Recommendation to the United Nations Committee on the Rights of the Child:

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It is founded on the principle of promoting and protecting children’s rights in Cyprus. We aim to do this through implementation of a variety of projects covering communal initiatives, environmental initiatives, integration of legally residing non-Cypriot children nationals into their host society, working with separated and unaccompanied children present in Cyprus

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***These recommendations are dedicated to all children living in the Republic of Cyprus.***

**COUNTRY REPORT FOR THE PROTECTION OF CHILDREN IN CYPRUS**

**By Dr. Ilias Bantekas and Ms. Joseph Varughese**

**“Hope for Children” UNCRC Policy Centre**

**2012**

1. **Institutional Framework for Policy Development**

Cyprus is a small island nation with a population just exceeding 700.000 people. Moreover, almost 40% of its territory has been occupied since 1974. It is natural therefore that its attention on children’s rights is to some degree subsumed within its greater focus on education, vulnerable groups and general health. Nonetheless, the Republic has allocated particular powers to several entities within the government, such as the Youth Board, and has succeeded in engaging in and adopting legislation with a focus exclusively on children on the basis of comments made by the relevant bodies of the EU and the latest report of the UN Committee on the Convention of the Rights of Children (CRC).[[1]](#footnote-1) The government’s outlook has focused on the following themes: a) general protection of children, especially from family violence; b) adaptation of criminal legislation to juvenile offenders; c) monitoring of children’s rights and protection through dedicated entities; provision of child welfare services to vulnerable children, particularly handicapped, mentally impaired and unaccompanied children.

Although Cyprus has set up distinct policy institutions to deal with children’s issues only one distinct policy mechanism exists that advises the Cypriot Parliament on legislative changes. This is the Youth Board, which was established by the Ministry of Education and Culture, but is otherwise independent. It is composed of youth members of political parties and government agents and is a unique feature of Cypriot political life. Indeed, it is a very persuasive entity. Other than that, children’s issues are handled by a variety of Ministries and the Ombudsman, whose role will be explained in more detail.

With the exception of handicapped, mentally impaired and unaccompanied children, there are no other priority categories of children identified by the government. In respect of the first two categories the policy of the government is to integrate them in normal schools with the additional provision of specialist assistance, unless this is not in their interests (Law No 113(I)/1999). This does not mean that minority children are not known in Cyprus. Indeed, while 89% of the population is Greek Cypriot, the remainder is composed of Maronites, Armenians, Latinos and temporary immigrant workers and their families. Under the Cypriot Constitution citizens of the Republic may – for various legal reasons – belong to only one of two groups: Greek Cypriots or Turkish Cypriots. All ethnic minorities have chosen the former. The education and welfare of minority children is not seen as a problem by the government and all of these minorities have set up their own schools and each student is subsidized by the government. Equally, the government has claimed, and this is corroborated by NGOs, that the country does not have street children or Roma children. An emerging issue that has only recently hit the spotlight is that of unaccompanied children, whether as a result of trafficking or simply transiting through Cyprus. To counter this latter phenomenon the government has recently passed a Law on the Trafficking of Children and their protection by the State (Law No 3(I)/2000),but it has also taken measures to alleviate the psychological and other traumas of unaccompanied minors through specialised services (Ministerial Decision 52.375 of 6 October 2000). Whatever effects this may have had for averting trafficking, practitioners interviewed informed me that the government generally brushes under the carpet all things that have to do with the registration and welfare of unaccompanied children. The vast majority are raised in Cyprus in “underground” conditions and for many Greek eventually becomes their mother tongue although they have never been registered in Cypriot records! For some time there was concern that Cypriot court practice and legislation was not geared towards the best interests of the child. In light of these concerns the government adopted into Law the Hague Convention on Protection of Children and Co-Operation in respect of Inter-country Adoptions through Law 19(I)/1995. The general education and welfare of immigrant children is not presented as problematic.

The key public administration institutions entrusted with developing children’s policies are the Ministry of Education and Culture, which sets out educational policy and the country’s youth agenda, the Ministry of the Interior, the Ministry of Labour and Social Insurance and the Ministry of Justice and Public Order. There are certainly others, but are not considered key to this study. Of extremely importance are also the Parliamentary Committees of Education and Culture, Labour and Social Insurance and the Committee on Crime and on Fight against Drugs and Addictive Substances. Their role is to conduct inquiries on youth matters pertinent to their mandate and to report on remedial or possible legislative measures.

