collective bargaining

b) membership of trade unions and enjoyment of collective bargaining;

With regards to what redress migrants may seek if they are prevented from exercising their rights to trade union membership, it should be noted that in a similar manner, all employees irrespective of nationality can file a complaint with the Trade Union Registrar, and where provisions of the Trade Union Laws are violated, legal action is taken.

As far as posted workers from undertakings from EU are concerned, legislation (N. 63(I)/2017 as has been amended) is applicable.

19.5 Right of migrant workers and their families to protection and assistance/ Equality regarding taxes and contributions

Conclusions 2015

The Committee requests that the next report provide a full and up to date description of any changes to the legal framework of taxes and contributions relating to employment of migrant workers.

As of 01/01/2019 the rate of contributions is as follows: For employed persons the rate is 16.6% of insurable earnings, shared equally between the employer and the employee (8.3% each) and for the self-employed 15.6% of insurable notional income. The state also contributes at a rate of 4.9% for both employees and self-employed persons.

19.6 Right of migrant workers and their families to protection and assistance Family reunion

Conclusions 2015

Conditions governing family reunion

With regard to non-EU nationals, the Committee notes that under Section 18LZ the Director “may reject an application for entry and stay or revoke or not renew a residence permit for family members on grounds of public policy, public security or public health” and therefore has considerable discretion in the decision making process. The Committee asks for more information on the procedure and what may count as a public policy ground for refusal.

The Committee asks for further details on the accommodation requirement applied in Cyprus.

The Committee asks what level of means is required in order to exercise the right to family reunion.

The Committee asks whether the scope of health requirements which can lead to refusal is restricted to the conditions permissible under the Charter. In the meantime, it defers its conclusion on this matter.

It asks whether a migrant or their family member who fails to pass the test for permanent residence may remain in the country, for example with a temporary residence permit. In the meantime, it defers its conclusion on this matter.

The Committee asks the next report to explain these figures, in light of Cyprus’ obligation under Article 19§6 to facilitate as far as possible the reunion of the family of a foreign worker permitted to establish himself in the territory.

MIPEX 2015 also identifies that reunited family members have limited access to employment and social benefits. It also states that passing the hurdles to become eligible for reunification does not bring full security, as permits can be lost on wide grounds, including where original conditions no longer apply. The Committee notes that under Section 18LST(1) the Director may reject an application, withdraw or refuse to renew the residence permit of a family member, where the conditions for exercising the right to family reunification of Articles 18LV, 18LG and 18LZ are no longer met. Pursuant to Section 18LST(3) The Director may revoke or refuse to renew the residence permit of a family member of the sponsor where the sponsor’s residence permit is terminated and the family member does not yet have an independent right of residence under Article 18LE. The Committee notes that family members often face serious delays (5 years) and obstacles to becoming autonomous residents in Cyprus. Before satisfying those conditions, vulnerable families in need of protection (e.g. death, domestic/sexual violence) can only rely on discretionary access to autonomous permits. The Committee recalls that migrant worker’s family members, who have joined him or her through family reunion, may not be expelled as a consequence of his or her own expulsion, since these family members must have an independent right to stay in the territory (Conclusions XVI-1 (2002), Netherlands). **Accordingly, the possibility in Cyprus of revoking or refusing the residence permit of a family member where the sponsor no longer retains a permit is not in conformity with the Charter.**

Conclusion:

The Committee concludes that the situation in Cyprus is not in conformity with Article 19§6 of the Charter on the grounds that:

- **sponsors must be resident in the host State for a minimum of two years prior to being granted family reunion;**
- **spouses must be over the age of 21 years prior to being eligible for family reunion;**
- **the residence permit of a family member of the sponsor may be revoked where the sponsor's residence permit is terminated and the family member does not yet have an independent right of residence.**

The Republic of Cyprus intends to revise the national legislation on family reunification by lifting the sponsor's minimum residence period requirement and, also, by reviewing the spouse's minimum age requirement.

