

Non-accepted provisions of the European Social Charter
Report by the Republic of Cyprus

April 2025

Article 2.4 – The right to just conditions of work

“To eliminate risks in inherently dangerous or unhealthy occupations, and where it has not yet been possible to eliminate or reduce sufficiently these risks, to provide for either a reduction of working hours or additional paid holidays for workers engaged in such occupations”

Cyprus has a fully harmonized with European Acquis legal framework on Occupational Safety and Health (OSH). The national Safety and Health at Work Laws of 1996 to 2023, as well as the extensive relative secondary legislation, issued under these laws, transcribes the Framework Directive 89/391/EEC and the ‘daughter’ Directives of the European Union. As such, it is the duty of every employer in Cyprus to ensure the safety, health and welfare at work of all of their employed persons. Suitable preventive and protective measures must be identified and implemented by every employer, in accordance with the prescribed hierarchy for the control of hazards, based on risk assessment, to adequately deal with the OSH related risks. According to the above legislation, only in the cases of occurrences arising from unusual and unforeseen circumstances, the consequences of which could not have been avoided by the employer, despite all due care, may the employer be excused from his legal duties.

Article 9(2) of the Organisation of Working Time Law of 2002 to 2007, secures that night workers whose night work entails specific risks or significant physical or mental stress shall not work at night for more than eight hours in any twenty-four-hour period. According to article 9(3), the definition of night work which entails specific risks or significant physical or mental stress, where this is not determined by legislation or collective agreement, shall be agreed by consultation between the employer and employee representatives, in accordance with the provisions of the Law and the written assessment of risks.

Therefore, Article 2.4 deviates from the above-described European legal framework for OSH **and cannot be adopted** by the Republic of Cyprus. Alternative measures such as reduction in working hours or extra benefits such as additional paid holidays **are not acceptable** as substitutes to specific, practical and continuous preventive and protective measures tailored to each and every workplace, in line with the European OSH Directives, and essential for safeguarding the legally defined minimum OSH levels at work.

Article 3.4 – The right to safe and healthy working conditions

“To promote the progressive development of occupational health services for all workers with essentially preventive and advisory functions”

According to the action plan for the establishment and operation of a health surveillance system of employed persons in Cyprus, the Department of Labour Inspection already took some actions to promote development of occupational health services to employees. According to Safety and Health at Work (Health Surveillance) Regulations of 2017, development of occupational health services is planned to be achieved gradually and started for certain occupations and working activities. Based on above specific Regulations, 6 Ministerial Ordinances have been issued which have determined medical examination for workers with asbestos, workers in certain

activities at ports, for climbers at mast and poles, workers in mines and quarries, workers performing activities with plant protection products in factories for manufacture, standardization, packaging and repackaging of these products and workers in activities with anticancer drugs in the health care sector. The above Ministerial Ordinances are enforced with the provision of services by doctor's specialists in occupational medicine to employers that perform activities included in Ministerial Ordinances issued. In Cyprus the number of companies contracted occupational physician for the provision of occupational health services to employees is increasing gradually including also employers that do not required by law to contract occupational health services. The Department of Labour Inspection is planning to prepare more Ministerial Ordinances in the future to expand coverage of occupational health services to more professions and working activities according to the needs and the conditions of the working environment that exists in Cyprus.

Therefore, based on the above, Cyprus **cannot accept paragraph 4 of Article 3** at present.

Article 4 – The right to a fair remuneration

With a view to ensuring the effective exercise of the right to a fair remuneration, the Parties undertake:

1. “to recognise the right of workers to a remuneration such as that will give them and their families a decent standard of living”;

The primary goals of the Ministry of Labour and Social Insurance are to ensure one Pancyprrian minimum level of decent living wage and to provide fair competition among businesses in the context of Labour cost. **Following the completion of studies conducted by the Ministry in cooperation with the European Commission and the International Labour Office, as well as social dialogue with the social partners, the** Minimum Wage Order of 2022 which came into force on January 1, 2023, ended the previous Minimum Wage Order, which covered only specific professions with low union representation (salespersons, clerks, nursing assistants, assistant baby and childminders, child-care workers, personal care workers, security guards and cleaners in business/corporate premises).

According to the Minimum Wage Order of 2022, every employee who works full-time must receive an initial monthly wage of at least €885 gross (before taxes) and after a 6-month continuous period of employment with the same employer, this wage must increase to at least €940 gross. The working hours of the employees must be those that were applied at the time that the Order came into force, as determined either by collective agreement, or by a written agreement between the employer and the employee.

It must be noted that the Order of 2022 establishes a Minimum Wage Review Committee and a readjust mechanism to readjust the minimum wage after a year at first and every two years afterwards. This 9-member Committee consists of 3 members coming from the trade union side, 3 members from the employer's side, and 3 expert members from the academic community.

The first review report was delivered late 2023, leading to the first review of the national minimum wage as of the 1st of January 2024. The Minimum Wage Review Committee prepared a review paper which was submitted to the Minister of Labour, who subsequently submitted the report to the Labour Advisory Board. The Labour Advisory Board, as the peak high level tripartite social dialogue body functioning under the auspices of the Ministry of

Labour and Social Insurance, advises the Minister of Labour on all issues under the mandate of the Ministry of Labour and Social Insurance. At this level employers' and workers' organisations had a second opportunity to express views, scrutinize and propose new ideas with regards to the minimum wage.

The Minister, after taking into account the position of the social partners in the Labour Advisory Board, submitted a position paper to the Council of Ministers for final decision, leading to the increase of the minimum wage from 01/01/2024 to €900 upon appointment, rising to €1000 after six months employment at the same employer.

In addition, there is also the Minimum Wage Order for the Hotel Industry which came into force (Order No. 268/2023) on the 1st of June 2023, providing the minimum wage for 13 occupations in the industry.

