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Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General

Report of the United Nations High Commissioner for Human Rights on enhancement of international cooperation in the field of human rights

Addendum*

* Late submission.

Responses from member States

Cyprus

[Original: English]
[15 December 2009]

1. The Government of Cyprus provided a comprehensive report prepared by the Legal Unit of the Ministry of Justice and Public Order on the anti-discrimination work carried out during the last decades, and more systematically since May 2004 when Cyprus joined the European Union (EU), by all competent national authorities and stakeholders. Cyprus provided details on legislation, structural changes, and a series of awareness-raising activities such as educational and housing programmes, campaigns, conferences, seminars and other organized events, studies, and research on attitudes.
2. In terms of legislation, Cyprus has ratified most European and United Nations conventions and protocols relating to discrimination, including the International Convention on the Elimination of All Forms of Racial Discrimination, Protocol 12 to the European Convention on Human Rights, the Council of Europe Convention on Cybercrime and its Additional Protocol concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems. Further, Cyprus has enacted important legislation to harmonize national law with the *acquis communautaire*, including relevant European Union Council Directives, such as 2000/43/EC implementing the principle of equal treatment irrespective of racial or ethnic origin, 2000/78/EC establishing a general framework for equal treatment in employment and occupation, 2003/9/EC which lays down the minimum standards for the reception of asylum-seekers, and 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services.
3. In addition, the enjoyment of human rights and freedoms is guaranteed by the Constitution, which also provides that violation of human rights is an actionable right which can be pursued in civil courts against those perpetrating the violation in order to recover, inter alia, just and reasonable compensation for pecuniary or non-pecuniary damage suffered as a result, as established by case law since 2001. In 2004, a law was enacted vesting the independent Commissioner for Administration (Ombudsman) with special competences, duties, and powers for combating and eliminating discrimination in both public and private sectors. In 2006, an independent agency was created by law for investigating complaints against police misconduct (including human rights violations).
4. In terms of structural changes, two separate authorities were created, namely, the Cyprus Anti-Discrimination Body and the Equality Authority, which, together comprise the Cyprus Equality Body under the Ombudsman. When certain criteria are met, the Ombudsman is granted the power to issue decisions which are binding on the parties; however, in cases where the guilty party does not abide by such decisions, the Ombudsman does not have the power to refer him/her to court.
5. Following the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the Ministry of Justice and Public Order in collaboration with the Law Commissioner and President of the National Organisation for the Protection of Human Rights, the Attorney-General, the Ombudsman, and all other key actors, prepared in 2002 a national report on the implementation of the conclusions of the European and World Conferences against Racism. The national report included a chapter containing a National Action Plan against Racism which provided for a significant opportunity to build upon and enhance existing policies and strategies to combat racism in

Cyprus and to identify new priorities, aspirations and areas of work. Further, the Ministry of Labour and Social Insurance prepared a National Plan for Employment for the period 2004–2006 which included policies and measures to combat discrimination against people at a disadvantage in the labour market. The Ministry of Labour and Social Insurance also adopted in July 2004 a National Action Plan for Social Inclusion for the period 2004–2006, which incorporated all policies for the successful harmonization of Cyprus with the general European targets, mainly the EU Lisbon Strategy for Growth and Jobs. Moreover, within the framework of national policies for people with disabilities for the period 2004–2006 the Service for the Welfare of the Disabled had introduced three new schemes, co-financed by the European Social Fund, aiming to strengthen infrastructures to facilitate social inclusion and professional rehabilitation of adults with visual disabilities and to provide employment incentives for persons with disabilities. Finally, a National Action Plan on Gender Equality for the years 2007–2013 has recently been drawn up on the basis of the Beijing Platform for Action, as well as EU policies, aiming at a holistic approach to gender equality issues and the implementation of gender mainstreaming in six priority areas.

6. In terms of awareness-raising activities, Cyprus has organized a number of seminars and conferences, disseminated information material on human rights issues, and launched an information campaign “For Diversity against Discrimination”, including events and activities such as an award for journalists, a poster competition, and workshops for journalists.

7. Cyprus also provided an extensive list of good practices in the area of combating discrimination, racism, intolerance and xenophobia, and also identified some key challenges, such as funding inadequacies, staff shortages and a heavy workload of claims submitted to the Ombudsman’s Office.