In regards to the revocation of the residence permits of family members, the Republic of Cyprus considers that this does not affect family unity. The family reunification permit is granted to achieve family reunion. It should be pointed out that family reunification permits are not revoked simultaneously with the sponsor's permit, in case the sponsor's permit is revoked due to employment termination. While the sponsor is granted time to renew their permit either through another employer, or through another status, the family members' permits remain in place. Family members permits are only revoked if the sponsor does not settle their stay within a reasonable time. Also, it should, again, be pointed out that even before the family members have an independent right of residence, in the unlikely scenario that the family reunification permit of a family member is revoked due to the cancellation of the residence permit of the sponsor, adequate time is granted to the family members for settling their stay in the Republic under different provisions of the legislation.

19.7 Right of migrant workers and their families to protection and assistance - Equality regarding legal proceedings

Conclusions 2015

The Committee previously asked whether migrant workers had the right to the free assistance of an interpreter. It reiterates its question, considering that if the information is not provided in the next report, there will be nothing to demonstrate that the situation is in conformity with the Charter.

According to the **Legal Aid Law (Law 165(I)/02)**

"Legal aid" means the provision of advice, assistance and representation;

"Assistance" means assistance in taking any legal steps that a person may take through proceedings, either by taking such steps on his behalf (including representation) or by providing assistance to undertake such steps by himself;

Legal Aid is granted to applicants and beneficiaries of international protection

Article 6 B of the law provides that:

(2) Free legal aid is provided to an applicant for international protection, who files a recourse to the Administrative Court, pursuant to the provisions of Section 146 of the Constitution –

(a) Against an adverse decision by the Head, on the application for international protection of the said applicant, which the Head has taken pursuant to the provisions of section 5, of the Refugee Law of 2000, or

(b) against the refusal of the Head to reopen the examination of an application which has been terminated pursuant to section 16B or 16C of the Refugee Law of 2000; or

(c) against an adverse decision of the Review Authority on an administrative recourse filed to it by the applicant for international protection in accordance with the provisions of the Refugee Law of 2000, and which administrative recourse concerned an adverse decision taken by the Head under the provisions of section 5, of the said law, under the following conditions:

(aa) The free legal aid concerns only the first instance hearing of the recourse before the Administrative Court under the provisions of Section 146 of the Constitution, and not the appeal before the Supreme Court against the court decision issued on the said first instance, nor any other remedy · and

(bb) as per the judgment of the Administrative Court, the recourse has a real prospect of success: Provided that the provisions of paragraph (bb) shall apply without arbitrarily restricting the provision of free legal aid and that the applicant's effective access to justice is not hindered

3) Free legal aid is provided to a person who files a recourse to the Administrative Court, pursuant to the provisions of Section 146 of the Constitution;

(a) Against a decision by the Head to terminate or revoke the refugee status of the said person, pursuant to section 6, 6A or 6B of the Refugee Law of 2000, or

(b) against an adverse decision of the Review Authority on an administrative recourse filed to it by the said person in accordance with the provisions of the

Refugee Law of 2000 and which administrative recourse concerned a decision taken by the Head under the provisions of section 6, 6A or 6B of that law, under the following conditions:

(aa) The free legal aid concerns only the first instance hearing of the recourse before the Administrative Court under the provisions of Section 146 of the Constitution, and not the appeal before the Supreme Court against the court decision issued in the said first instance, nor any other remedy · and

(bb) as per the judgment of the Administrative Court, the recourse has a real prospect of success: Provided that the provisions of paragraph (bb) shall apply without arbitrarily restricting the provision of free legal aid and that the said person's effective access to justice is not hindered.

(4) Free legal aid is provided to a person who files a recourse to the Administrative Court pursuant to the provisions of Section 146 of the Constitution –

(a) Against a decision by the Head granting that person additional protection status in lieu of refugee status under the provisions of subsection (1) of section 19 of the Refugee Law of 13, or

(b) against an adverse decision of the Review Authority on an administrative recourse filed to it by that person under the provisions of the Refugee Law of 2000 and which administrative recourse concerned a decision taken by the Head under the provisions of subsection (1) of section 19 of that law, under the following conditions:

(aa) The free legal aid concerns only the first instance hearing of a recourse before the Administrative Court, under the provisions of Section 146 of the Constitution, and not the appeal before the Supreme Court against the court decision issued on the said first instance, nor any other remedy · and

(bb) as per the judgment of the Administrative Court, the recourse has a real prospect of success: Provided that the provisions of paragraph (bb) shall apply without arbitrarily restricting the provision of free legal aid and that the applicant's effective access to justice is not hindered.