2. “to recognise the right of workers to an increased rate of remuneration for overtime work, subject to exceptions in particular cases;”

Compensation of overtime work is regulated by law for shop employees (The Regulation of the Operation of Shops and Employment Terms of their Employees Law of 2006 – 2015), for employees in the hotel [the Hotel Employees (Conditions of Service) Regulations of 1972-2016] and for the employees in the catering industry [the Catering Employees (Conditions of Service) Law of 1968-2009 and Regulations] as following:

- **Shop employees:** normal working hours of shop employees must not exceed 38 hours weekly and 8 hours daily. Maximum of 2 hours overtime daily and up to 8 hours weekly,
 - Sunday offs, and afternoon or morning offs: each working hour is compensated as two working hours 1:2.
 - Public holidays: each working hour is compensated as two working hours 1:2.
 - Other days: each working hour is compensated as one and a half working hour 1:1,5.
- **Hotel employees:** no employee shall work more than 48 hours per week, including overtime or over 8 hours a day, up to 9 hours weekly, whilst normal daily working hours cannot exceed 13 hours
 - Any overtime work: 1:1,5 minimum,
 - Public holidays & Sundays: normal wage plus 1 extra wage which will either be paid in cash or given to the employee in time off
- **Catering employees:** No employee shall work beyond 48 hours per week, including overtime, on the basis of a 6-day working week or over 8 hours a day. In certain exceptional cases defined by the law, it is possible to increase overtime work from 8 to 10 hours per week. Overtime work cannot exceed 8 hours per week,
 - Any overtime work: 1:1,5 minimum,
 - Public holidays: 1:2

For other professions, there is no legislation regulating a minimum rate of remuneration for overtime work. However, almost all collective agreements regulate a minimum rate of remuneration for overtime work.

Therefore, it should be stressed that regulating by Law an issue that is subject to collective bargaining, it would be against the very nature of the voluntary system of industrial relations in Cyprus. On the basis of the above, **this provision cannot be accepted.**

3. [...] “to recognise the right of men and women workers to equal pay for work of equal value;”

The Republic of Cyprus notes that the Law on Equal Pay between Men and Women for the Same Work or for Work to which Equal Value is Attributed (N.177(1)/2002) has been in place since 2003, while several appropriate amendments were put in force (2004, 2009 and 2014). The above-mentioned legislations have very thorough provisions, hence, the right of both men and women to equal pay for work of equal value is adequately recognized and guaranteed, including the right to adequate compensation. The Republic of Cyprus undertakes particular measures for promoting equal pay between men and women workers for work of equal value, as follows:

1. Enforcement mechanisms of the equal pay legislation

Acknowledging the importance of effective enforcement mechanisms of the equal pay legislation, but at the same time recognising the barriers faced by victims in raising gender pay discrimination claims, the Republic of Cyprus has continued to strengthen ex officio inspection. The inspectorate’s role, in addition to requesting data aiming mainly at detecting direct discrimination in pay, also focused on providing information to both employers and employees on the provisions of the legislation and the right to file a complaint, but also practical compliance guidance to employers. Since 2022 targeted and detailed inspections on the equal pay legislation are conducted, focusing on economic activities with high gender pay gap rates, based on risk assessment analysis. Following ex officio inspections, specific recommendations are made to the employers, including corrective measures on the recruitment procedures, the pay structures or the promotion policies, such as reviewing the horizontal representation of men and women within the company, or their equal representation in higher managerial levels.

It is noted that, indirect gender pay discrimination is difficult to detect through ex-officio inspections. Uncovering pay discrimination following a pay discrimination claim is more possible, therefore bringing up claims will be encouraged and reinforced through other measures, particularly through pay transparency measures and the specialized training for Labour Relations Officers.

2. Pay Transparency Measures

The Ministry of Labour and Social Insurance is seeking for ways for further improvements regarding the practical application of the equal pay legislation, with a focus on greater transparency in pay, as a means to uncovering and preventing discrimination. Therefore, the Ministry is currently running a preparatory process, evaluating and designing the infrastructure needed for ensuring the effective practical enforcement of a new legislation aiming at the promotion of pay transparency. New legislation will be adopted by 2026 which will introduce the obligation for employers to publish gender pay gap statistics, use gender-neutral job evaluation and set-up pay structures, but will also provide support measures for employers, employees and their representatives. A tripartite technical committee has been set up, consisting of the main employers’ and employees’ organisations, for the purpose of drafting the legislation.

For the development of appropriate infrastructure, the training of employers and social partners, as well as the implementation of awareness campaigns, co-financing has been secured from European Funds, through two projects:

a) the “eValueJobs” project, co-funded by the Citizens, Equality, Rights and Values (CERV) 2024-GE programme is implemented during the period 12/2024-6/2026, by a consortium comprised of the Department of Labour Relations of the Ministry of Labour and Social Insurance, the University of Cyprus, the five most representative employers’ and workers’ organisations (OEB, KEBE, SEK, PEO, DEOK) as well as two private companies (PwC Cyprus and RedWolf). The Project includes the development of gender-neutral job evaluation tools, training actions as well as information and publicity activities to promote the widespread use of gender-neutral job evaluation and classification systems.

b) the project "Support measures for pay transparency" will be implemented by the Department of Labour Relations and co-financed by the EU program "THALEIA 2021-2027", during the period 15/1/2025-31/12/2027. The project will include the development of infrastructure required for the practical implementation of the pay transparency legislation, including:

- Design and development of guides for employers to create a pay structure within a company/organization including templates for the criteria for determining remuneration, remuneration levels and pay progression
- Development of a specialized website/platform for publishing the data/indicators of the gender pay gap submitted by employers and implementation of training programs for the Department of Labour Relations Officers as well as employers on the use of the website/platform
- Specialized training of Department of Labour Relations Officers for monitoring the implementation of the new pay transparency legislation
- Design and implementation of publicity and information actions

3. Certification for promoting gender equality at the workplace

The National Certification Body for the Implementation of Good Practices on Gender Equality at the Workplace, which was established in 2014 for certifying employers who adopt policies promoting gender equality at the workplace, including equality in pay, continues operating in success. By the end of 2024, 87 exemplary companies and organisations had been rewarded for applying policies and practices aiming to ensure equal pay, attract and retain the underrepresented sex, for taking actions to improve gender balance in decision making positions, for adopting gender-neutral job evaluation and classification systems, for implementing policies aiming at the reconciliation of work and family life, as well as for establishing policies for preventing and dealing with harassment and sexual harassment. An open call is announced every year for interested employers to submit an application for certification. The certification criteria have evolved throughout time so as to correspond to societal changes as well as legislative advancements eg. the need to encourage fathers to take family related leaves.