Unlike other countries, such as neighbouring Greece, coordination of the relevant actors is in fact premised on formal rules. By a Ministerial Decision No 52,255 (2000) a Central Committee for the Implementation of the CRC was established, endowed with its own budget. To some degree this may overlap with the Standing Committee on Human Rights, which is mandated, and has in fact dealt, with issues pertaining to the protection and rights of children. Moreover, by a subsequent Decision of the Council of Ministers No 56,462 (2002) an Inter-Ministerial Committee was set up whose role is to modernise all legislation relating to or affecting children and to incorporate the provisions of the CRC in existing laws and to draft new legislation where necessary. Furthermore, since 2001 a Committee of Experts has been in place to co-ordinate action under the Attorney-General for combating trafficking of persons and sexual exploitation of minors (Council of Ministers Decision No 54,281 (2001)). Finally, in respect of family violence an Advisory Committee has been set up with the task of centralising all relevant efforts (Council of Ministers Decision No 55,646 (2002)). For all other matters in respect of which an overlap may exist it is assumed that the incumbent departments will work individually but will try to coordinate their efforts on an informal basis as far as possible. Some experts have noted in their interviews that far from any informal types of cooperation one of the biggest obstacles encountered, particularly from the part of independent agencies and NGOs is the lack of inter-agency cooperation between competent authorities. Certainly, this must be an area of concern for the government.

An Ombudsman’s Office under the designation Commissioner for Children’s Rights was set up only in 2007 on the basis of Law No 74(I)/2007. It is an independent institution and although it undertakes the same functions as most of its other European counterparts its jurisdiction is significantly broader. It does not only enjoy the right to hear complaints but it can to a large degree pursue claims on behalf of children, it may supervise and monitor the implementation of the CRC in Cyprus and to make follow-up reports and relevant proposals to the government, conduct public awareness campaigns and generally take all those measures for the protection of children’s rights. Evidently, the powers of the Ombudsman are more extensive than usual and both the institution and the current incumbent are respected figures in Cypriot civilian and public life.

The development of children’s policies is largely centralised and dictated by the relevant Ministries and their sub-divisions. Nonetheless, municipal and authorities and communal bodies may be engaged in the drafting of local youth policies and in the development and application of youth activities. One should not make too much of this. Exceptionally,The “Hope For Children” UNCRC Policy Center and the Pancyprian Coordinating Committee for the Protection and Welfare of Children (PCCPWC), which was established in 1994 by district committees on children’s rights developed into the national body implements the CRC on the ground through the organisation of various events and has become a member of international *fora* on children’s rights, such as Eurochild. In addition to local authorities, there has been an upgrading of Municipal Youth Council institutions, the role of which is not to make policy, but they do undertake many of the activities associated with youth policy in the country. Other than that, and with the exception of schools that have some authority to draft their own rules in certain matters, policy making is rather centralised.

The data on spending and budgeting are rather poor and perhaps somewhat outdated. At the time of writing although the latest Cypriot Report to the CRC Committee had been prepared and submitted it remained confidential and the author of this report was not therefore privy to its findings. On the basis of the last CRC national report 5,64 of the country’s GDP was spent on all levels of public education. Other services in the report are commingled with general expenditures (e.g. health) and so one cannot give an accurate account as regards money spent for children. The report does, however, provide an account of other expenditures, such as that provided for children with special needs, but these cannot be contrasted to other sums. By way of example, it is reported that in 10,5 £million was spent for juvenile justice and for children with special needs.

Finally, one should note the efforts of the government of Cyprus to increase the birth rate in the country, which much like the rest of Europe, is in decline. Although this is not generally claimed as being encompassed within the country’s overall children’s policy, it is indirectly relevant to these processes. For example, the government has introduced a generous benefits scheme for families and since 2003 has reformed its tax system, partly in order to assist low income families with a view to boosting births.

1. **Mechanisms of Policy Delivery and Monitoring**

Policy making is not wholly distinct from policy delivery. The relevant ministries and their subcommittees are broadly responsible for both functions and unless an exceptional matter is referred to the jurisdiction of a regional body, such as a school board, it is implemented by the incumbent Ministry. Obviously, a number of laws have been adopted which grant authority to public entities that are not endowed with policy making capacity to implement the law. A typical example is the Police, in respect of which specific laws have been adopted which deal with its interaction with children. Of particular significance, by way of example, is the Law on the Protection of Witnesses No 95(1)/2001 (2001), which stipulates special procedures for minors giving evidence in criminal or other proceedings, as well as Law No 119(I)/2000 (2000), which provides binding instructions and clear guidelines to the Police when dealing with children that have suffered violence in their home. In the section dealing with NGOs we shall explain their role, which although crucial is less developed in comparison to other countries in mainland Europe.