(5) Free legal aid is provided to a person who files a recourse to the Administrative Court pursuant to the provisions of Section 146 of the Constitution –

(a) Against a decision by the Head to terminate or revoke the supplementary protection status for that person in accordance with the provisions of section 6B or subsection (3) or (3A) of section 19 of the Refugee Law of 2000; or

(b) against an adverse decision of the Review Authority on an administrative recourse filed to it by that person under the provisions of the Refugee Law of 2000 and which administrative recourse concerned a decision taken by the Head under the provisions of section 6B or subsection (3) or (3A) of section 19 of that law, under the following conditions:

(aa) The free legal aid concerns only the first instance hearing of the recourse before the Administrative Court under the provisions of Section 146 of the Constitution, and not the appeal before the Supreme Court against the court decision issued on the said first instance, nor any other remedy · and

(bb) as per the judgment of the court hearing the case, the recourse or, as the case may be, the application has a real prospect of success: Provided that the provisions

of paragraph (bb) shall apply without arbitrarily restricting the provision of free legal aid and that the applicant's effective access to justice is not hindered.

(6) Free legal aid shall be provided to an applicant for international protection who files a recourse to the Administrative Court pursuant to the provisions of Section 146 of the Constitution against any adverse decision issued pursuant to any provision of paragraph (b) of subsection (1) or of subsection (2) of section 8, of sections 9 to 9CC and subsections (1B) to (2E) of section 10 of the Refugee Law of 2000 and which affects him individually, under the following conditions:

(a) Free legal aid is needed to ensure effective access to justice. and

(b) the free legal aid concerns only the first instance hearing of the recourse before the Administrative Court under the provisions of Section 146 of the Constitution, and not the appeal before the Supreme Court against the court decision issued on the said first instance, nor any other remedy. And

(c) as per the judgment of the Administrative Court, the 15 recourse has a real prospect of success: Provided that the provisions of paragraph (c) shall apply without arbitrarily restricting the provision of free legal aid and that the applicant's effective access to justice is not hindered.

(7) Free legal aid is provided to an applicant for international protection who –

(a) Files a recourse under Section 146 of the Constitution against an administrative act which has the legal effect of his detention, or

(b) submits an application to the Supreme Court for the issuance of the order habeas corpus pursuant to the provisions of paragraph 4 of Section 155 of the Constitution, to verify the legality of the length of his detention; under the condition that the free legal aid relates only to the first instance hearing of the said recourse or application in question, as the case may be, and not to the appeal before the Supreme Court against the court decision issued on the said first instance, nor any other remedy.

(8) Free legal aid is provided to a person who, exercising the right granted to him under the provisions of paragraph (1) of Article 27 of the Regulation (EU) 604/2013, files a recourse before the Administrative Court under the provisions of Section 146 of the Constitution under the following conditions:

(a) Free legal aid concerns only the first instance hearing of the recourse before the Administrative Court under the provisions of Section 146 of the Constitution, and not the appeal before the Supreme Court against the court decision issued on the said first instance decision, nor any other remedy · and

(b) as per the judgment of the Administrative Court, the appeal 16 has a real prospect of success: Provided that the provisions of paragraph (b) shall apply without arbitrarily restricting the provision of free legal aid and that the applicant's effective access to justice is not hindered.

(9) An applicant under custody seeking international protection is entitled to come, accompanied by the Police –

(a) to the Administrative Court, for the purpose of exercising the right to free legal aid granted to him under the provisions of paragraph (a) of subsection (7), and

(b) to the Supreme Court, for the purposes of exercising the right to free legal aid granted to him under the provisions of paragraph (b) of subsection (7). (10)

The free legal aid provided for in subsections (6) and (7) - (a) Consists of preparing and registering the necessary procedural documents and participating in a hearing before the Court of first instance on behalf of the applicant for international protection; and (b) is provided by a lawyer, as provided in sections 10 and 11, whose interests do not or could not possibly conflict with those of the applicant for international protection.