4. “to recognise the right of all workers to a reasonable period of notice for termination of employment;”

According to the Termination of Employment Law of 1967-2016 an employer who intends to terminate the employment of his/her employee, after the period of at least 26 weeks, should give a minimum period of notice in writing, depending on the employee’s employment as shown below:

| Period of continuous employment | Minimum Period of Notice |
|--|---------------------------------|
| From 0 to 26 weeks (up to 6 months) | No notice |
| From 26 to 51 weeks (6 months-1 year) | 1 week |
| From 52 to 103 weeks (1-2 years) | 2 weeks |
| From 104 to 155 weeks (2-3 years) | 4 weeks |
| From 156 to 207 weeks (3-4 years) | 5 weeks |
| From 208-259 weeks (4-5 years) | 6 weeks |
| From 260-311 weeks (5-6 years) | 7 weeks |
| From 312 and over (6 years +) | 8 weeks |

The right of the employee to a longer period, if he/her has such a right under any custom, law, collective agreement or other arrangement, is safeguarded by the legislation.

Employees in the Hotel and Catering Industry are exempted and the minimum notice period required, is included in the provision of the relevant legislation for Hotels and Catering Services.

The right of the employee to a longer period, if he/her has such a right under any custom, law, collective agreement or other arrangement, is safeguarded by the legislation.

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:

5. “to recognise the right of young workers and apprentices to a fair wage or other appropriate allowances;”

Young individuals, who are in a developmental stage, should be treated fairly in the labor market. Young workers should not be exploited and should be compensated at a level that reflects their work value. This provision is part of a broader effort to protect children and young people from potential exploitation or unfair treatment in the workplace.

In the case of employment of persons up to 18 years for occasional employment not exceeding two consecutive months, the minimum wage in money may be reduced by 25%: The above reduction by 25% may not apply simultaneously with any other reductions provided for by the provisions of the Minimum Wage Order of 2022.

The national minimum wage is determined by the Minimum Wage Orders of 2022 and 2023. According to the Orders:

- a) Every employee who works full-time must receive an initial monthly wage of at least €1000 gross. Employees who either before January 1, 2024 or after January 1, 2024 have not completed six (6) months of continuous employment with the same employer, from January 1, 2024 must receive a monthly salary of at least €900 gross for full-time work, until completion six (6) months of continuous employment.
- b) The working hours of the employees must be those that were applied at the time that the Orders came into force, as determined either by collective agreement, or by a written agreement between the employer and the employee.
- c) The provisions of the Orders do not apply to domestic workers, the workers in agricultural and animal farming workers and seamen, as well as to workers to whom the Minimum Wages in the Hotel Industry Order of 2020 applies.
- d) A readjustment mechanism is instituted and it will be operating every two years, beginning from 2024.

Minimum Wage for occupations not covered by Minimum Wage Order

The salary is not determined by law for domestic workers, the workers in agricultural and animal farming workers and seamen, where salaries are determined either by collective agreement, where they apply, or by a written agreement between the employer and the employee, upon recruitment.

For workers in the Hotel Industry, the salary is determined by the Minimum Wages in the Hotel Industry Order of 2023.

Minimum Wage Orders which apply to specific professions apply to all workers including young workers and this will be the case regarding the statutory minimum wage which is in the process of being introduced.

9. “To provide that persons under 18 years of age employed in occupations prescribed by national laws or regulations shall be subject to regular medical control”

Certain legal provisions related to medical control of young persons at work exist in the Safety and Health at Work (Protection of Young People) Regulations of 2012, as amended in 2015 and in the Management of Safety and Health Issues at Work Regulations of 2021. These Regulations also include the provisions for mandatory specific written risk assessments for young persons at work. Despite the enforcement of the Regulations, the Department of Labour Inspection does not presently have data related to medical control of young persons at work. In accordance to recently enforced specific Safety and Health at Work (Health Surveillance) Regulations of 2017, medical examinations for the surveillance of workers’ health are enforced gradually and for now only for a few defined occupations and working activities. At the present stage of the enforcement of the above specific Regulations, work of young persons is not included in these activities but it will be reviewed in the future for inclusion.

Therefore, based on the above, Cyprus **recommends not to accept paragraph 9 of Article 7 at the present time** and re-examine the situation in the future once the relevant data on the medical surveillance of young persons at work is available.

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

4. “To regulate the employment in night work of pregnant women, women who have recently given birth and women nursing their infants”

The relevant Cypriot OSH legislation is The Protection of Maternity (Safety and Health at Work) Regulations of 2002, as amended in 2015, which transcribe the provisions of the European Directive 92/85/EEC as amended, on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers, who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of the Framework Directive 89/391/EEC, mentioned above). As such, the national Regulations prescribe that employers do not allow such workers to perform night work during their pregnancy and for a period following childbirth, subject to submission, of a medical certificate stating that this is necessary for the safety or health of the worker concerned.

Article 13 – The right to social and medical assistance

With a view to ensuring the effective exercise of the right to social and medical assistance, the Parties undertake:

1.To ensure that any person who is without adequate resources and who is unable to secure such resources either by his own efforts or from other sources, in particular by benefits under a social security scheme, be granted adequate assistance, and, in case of sickness, the care necessitated by his condition.

4. to apply the provisions referred to in paragraphs 1, 2 and 3 of this article on an equal footing with their nationals to nationals of other Parties lawfully within their territories, in accordance with their obligations under the European Convention on Social and Medical Assistance, signed at Paris on 11 December 1953.

Citizens of a Non-EU country (3rd country nationals) and ordinary residents of the areas controlled by the Republic of Cyprus who have a permanent residence permit in the areas controlled by the Republic of Cyprus or have the right of equal treatment in the social insurance sectors, in accordance with the Aliens and Immigration Law, as well as their dependants, are among the beneficiaries of the General Health System (GHS).

Refugees and persons with the statute of supplementary protection who are residents of the areas controlled by the Republic of Cyprus and have been granted refugee or subsidiary protection status, in accordance with The Refugees Law, as well as their dependants, are among the beneficiaries of the GHS.

Members of the families of the above categories are also covered by GHS in accordance with the provisions of the national legislation.

The GHS covers all medical care needs of beneficiaries including chronic, rare and serious conditions and the right to health within the GHS is independent from the payment of contributions. Beneficiaries without any income (unemployed or economically inactive people, children and others) have equal access to healthcare services. Specifically, GHS covers all citizens who are permanent residents in the areas controlled by the Republic of Cyprus and the Members of their families in accordance with the provisions of the national legislation.

However, people who claimed their residence permit on the ground that they are covered for their healthcare needs without the support of state authorities, cannot claim health care benefits.

Undocumented migrants are also part of the population, for which access to healthcare is not provided on the same conditions as local workers.

Vulnerable persons are thoroughly supported through the Guaranteed Minimum Income (GMI). Over the years, the implementation of the benefit has evolved, aiming to support vulnerable groups with specialized needs even more comprehensively. Particular emphasis is placed on supporting people with medical problems through the provision of a care allowance. In addition, the provisions of the Legislation include measures aimed at supporting persons with disabilities.

The GMI may be granted to Cypriot and European citizens who have the immediately preceding period prior to their application, completed a legal and continuous stay in Cyprus for at least five (5) years and continue to have a legal and continuous stay in Cyprus. It may also be granted to third-country nationals who have a long-term residence in Cyprus (in accordance with the regulations and provisions of the applicable law) or have a refugee status (in accordance with the regulations and provisions of the current legislation and excluding asylum seekers), or victims of trafficking or exploitation of persons (in accordance with the regulations and provisions of the applicable legislation).

The Social Welfare Services (SWS) within their competencies may provide assistance to people who are in extremely urgent or/and emergency need due to personal circumstances or unexpected or urgent situation in accordance to Article 11 of the Guaranteed Minimum Income Legislation. In view of the above, our reservation still stands, **we cannot ratify this provision at present**

Article 16 – The right of the family to social, legal and economic protection.

With a view to ensuring the necessary conditions for the full development of the family, which is a fundamental unit of society, the Parties undertake to promote the economic, legal and social protection of family life by such means as social and family benefits, fiscal arrangements, provision of family housing, benefits for the newly married and other appropriate means.

The GMI was introduced with Law 109(I)/2014 and is basically an income replacement allowance. The benefit 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. Supplementary allowances / services include rent allowance or house loan interest allowance, subsidies for municipality and other levies (no specified amount), extraordinary needs, as well as care and assistance needs. The introduction of this Law included beneficiaries and population groups formerly excluded from public assistance, such as low income earners, pensioners with low incomes and vulnerable groups of people previously not supported or not supported enough. Schemes that help address poverty and social inclusion are:

- GMI benefit: The benefit aims to ensure a socially acceptable minimum standard of living for persons (and families) legally residing in Cyprus whose income and other economic resources are insufficient to meet their basic and special needs. The GMI is provided in the form of monetary support and/or services; the entitlement to the benefit is guaranteed for the claimant if all the conditions laid down by law are satisfied.

- Scheme supporting pensioners' households with low income: The scheme is a cash benefit scheme addressed to pensioners' households whose total annual income is below the poverty threshold.
- Child benefit and single parent benefit: The child benefit is granted to families who have had their legal and continuous residence in the areas under the effective control of the Cyprus Government, for at least the last five years prior to the submission of the application. Single parent families receiving child benefit are also entitled to a single parent benefit for each dependent child, provided the single parent and the dependent child have had their legal and continuous residence, in the areas under the effective control of the Cyprus Government for at least the last five years prior to the submission of the application. For European citizens EU Regulation 883/2004 art 68 applies.
- Through the subsidy of Child Care Services that exist under the Childcare Services Grant Schemes (0-4 years co-funded by ESF+ and (4 – 4,5 implemented withing the framework of the RRP) covering 0 to 4,5 years old (free compulsory education in Cyprus) children enrolled in eligible kindergartens and nurseries.
- In addition, the new Grant Scheme for Residential Care that its implementation has already started, has multiple benefits and also promotes article 16 of the Charter. Through the new Grant Scheme, long term care in care homes and other similar institutions for older persons or persons with disabilities will be subsidized with a monthly amount.

The SWS implement policies towards addressing social challenges and enhancing social cohesion. The SWS provide a variety of programs focusing on: (1) providing support and strengthen families in order to enable them to effectively exercise their roles and responsibilities and (2) preventing the aggravation of conditions that might lead to family disruption. These programmes include amongst others, family support and preventive services, counselling, family guidance, including specialised services for families experiencing violence, services for children under the care of the Director of Social Welfare Services.

The provision of accessible, affordable and quality social care programmes at local level is a key priority of the Government. State Aid Schemes, under Regulation 360/2012, and under the Commission Decision 2012/21 EU, for the provision of services of general economic interest where NGOs and Local Authorities may receive state aid, if they fulfil certain criteria, for the development and functioning of quality social care programmes, including childcare services, long-term social care services to the elderly and persons with disabilities, counselling programmes and other specialized programmes covering specific needs, such as violence in the family, unaccompanied minors, victims of trafficking.

Financial benefits and allowances in Cyprus are granted under criteria and conditions that may not be met by all persons residing in Cyprus. This applies especially to persons who are citizens of third countries for whom the condition of permanent and uninterrupted residence in Cyprus for at least 5 years applies, in order for them to become eligible for certain financial benefits.