(11) The free legal aid provided for in subsections (2), (3), (4), (5) and (8) consists of the preparation and registration of the necessary procedural documents and the participation in a hearing before the Administrative Court of first instance on behalf of the applicant for free legal aid.

(12) The Court issuing the relevant certificate may order an applicant for international protection, who has been granted free legal aid under the provisions of subsections (2), (3), (4), (5), (6) and 17 (7) to repay all or part of the amount paid to him for legal aid purposes, if and from the moment his financial situation has significantly improved.

(13) Free legal aid shall not be provided to a person under the provisions of subsections (2), (3), (4) or (5) if the said person is not located in the areas controlled by the Government of the Republic, in accordance with of the provisions of paragraph (c) of subsection (6) of section 16D of the Refugee Law.

(14) The provision of free legal aid under the provisions of this section also includes, care of the Registry –

(a) The interpreter 's fee; and

(b) the costs of translating the application form for free legal aid.

(15) Paragraphs (bb) of subsections (2), (3), (4) and (5) shall apply to an unaccompanied minor only when his representative has legal training in accordance with the Cypriot law.

Article 6 C states that

2) Free legal aid is provided to an illegally staying third-country national who is filing a recourse before the Administrative Court, pursuant to Section 146 of the Constitution against –

(a) a return decision issued by the Director in accordance with section 18ZZZ of the Aliens and Immigration Law concerning the said national; or

(b) a removal order issued by the Minister of Interior in accordance with section 18BBBB of the Aliens and Immigration Law concerning the said national; or

(c) an entry ban issued by the Council of Ministers in accordance with section 18EEEE of the Aliens and Immigration Law concerning the said national; under the following conditions:

(aa) the free legal aid concerns only the first instance hearing of the recourse before the Administrative Court, pursuant to Section 146 of the Constitution, and not the appeal before the Supreme Court against the court decision issued on the said first instance 19 decision; nor any other remedy; and

(bb) it is possible that a positive judgment will be rendered on the said first instance hearing of the recourse.

(3) Paragraph (bb) of subsection (2) shall apply without arbitrarily restricting the provision of free legal aid.

(4) When implementing this section, the Court shall respect the principle of non-refoulement and take due account of –

(a) the best interests of the child, and

(b) the family life, with the assistance of the Social Welfare Services, and

(c) the state of health of the third-country national concerned, on the basis of a report by the Department of Medical Services and Public Health Services.

(5) This section shall not apply to illegally staying third-country nationals who –

(a) are subject to an entry ban in accordance with Article 13 of the Schengen Borders Code or who are apprehended or intercepted by the competent authorities in connection with the irregular crossing by land, sea or air of the Republic's external borders and who have not subsequently obtained an authorization or a right to stay in the Republic, or

(b) are subject to a return decision as a criminal law sanction or as a consequence of a criminal law sanction, in accordance with Cypriot law, or who are subject of extradition procedures.

(6) This section shall not apply to a person enjoying the Community right of free movement pursuant to Article 2, paragraph (5) of the Schengen Borders Code.

Article 7 stipulates the process for granting legal aid

(1) The Court, before which any of the proceedings referred to in sections 4, 4A, 5, 6, 6A, 6B, 6C, 6D, 6E and 6F are pending, or the Court of the district in which the applicant usually resides may, upon written request to it, if it considers that-

(a) Based on a socio-economic report from the Welfare Office, the financial situation of the applicant and, in the event that the applicant is a dependent family member, the financial situation of his family, does not allow him to obtain legal aid, taking into account his earnings, actual and expected, any other income, from work or other sources, expenses for the basic needs of himself and his family and other obligations and needs; and