Despite the fact that all of the above constitute policies that fall under the scope of this article, our reservation still stands. **We cannot ratify this Article.**

Article 17 – The right of children and young persons to social, legal and economic Protection

With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed:

1 a “to ensure that children and young persons, taking account of the rights and duties of their parents, have the care, the assistance, the education and the training they need, in particular by providing for the establishment or maintenance of institutions and services sufficient and adequate for this purpose;”

b “to protect children and young persons against negligence, violence or exploitation;”

c “to provide protection and special aid from the state for children and young persons temporarily or definitively deprived of their family's support;”

The right for children and young persons to social, legal and economic protection is being promoted by the subsidy of Childcare Services Grant Schemes, described above.

Furthermore, article 17.1 of the Charter is being promoted by the benefits of GMI Legislation and the benefit for persons with disabilities by including persons with disabilities aged under 18 years old, which receive a monthly benefit of at least 848 euros each.

Regarding the right of children and young persons to social protection, the SWS competence is on the protection and care of children by providing for the establishment or maintenance of institutions and services, on their protection against negligence, violence or exploitation, on protection and special aid for children under the age of 18 deprived of their family's support.

The SWS continue the current policies securing the provision of accessible, affordable and quality social care services at local level with the involvement of stakeholders (NGOs and Local Authorities), enhancing in this way the state efforts for the provision of care services. A State Aid Scheme, under Regulation 360/2012, for the provision of services of general economic interest where NGOs and Local Authorities may receive state aid, if they fulfil certain criteria, for the development and functioning of quality social care programmes at local level. The State Aid Scheme is published annually and NGOs and LAs submit their applications for operation social care programmes and after evaluation they receive state aid according to their needs, which covers part of their operational and other expenses. In addition, technical assistance, guidance and support is provided to the NGOs and the LAs receiving state aid through the competent state services.

Also, the SWS continued to inspect and approve the operation of social care programmes in order to safeguard the enforcement of the relevant legislation, which provides for the submission of Certificates of Suitability / Eligibility from the competent authorities, the qualifications, the ratio of staff to tenants and living room ratio to tenants etc.

However, the current legislative framework for the establishment or maintenance of institutions and services, does not define “sufficient and adequate” as this is outside of the scope of the regulatory framework. We would like to mention that our reservation is still valid.

b. to protect children and young persons against negligence, violence or exploitation;

Further to the legislative framework in place and practice previously described, Law 91(I)/2014 has been enforced that provides for the Prevention and Combating the sexual abuse and sexual exploitation of children and child pornography. This Law includes provisions of the Directive 2011/93/EU and of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention, 2007).

Within the framework of the National Strategy and Action Plan for combating of sexual abuse and exploitation of children and child pornography (2016-2019) the Children's House was established in 2017, according to the Council of Ministers decision on 21.3.2016 (number 80.430). The Children's House operates under the supervision and in cooperation with the SWS as well as with all the relevant services (i.e. Police, Health and Mental Health Services, Ministry of Education, Culture, Sports and Youth, etc.). The Children's House, provides child friendly services to children victims of sexual abuse and/or sexual exploitation, based on a multidisciplinary approach. The programme is fully subsidized by government funds.

Furthermore, The Council "Foni" has been established. The Council has the responsibility for the implementation of the National Strategy.

Laws concerning protection of children and families are applicable to children and families legally residing in the Republic. In the case of an emergency concerning negligence, violence or exploitation of a child, even though he/she is not legally residing in the Republic, provisions are provided in order to establish the well-being of the child.

c. to provide protection and special aid from the state for children and young persons, temporarily or definitively deprived of their family's support;

Laws concerning protection of children and families are applicable to children and families legally residing in the Republic. In the case of an emergency concerning negligence, violence or exploitation of a child, even though he/she is not legally residing in the Republic, provisions are provided in order to establish the well-being of the child. Neither the legislative framework nor practice has been changed.

2 "to provide to children and young persons a free primary and secondary education as well as to encourage regular attendance at schools."

According to the Primary and Secondary Education (Compulsory Attendance and Provision of Free Education) Laws of 1993 until 2024, public education in Cyprus is free and obligatory for all children residing on the island up to the age of 15.

Specifically, according to Article 3 (1): "Attendance of Compulsory Pre-primary Education, Primary and Lower Secondary School (Gymnasium) is compulsory until the pupil completes Lower Secondary Education (Gymnasium) or until the age of 15, whichever occurs first: It should be noted that "compulsory pre-primary education" means the children's compulsory attendance in kindergarten, which includes the pre-primary class."

Article 18 – The right to engage in a gainful occupation in the territory of other Parties

With a view to ensuring the effective exercise of the right to engage in a gainful occupation in the territory of any other Party, the Parties undertake:

1 “to apply existing regulations in a spirit of liberality”;

The employment of third country nationals in Cyprus is usually of a temporary nature and its purpose is to cover labour market needs that, at the given time, cannot be covered by Cyprus or European Union citizens, according to the ‘Community Preference’ principle and the relevant EU regulation.

More specifically, third country nationals are admitted for the purpose of employment only where vacancies cannot be filled by national and European Community manpower or by non Community manpower lawfully residing in Cyprus on a permanent basis and already forming part of the labour market.

Therefore, for the employment of third country nationals a license system is required. As part of the licensing procedure a labour market test is conducted. That is, before an approval is granted, the employer is required to advertise the vacancy in the national and EU labour market in order to ensure that no Cypriots or EU Citizens are available to fill it.

In addition, a licensing system is required in order to safeguard the employment rights of third country nationals. To that end and in order to ensure the proper treatment of foreign employees, approvals and employment permits are only issued to employers who meet the relevant criteria.

2 “to simplify existing formalities and to reduce or abolish chancery dues and other charges payable by foreign workers or their employers”;

n/a

3 “to liberalise, individually or collectively, regulations governing the employment of foreign workers”;

Please see answer provided to 18.1

Under these circumstances the provision cannot be accepted.