(b) due to the gravity of the case or other circumstances of the case, it is desirable in the interest of justice to have free legal aid for preparing and handling the case; to issue a certificate for the provision of free legal aid: Provided that, with the exception of the Administrative Court before which the first instance of the recourse is pending under section 6B or 6C, and with the exception of the Court issuing a certificate pursuant to section 6D, the court issuing the certificate may revoke it when there is a substantial change in the data of the applicant: Provided further that, if the applicant falls within the scope of paragraphs (b) or

(c) of subsection (2) of section 6D, the Court will by general rule issue a certificate, unless it is satisfied that the applicant has sufficient financial resources: 24 2 of 77(I) of 2005 5(d) of 64(I) of 2014. Provided further that in the case of an application for free legal aid in a secondary procedure a new certificate is not required and the court takes into account the socio-economic report of the Welfare Office provided for in

paragraph (a) prepared for the purposes of the first instance procedure, provided that the applicant declares under oath that his financial situation has not changed.

(2) The type and content of the application shall be in accordance with the type intended to be laid down in the Rules of Court issued pursuant to section 13

(a) For the purposes of section 4, the conditions laid down in paragraph (b) of subsection (1) of this section shall be deemed to be met when the suspect or accused is brought before a court for a decision on his detention or during his detention.

(b) For the purposes of subsection (1) of section 4A, it is considered that the conditions provided in paragraph (b) of subsection (1) of this section are met in each case.

(c) For the purposes of subsection 2 of section 4A, the court shall issue a certificate for the provision of free legal aid, provided that the certificate of provision of free legal aid issued in favor of the requested person in the executing Member State, in accordance with the procedure for the transmission of the documents provided for in the European Arrest Warrant and the Surrender Procedures of Requested persons between Member States of the European Union Law, has been provided to it through the Competent Authority of the executing Member State.

(4) For the purposes of this section, the terms "European arrest warrant proceeding", "executing Member State", "issuing Member State", "requested person", shall have the meaning assigned to them by the European Arrest Warrant and the Surrender Procedures 25 of Requested persons between Member States of the European Union Law.

7D. The Registrar of the Administrative Court is the competent authority for the receipt of applications from –

(a) applicants and beneficiaries of international protection, for the provision of free legal aid in accordance with the provisions of section 6B: Provided that the competent authority for the receipt of applications for free legal aid in accordance with paragraph (b) of subsection (7) of section 6B is the Registrar of the Supreme Court;

(b) illegally staying third-country nationals, for free legal aid in accordance with section 6C; and (c) Union citizens or family members, for free legal aid in accordance with section 6F. Declaration of the applicant for his financial situation

(1) Before issuing the certificate provided for in section 7, the Court shall request the applicant to submit a written declaration of facts and information which may assist it in deciding whether his financial situation, and in the event that he is a dependent family member, the financial situation of the family, justifies the provision of free legal aid, subject to the following:

(a) In the case of an unaccompanied minor seeking legal aid in accordance with section 6B, the Court shall order the representative to submit the above declaration;

(b) in the case of an unaccompanied minor seeking legal aid in accordance with section 6C, the Court shall order the Social 28 6 of 64(I) of 2014. Welfare Services to submit the above declaration;

(c) in the case of an unaccompanied minor seeking legal aid in accordance with section 6D, the court shall order the Social Welfare Services to submit the above declaration;

(d) in the case of an unaccompanied minor seeking legal aid in accordance with section 6F, the court shall order the Social Welfare Services to submit the above declaration.

(2) The form and content of the declaration shall be determined in the Rules of Court issued pursuant to section 13.

19.8 Right of migrant workers and their families to protection and assistance - Guarantees concerning deportation

Conclusions 2015

The Committee understands that the relevant sections of the Aliens and Immigration Act referred to above permit the relevant Minister to expel a third country national from the territory on serious grounds of public policy or public security. It asks whether the Minister is required to consider the individual circumstances of the person when making a decision to expel a foreigner.

The Committee notes that temporary work migrants are required to retain the same job and employer. In case their employment relationship is terminated due to the fault of the employer, the report states that they shall be allowed a limited time to search for another position. **The Committee asks how long this period may be, and whether they can be expelled following the end of this period.**

The Committee recalls that States must ensure that foreign nationals served with expulsion orders have a right of appeal to a court or other independent body, even in cases where national security, public order or morality are at stake (Conclusions V (1977), United Kingdom). **It asks whether such an appeal exists and what is the procedure.**

When issuing an expulsion order, the Minister makes an individual assessment of each case. Personal circumstances of the alien are taken into consideration, especially the best interests of the child, family life, the state of health of the foreigner, and the principle of non-refoulement (art. 18OZ of the Aliens and Immigration Law)

Following the end of the grace period provided in order for the foreigner to search for another position, the foreigner is considered as a “prohibited migrant” and can be expelled according to the national law.

All foreign migrants served with expulsion orders have also a right of appeal to the Administrative Court, regardless of the reason the expulsion order is issued.

**19.10 Right of migrant workers and their families to protection and assistance
- Equal treatment for the self-employed**

Conclusions 2015

The Committee notes that the government requests further clarification of the reasons of non-conformity under this paragraph; the differentiation between employed and self-employed migrants and nationals; and the link between this and other paragraphs of Article 19.

Therefore, where a situation is not in conformity with one of the paragraphs of Article 19, and this also affects self-employed workers, the Committee considers that this shall constitute a violation of Article 19§10 and therefore the situation will be found not to be in conformity with this paragraph.

With regard to Cyprus, the Committee has found non-conformities under Article 19 paragraphs 4 and 6. The Committee finds that there is no consistent difference in treatment between self-employed and employed migrant workers. Accordingly it considers that the grounds for non-conformity in the other paragraphs of Article 19, except those relating to paragraph 19§4(a) and working conditions, are equally applicable to the self-employed, and thus lead to a conclusion of non-conformity under Article 19§10.

The Committee concludes that the situation in Cyprus is not in conformity with Article 19§10 of the Charter as the grounds of non-conformity under Articles 19§4(c) and 19§6 apply also to self-employed migrants.

Presentation of national report on the implementation of the European Social Charter _Cyprus

Please refer to information given under articles 19.4 and 19.6

19.11 Right of migrant workers and their families to protection and assistance - Teaching language of host state

Conclusions 2015

The Committee asks for any statistics concerning the number and percentage of migrant children who have access to the education system.

Primary Education

All children with a migrant background have free access to education, in accordance with the above article of the Constitution of the Republic of Cyprus, since registration to a school of their neighborhood is compulsory.

The table below shows the percentage of children with a migrant background that attend primary education schools and do not have Greek as their first language, from 2015 onwards.

School year	Number of migrant pupils not having Greek as their first language	Percentage (%)
2015-2016	6728	13,5
2016-2017	7029	13,8
2017-2018	7452	14,5
2018-2019	8476	16,2
2019-2020	8923	16,8
2020-2021	8291	15,9
2021-2022	8144	16,3
2022-2023	8985	17,8

The Committee asks what caused the precipitous decline in students deemed to require additional language assistance at secondary school, and whether all children who were provided with language assistance at primary school continue to be afforded special assistance at secondary school level.

Primary Education

If the children have not reached proficiency level B1, according to the Common European Framework of Reference for Languages during their attendance in primary school, then they will receive additional language support in secondary school.

It is also noted that in primary education, in the last two school years (2021-2022 and 2022-2023), the time allocated to schools to support children with a migrant background in learning the Greek language has almost doubled, as can be seen in the following table:

School year	Extra teaching periods for learning Greek
2017-2018	2751
2018-2019	2656
2019-2020	2323
2020-2021	2227
2021-2022	4370
2022-2023	4625

The Committee asks why the number of participants declined so considerably in the latter years of the reference period, in the context of fairly steady flows of migration.

In terms of programme implementation, nothing has changed in the year 2013-2014. In fact, during the last two years of implementation (2012-2013 and 2013-2014) the participants were given the right to register in official Greek language certification exams, free of charge.

19.12 Right of migrant workers and their families to protection and assistance - Teaching mother tongue of migrant

Conclusions 2015

The Committee asks whether there are any funds available to assist migrant children whose families cannot afford to pay such fees for their education.(general policy)

The Ministry of Education, Sport and Youth subsidizes the attendance at private schools only in the cases of recognized religious minorities and Turkish Cypriot citizens. Any other grants that may be provided, concern initiatives of the private schools themselves.