Article 21 – The right to information and consultation

With a view to ensuring the effective exercise of the right of workers to be informed and consulted within the undertaking, the Parties undertake to adopt or encourage measures enabling workers or their representatives, in accordance with national legislation and practice:

- a) to be informed regularly or at the appropriate time and in a comprehensible way about the economic and financial situation of the undertaking employing them, on the understanding that the disclosure of certain information which could be prejudicial to the undertaking may be refused or subject to confidentiality; and
- b) to be consulted in good time on proposed decisions which could substantially affect the interests of workers, particularly on those decisions which could have an important impact on the employment situation in the undertaking.

The conditions pertaining to information and consultation have remained unchanged, as already described in the ECSR's previous report, of 12 April 2006.

Furthermore, no changes have been observed regarding the general size of Cypriot enterprises (which are mainly at the micro level), thus negating the possibility of applying the provisions of Article 21, to a large percentage of employees, or a large number of enterprises.

Under these circumstances the provision **cannot be accepted**.

Article 22 - The right to take part in the determination and improvement of working conditions and working environment

In 2021, the Management of Safety and Health Issues at Work Regulations of 2021 (R.A.A 158/2021) replaced the Management of Safety and Health Issues at Work Regulations of 2002 (R.A.A 173/2002), aiming to strengthen various OSH provisions, including those relating to the right of workers to take part in the determination and improvement of the working conditions and working environment in every workplace in Cyprus.

Under the said Regulations, the following Orders were issued to regulate the duties, the functioning and the training of the Safety Committees:

1. The Management of Safety and Health Issues at Work (Safety Committees) Order of 2021 (R.A.A. 237/2021).
2. The Management of Safety and Health Issues at Work (Training of Employees, Self-employees, Members of ESYPP and Members of Safety Committees) Order of 2021 (R.A.A. 238/2021).

Additionally, the Safety and Health at Work (Code of Practice for the Consultation of Employer and Employees on Safety and Health Issues) Order of 2021 (R.A.A 240/2021) was issued, streamlining the procedures for the appointment of Safety Representatives in all workplaces, the functioning of safety committees, highlighting the obligation of employers to assign one or more workers to engage in activities of prevention and protection against risks to the safety and health of employed persons. These workers must be sufficiently trained according to R.A.A. 238/2021 and have knowledge and experience in safety and health at work issues. In cases where these capabilities within a workplace are not available / adequate, then the employer may assign the carrying out of protective and preventive work to external services / external consultants.

Article 23 – The right of elderly persons to social protection

With a view to ensuring the effective exercise of the right of elderly persons to social protection, the Parties undertake to adopt or encourage, either directly or in cooperation with public or private organisations, appropriate measures designed in particular:

– to enable elderly persons to remain full members of society for as long as possible, by means of:

a. adequate resources enabling them to lead a decent life and play an active part in public, social and cultural life;

b provision of information about services and facilities available for elderly persons and their opportunities to make use of them;

– to enable elderly persons to choose their life-style freely and to lead independent lives in their familiar surroundings for as long as they wish and are able, by means of:

a provision of housing suited to their needs and their state of health or of adequate support for adapting their housing;

b the health care and the services necessitated by their state;

– to guarantee elderly persons living in institution's appropriate support, while respecting their privacy, and participation in decisions concerning living conditions in the institution.

Cyprus has adopted a National Strategy on Active Ageing for the years 2025-2030 and its corresponding Action Plan for the years 2025-2027. The aim of the National Strategy for Active Ageing is to achieve the social integration of older persons, by preventing social isolation, abuse and age discrimination and by promoting the participation of older people in economic, social and cultural life, through access to quality social and health services, ensuring adequate retirement income, an age-friendly environment, life-long learning and strengthening intergenerational relationships. It is noted that the National Strategy for the Health of Older People, previously developed by the Ministry of Health, has been integrated into the National Strategy on Active Ageing.

In order to provide adequate resources to older persons enabling them to lead a decent life and play an active part in social and cultural life, the SWS provide state aid to NGOs and Local Authorities in order to run Adult Centres. The SWS also ensure the inspection of the Adult Centres according to the corresponding legislation. In addition, older persons beneficiaries of the social card are entitled to 50% discount on regular bus fares and older persons beneficiaries of the Low Income Pensioners Scheme are entitled to free use of the buses. The beneficiaries of the social card are also entitled to discount on theatre tickets and the Department of Antiquities has improved the accessibility to certain archaeological sites, monuments and museums through adequate infrastructure and information panels. The Ministry of Education runs a variety of programs for life-long learning such as the Adult Education Centres and the State Institutes of Further Education and the Cyprus productivity Center of the Ministry of Labour and Social Insurance organizes Digital Skills Courses for people aged 55 and over.

Moreover, older persons, through the organizations that represent them, have the opportunity to inform both the executive (through the Third Age Body) and legislative (through the House of Elderly Persons) authorities about their needs and challenges, as well as to submit proposals for improving their quality of life.

Information about available services and facilities is provided through the Older Persons Benefits Guide, and the new Government Portal, where citizens can find all information concentrated (gradual integration of all websites is taking place) with a simple structure and improved accessibility. In addition, Service Centers operate with the aim of helping citizens in cases of difficulty in submitting an application electronically.

As regards access to social protection, and specifically residential care, a new Grant Scheme has been approved by the Council of Ministers in November 2024 and its implementation has already started. The new Grant Scheme significantly increases the number of beneficiaries, as

it also includes beneficiaries of the Low Income Pensioners Scheme, and the maximum monthly amount of the subsidy which has increased from around 800 euros to 1300 euros.

GMI beneficiaries are entitled to a subsidy of up to 400 euros monthly for home care, provided they need these services based on a personal assessment of their needs.

As regards guaranteeing elderly persons living in institutions appropriate support, while respecting their privacy, and participation in decisions concerning living conditions in the institutions, neither the legislative framework nor practice has been changed. The SWS regulate the minimum standards of establishments providing social care, which however, are not defined as “appropriate support” by the current legislative framework. This is outside the scope of the regulatory framework.

While privacy is respected within the wider legislative framework, in some cases it may be necessary to accommodate more than one person in a room and / or be necessary to inform of specialists outside the institution if according to the circumstances is judged to be necessary.