The Committee asks how many schools offer a full choice of languages, and whether they are accessible to all migrants who would wish to take advantage of these optional language classes. The Committee asks whether there is any provision of foreign language education in the state system at primary school and early secondary school.

Primary Education: The schools participating in the School and Social Inclusion Actions programme (109 out of 329 primary schools throughout Cyprus) provide the opportunity to children with a migrant background to participate in lessons of their mother tongue, on an optional basis, in afternoon classes. The programme is the continuation of the Zones of Educational Priority and is co-financed by the European Social Fund and the Republic of Cyprus.

The Committee asks what the level of fees is for such programmes, and whether assistance is available to those without the means to pay.(from 2015 onwards)

The tuition fee for the participation in one of the groups for the entire school year is 55 euros. In rural areas, the tuition is half the cost on an annual basis (22,5 euros) (for migrants and non-migrants).

The Adult Education Centers can offer Greek courses free of charge in cases where organised migrant groups request it (e.g. this was done in cases where courses were requested at Reception Centers for International Protection Applicants).

Article 27 – The right of workers with family responsibilities to equal opportunities and equal treatment

With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake:

2. to provide a possibility for either parent to obtain, during a period after maternity leave, parental leave to take care of a child, the duration and conditions of which should be determined by national legislation, collective agreements or practice;

- a) *Please provide information on whether the Covid-19 crisis had an impact on the right to parental leave.*

The right to Parental leave was not affected by the Covid crisis. Periods for which insured persons received special Covid benefits were considered working periods for the purpose of entitlement of benefit.

Please note that according to the Parental Leave and Force Majeure Leave Law of 2012 (47(I)/2012) Every employed parent is entitled to receive total parental leave, without pay, the duration of which may last up to eighteen (18) weeks. In the case of a widowed parent, the duration of parental leave may last up to twenty-three (23) weeks.

However, within the framework of transposing Directive (EU) 2019/1158 on work-life balance for parents and carers the above law will be replaced by a new legislation which will provide , among other things, for 18 weeks of parental leave for each parent for each child until the child reaches the age of 8. For eight of the 18 weeks the employed parent will receive parental leave benefit out of the Social Insurance Fund. The periods for which insured persons received special Covid benefits will be considered as paid insured periods for the purpose of entitlement of benefits.

According to the draft legislation the paid leave is extended by 4 weeks in the case of a child with a severe disability or with a moderate mental disability and by 6 weeks in the case of a child with total disability. In these two cases the paid leave may be taken until the child reaches the age of 18.

The new legislation was approved on 16/12/2022. In addition, within the framework of the Recovery and Reconciliation Plan the government plans to extend the coverage of certain benefits to the self-employed including parental leave benefit by the 2nd quarter of 2023.

- b) *If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

Conclusions 2015

The Committee recalls that the remuneration of parental leave (be in continuation of pay or via social assistance/social security benefits) plays a

vital role in the take up of childcare leave, in particular for fathers or lone parents. The Committee asks whether parental leave is remunerated.

Pending receipt of the information requested, the Committee concludes that the situation in Cyprus is in conformity with Article 27§2 of the Charter.

The new legislative framework will provide for paid parental leave, in such a way as to facilitate the take-up of parental leave by both parents.

3. to ensure that family responsibilities shall not, as such, constitute a valid reason for termination of employment.

- a) *Please provide information on whether the Covid-19 crisis had an impact on the prohibition of dismissal on the ground of family responsibilities and whether there were any exceptions to the prohibition of dismissal on the ground of family responsibilities during the pandemic.*

There were no exceptions to the prohibition of dismissal on the grounds of family responsibilities during the Covid-19 pandemic.

- b) *Please explain whether a ceiling on compensation for unlawful dismissals was applied on the ground of family responsibilities during the Covid-19 crisis.*

No ceiling on compensation for unlawful dismissals was applied on the ground of family responsibilities during the Covid-19 crisis.

- c) *If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

Conclusions 2015

The Committee considers that the situation which it has previously found to be in conformity with the Charter has not changed. It reiterates its previous finding of non-conformity on the ground that courts can only order reinstatement of an unlawfully dismissed employee in cases where the enterprise concerned has more than 20 employees.

The Committee concludes that the situation in Cyprus is not in conformity with Article 27§3 of the Charter on the ground that courts can only order reinstatement of an unlawfully dismissed employee in cases where the enterprise concerned has more than 20 employees.

Taking into consideration the Committee's conclusions, the government will take the necessary steps to bring the situation in conformity with Article 27(3) of the Charter.

Article 8(5)
ANNEX
FIRST TABLE (Regulation 3(1)(b))

**NON-EXHAUSTIVE LIST OF AGENTS, PROCESSES AND WORKING
CONDITIONS LISTED IN REGULATION 3(1)(b)**

referred to in Article 4 (1)

A. Agents

1. *Physical agents* where these are regarded as agents causing fetal lesions and/or likely to disrupt placental attachment, and in particular:
 - (a) shocks, vibration or movement;
 - (b) handling of loads entailing risks, particularly of a dorsolumbar nature;
 - (c) noise;
 - (d) ionizing radiation;
 - (e) non-ionizing radiation;
 - (f) extremes of cold or heat;
 - (g) movements and postures, travelling — either inside or outside the establishment — mental and physical fatigue and other physical burdens connected with the activity of the worker.
2. *Biological agents*

Biological agents of groups 2, 3 and 4, according to the provisions of paragraph (2) of Regulation 3 of the Safety and Health at Work (Biological Agents) Regulations of 2001 [as amended], in so far as it is known that such agents or the therapeutic measures necessitated by them endanger the health of pregnant women and the unborn child, and in so far as they do not yet appear in the Second Table (Annex).
3. *Chemical agents*

The following chemical agents in so far as it is known that they endanger the health of pregnant women and the unborn child and in so far as they not included in the Second Table:

 - (a) substances and mixtures which meet the criteria for classification under Regulation (EC) No 1272/2008 of the European Parliament and of the Council in one or more of the following hazard classes and hazard categories with one or more of the following hazard statements, in so far as they do not yet appear in the Second Table:

- germ cell mutagenicity, category 1A, 1B or 2 (H340, H341);
 - carcinogenicity, category 1A, 1B or 2 (H350, H350i, H351);
 - reproductive toxicity, category 1A, 1B or 2 or the additional category for effects on or via lactation (H360, H360D, H360FD, H360Fd, H360Df, H361, H361d, H361fd, H362);
 - specific target organ toxicity after single exposure, category 1 or 2 (H370, H371);
- (b) chemical agents in the First Table of the Safety and Health at Work (Carcinogenic and Mutagenic Agents) Regulations of 2001 [as amended] and
- (c) mercury and mercury derivatives;
- (d) antimitotic drugs;
- (e) carbon monoxide;
- (f) chemical agents of known and dangerous percutaneous absorption.

B. Processes

Industrial processes included in the First Table of the Safety and Health at Work (Carcinogenic and Mutagenic Agents) Regulations of 2001 [as amended]

C. Working conditions

Underground mining work.

Article 8(5)

ANNEX

SECOND TABLE (Regulations 3(1)(b) and 5)

**NON-EXHAUSTIVE LIST OF AGENTS AND WORKING CONDITIONS
(REGULATIONS 3(1)(b) and 5)**

A. Pregnant workers

1. Agents

(a) Physical agents

Work in hyperbaric atmosphere, e.g. pressurized enclosures and underwater diving.

(b) Biological agents

The following biological agents:

— toxoplasma,

— rubella virus,

unless the pregnant workers are proved to be adequately protected against such agents by immunization.

(c) Chemical agents

Lead and lead derivatives in so far as these agents are capable of being absorbed by the human organism.

2. Working conditions

Underground mining work.

B. Workers who are breastfeeding

1. Agents

(a) Chemical agents

Lead and lead derivatives in so far as these agents are capable of being absorbed by the human organism.

2. Working conditions

Underground mining work.