The legislative framework does not provide for participation in decisions concerning living conditions in the institutions. **In view of the above, our reservation still stands.**

Article 26 – The right to dignity at work

With a view to ensuring the effective exercise of the right of all workers to protection of their dignity at work, the Parties undertake, in consultation with employers' and workers' organisations:

1 “to promote awareness, information and prevention of sexual harassment in the workplace or in relation to work and to take all appropriate measures to protect workers from such conduct;”

Law 205(I)/2002 on Equal Treatment of Men and Women in Employment and Vocational Training, as amended, is in line with the above provision. The intervention of the Equality Inspectors is vital because for any thorough examination of any complaint submitted to a regional office it is usually they, who are responsible to inform both parties (employer and employee) of the provisions of the law, conduct an extensive examination of any violation, prepare a report and even testify before the court if required. They are also responsible for informing all other colleagues in the office about equality in employment and ensuring that any vacancy submissions from Employers do not contain statements or requests that violate the provisions of the above equality laws. In addition to this, the Committee for Gender Equality in Employment and Vocational Training, having been required by the above Law, focuses its actions on informing employers and employees about the legislation on equal treatment of men and women and in particular on preventing and addressing sexual harassment in the workplace.

2. “to promote awareness, information and prevention of recurrent reprehensible or distinctly negative and offensive actions directed against individual workers in the workplace or in relation to work and to take all appropriate measures to protect workers from such conduct;”

The Republic of Cyprus has ratified ILO Convention 190 on Violence and Harassment at Work (N.17(III)/2024) and the drafting of an implementing bill is underway in the House of Representatives. The draft law covers unacceptable conduct and practices or threats made individually or repeatedly in the workplace that have or are likely to result in physical,

psychological, sexual or economic harm. Further, the text provides for procedures for complaints, examination of complaints, judicial proceedings, employer liability and compensation.

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:

1. a. to take appropriate measures:

b. to take account of their needs in terms of conditions of employment and social security;

A new legislation was introduced in 2022, which was amended in April 2024 and December 2024. It provides for paid parental leave, for carers' leave, for leave on the ground of force majeure as well as for and right to request flexible working arrangements for working parents and carers.

Regarding parental leave in particular, the above-mentioned legislation and its amendments provide for the following:

- 1) Each parent has an individual right to eighteen (18) weeks of parental leave for each child. The duration of parental leave is extended from eighteen (18) to twenty-three (23) weeks in the cases of widowed parents and single parents (in cases of loss of custody or non-recognition of the child by the other parent)
- 2) Since December 2024, parental leave can be taken up until the child reaches the age of 15 (compared to the age of 8, that was the previous provision). Also, in the case of a child with disability parental leave is granted until the child is 21 years old (compared to the age of 18, that was previously provided).
- 3) Each working parent is granted an allowance which partly compensates for his/her loss of salary during parental leave as follows:
 - (a) until 1/08/2024 an allowance was granted for a total period of six (6) weeks
 - (b) from 2/08/2024 until 30/3/2025 an allowance is granted for a total period of eight (8) weeks.
 - (c) From 31/3/2025 onwards, an allowance will be granted:
 - for a total period of eight (8) weeks, for the parent's first child.
 - for a total period of ten (10) weeks, for the parent's second child.
 - for a total period of twelve (12) weeks, for the parent's third child.
 - for a total period of fourteen (14) weeks, for the parent's fourth child and for every child after that.

Moreover, the period for which an allowance is granted, is extended by four (4) weeks in case of a child with severe disability or with moderate mental disability, or by six (6) weeks in case of total disability.

4) Since April 2024, self-employed parents are also allowed to the same parental leave benefit as employed parents, ensuring their lost income is being adequately replaced during periods of leave for parental purposes.

5) For periods of parental leave for which an allowance is not provided, employees are credited with the insurable earnings.

6) Labour rights when receiving parental, carers leave and absence for reasons of force majeure are guaranteed as follows:

- rights acquired or in the process of being acquired by the employee on the date of commencement of the leave, will be maintained as they stand until the end of the leave.
- the above rights as well as changes to them, which arise from legislation, collective labour agreements or practice, apply after the end of the leaves
- the take up of the above leaves does not unfavourably affect the employees' seniority nor their right to promotion or their return to work in equivalent positions with the same level of remuneration and benefits
- employees who have taken the above leaves benefit from potential improvements in working conditions, from which they would have benefited if they had not taken the leave (excluding commissions)
- the period of absence from work during the take up of the above leaves is considered as period of employment for the purposes of calculating the paid annual leave he/she is entitled
- the period of absence from work during the above leaves is considered as period of employment for the purposes of applying the Termination of Employment Law
- taking up the above leaves does not interrupt the continuity of employment

Article 30 – The right to protection against poverty and social exclusion

With a view to ensuring the effective exercise of the right to protection against poverty and social exclusion, the Parties undertake: a to take measures within the framework of an overall and co-ordinated approach to promote the effective access of persons who live or risk living in a situation of social exclusion or poverty, as well as their families, to, in particular, employment, housing, training, education, culture and social and medical assistance; b to review these measures with a view to their adaptation if necessary.

As regards to poverty and social exclusion and besides the policies / measures provided for children as described above, the SWS are responsible for the social policies that aim at Provision of accessible and affordable social care programmes, including Childcare services for children up to the age of compulsory education through the establishment and enforcement of the regulatory framework and through the implementation of State Aid Schemes, under Regulation 360/2012, for the provision of services of general economic interest where NGOs and Local Authorities may receive state aid, if they fulfill certain criteria, for the development and functioning of quality social care programmes.

Other social policies such as employment, education, training etc., do not fall under the competences of SWS.

The Welfare Benefits Administration Service is in charge of examining applications of beneficiaries and granting if needed financial assistance via the GMI. Beneficiaries, who meet certain criteria under the Law are provided with financial aid. The abovementioned aid has been calculated to ensure that each beneficiary, taking into consideration the composition of his family unit is entitled to decent living.

The GMI was introduced with Law 109(I)/2014 and is basically an income replacement allowance. The benefit 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. Supplementary allowances / services include rent allowance or house loan interest allowance, subsidies for municipality and other levies (no specified amount), extraordinary needs, as well as care and assistance needs. The introduction of this Law included beneficiaries and population groups formerly excluded from public assistance, such as low income earners, pensioners with low incomes and vulnerable groups of people previously not supported or not supported enough.

Inter alia, a substantial prerequisite is to register, and remain registered within the Public Employment Service (PES) and actively seek employment. The rationale of such prerequisites is that the Republic of Cyprus has the objective of social integration of people in need, assisting them to become functioning members of society but at the same time not dependent on governmental assistance forever.

Furthermore, in order to increase the employability of GMI recipients, WBAS worked closely with other governmental institutions to tackle obstacles hindering the employability of those in need. With the cooperation of the Ministry of Education an educational program on learning the Greek language is set in place, addressed to both third country nationals and nationals of other member states in order to mitigate the language barrier and facilitate their pursuit for employment and social integration.

Additionally, GMI beneficiaries were referred to the Human Resource Development Authority (HRDA) for training in the “Free Entrepreneurship Program for unemployed GMI beneficiaries” under the Cyprus RRP. Once again, the rationale involves preparing those in need, with the knowledge and skills facilitating them to enter the labour market.

Social intervention and activation of GMI recipients plays an important role in strengthening social cohesion, economic growth, the well-being of society and promoting the autonomy of individuals by reducing dependence on benefit policies.

Our reservation is still valid as to whether the categories of support described in this Article apply also to people outside the scope of the current national legislation.

Article 31 – The right to housing

With a view to ensuring the effective exercise of the right to housing,

the Parties undertake to take measures designed:

1 to promote access to housing of an adequate standard;

n/a

2 to prevent and reduce homelessness with a view to its gradual elimination;

n/a

3 to make the price of housing accessible to those without adequate resources.

Ensuring affordable housing, either as ownership or through renting, is one of the serious socio-economic issues that have concerned Cypriot society the past years. Clearly this is not only a local phenomenon, but it is a problem that occurs to an even greater extent in major cities abroad.

In Cyprus, also due to the traditional high rate of home ownership, this phenomenon, which was initially apparent in the big urban centers (Limassol, Nicosia) has now spread in other areas too. The increased demand for specific properties from foreign buyers/tenants was one of the generative causes of the aggravation of the problem which was intensified with the inflationary trends in the construction sector.

To address the problem, the Cypriot Government has implemented various measures in recent years, such as subsidizing mortgage interest rates, providing financial assistance schemes for the purchase and construction of housing, as well as incentives for acquiring housing in mountainous and disadvantaged areas. However, finding affordable housing continues to be one of the most important problem for Cypriot society today and more measures are needed to support its citizens, especially young people and young couples.

The new housing policy that was announced in October 2023 by the Cypriot Government, aims to alleviate this problem. It focuses on a number of multi-level actions and measures, which are provided for the utilization of approximately €77 million over a five-year period.

The new housing policy comprises of measures moving towards two axes. On the one hand, it focuses on short and medium-term measures to increase the production of the housing stock and ensure, beyond the numerical increase, the availability on the market of houses and apartments, which will be rented or sold at affordable prices.

On the other hand, it includes measures that facilitate the access of citizens to affordable housing, aiming to provide options and solutions to population groups with specific characteristics, enhancing their purchasing power, focusing mostly on young people, young couples and families with moderate incomes.

Regarding the short-term measures for increasing the production of the housing stock, the "Renovate and Rent" scheme, which was introduced in November June 2024, provides for a subsidy/ grant to owners of dormant housing properties, at least 15 years old, to renovate their properties, with the obligation of renting them with affordable rent for four consecutive years. This will lead to the increase of the supply of the housing stock, as well towards the improvement of the quality of the properties, available for affordable rent. Certain terms and conditions apply.

Furthermore, the new housing incentives along with the "Build to Rent" program are measures introduced for increasing housing supply and they provide for increased development possibilities for plots, given that, during the implementation of the development, the owner will create, alongside his own development, other affordable housing units for sale or rent.

As far as the short-term measures that facilitate the access to citizens to affordable housing is concerned, the «Young Couples and/or Young People up to 41 years of age» scheme was also introduced in November 2024. The purpose of this scheme is to offer financial assistance to young people up to 41 years of age, for the acquisition of a house/apartment up to 150m².

Certain terms and conditions apply and the objective is to offer subsidies to 400 young couples and/or young people up to 41 years old in a period of 2 years.

Besides the above-mentioned new housing policy, a relevant Aid Scheme was launched in May 2022 under the Cyprus Recovery and Resilience Plan 2021-2026, which introduced incentives to private sector, and more specifically to owners or tenants of existing buildings in the area covered by the Scheme - the inner city of Nicosia - to renovate their properties with the primary goal of converting them into affordable student accommodation.

These combined efforts reflect Cyprus's commitment to ensuring that housing remains within reach for all citizens, particularly those facing financial constraints.

Note

With reference to articles **4.1, 4.3, 4.4, 7.5, 8.4, 17.2, 22, 26.1, 26.2, 27 and 31.3**, Cyprus acknowledges that its national legislation and practice may be in conformity with the standards set out in this article. The rights and guarantees envisaged under this provision, pending further scrutiny, seem to be effectively ensured in practice and through the relevant legal framework.

Nonetheless, at this juncture, we are not in a position to envisage the formal acceptance of this article. While the substantive alignment is recognised, the formal ratification of additional provisions entails a complex internal process that involves not only legal and policy considerations, but also procedural and coordination requirements across multiple administrative levels. Given current institutional capacities and prioritisation frameworks, it has been deemed appropriate to defer consideration of formal acceptance to a later stage.

These positions do not call into question Cyprus' commitment to the objectives of the Charter. Rather, they reflect a prudent and measured approach to the assumption of new international obligations, in a manner that ensures sustainability, coherence, and administrative feasibility.

We will continue to monitor the situation and remain open to re-examining our position in the future, in light of evolving national circumstances and in the spirit of continued engagement with the European Social Charter