In reality there are no general procedures for identifying children whose rights are or are being violated. Some of the aforementioned laws, particular those relevant to the functions and duties of the Police, stipulate that law enforcement authorities and the Attorney-General should take a proactive stance in mitigating and preventing violations to children’s rights. Equally, law enforcement authorities are entrusted with the monitoring of particular laws, such as the sale of intoxicating liquors to minors (Law No 83(1)/1998 and the admission of persons below the age of 17 into particular places of entertainment (Law No 65(I)/2007). Other than that, specific procedures exist for identifying children with special needs from an early stage so that particular attention can be paid to them and appropriate schooling and other facilities can be made available to them and their parents. This procedure has been instituted on the basis of the Regulation on the Machinery for Timely Recognition of Children with Special Needs (PI 185(I) 2001 (2001), as well as Regulation on the Education and Training of Children with Special Needs (PI 186(I)2001 (2001). Moreover, schools are entrusted with the function of ascertaining and detecting any psychological or physical problems with which students may be suffering and have a duty to report these. Depending on the severity of the problem, this may be treated through the assistance of dedicated specialist staff provided by the Ministry of Education or else referred to the authorities for other remedial action. Although the Cypriot government has not identified any group of children as particularly vulnerable, particularly from the various ethnic or religious minority communities, the recent influx of immigrants has caused some alarm to the authorities regarding the protection of immigrant children. To this end it has adopted a policy of introducing them to the local educational system, which under all accounts seems to have been successful, despite some negative perceptions in Cypriot public opinion. The government also considers the issue of unaccompanied children to become a more pressing matter in the near future, particularly as Cyprus is one of the gateways for entry into the European Union, but in general has done nothing, according to reports, to alleviate any of their suffering. By way of illustration, it has failed to acknowledge them or issue them with the necessary registration documents so at the very least they can attend school or receive social welfare and medical services.

Services to children are not exceptionally well advertised. It is for this reason that one of the goals set out by the Ombudsman is to engage with children through visitations to schools and other youth organisations and generally promote the rights afforded to them under Cypriot legislation and the CRC. One of the problems that all relevant actors have named is the fact that because Cyprus is a patriarchal and family-oriented society the parents think of the children as property – although this should not be misunderstood – and as such the opinions and views of children are seldom taken into consideration. Equally, because of this nature of Cypriot society children are not generally exposed to mechanisms that are dedicated to their protection. This observation is particularly important given the high level of education of Cypriot children and the vitality of youth organisations. With the efforts of the Ombudsman a long series of informative campaigns have taken off and publicity of relevant services has been significantly enhanced. Exceptionally, some good publicity efforts include the electronic public by the Cypriot Police of a Citizen’s Charter for Children/Youngsters

With regard to the monitoring of children’s programmes and general welfare it has already been explained that several mechanisms have been instituted. Chief among these is the Office of the Ombudsman, which has assumed a leading role not only in the monitoring of the legislation and its harmonisation with international standards, but also its enforcement on the ground. A similar role, but only in respect of monitoring, has been entrusted to the Youth Board, which operates under the aegis of the Ministry of Education and Culture. The Committees mentioned in the previous section are also responsible for monitoring within their specific fields of operation.

With respect to the collection of specialised data it should be explained that until very recently Cyprus did not have a university and as a result failed to commission studies and other research into most issues of public life. This has been particularly evident as regards the monitoring of data related to the protection of children. Nonetheless, in its last periodic report to the CRC Committee the government of Cyprus provided some statistical information concerning certain categories of children’s rights. Most of this was collected and compiled by the Cypriot Public Statistical Service and mainly consisted of data related to numbers of young children, categorisations based on gender and expenditures. Other data was purportedly collected by the authorities of particular Ministries, such as the Ministry of Education in respect of schooling, children in special institutions, child delinquency and the number of children that display problematic behaviour while the Social Welfare Committee submitted information on the sexual or physical abuse of children. Equally, the Ministry of Health provided data on relevant issues. It is evident that the data collected does not only concern vulnerable children but all children. As far as this author is aware there is no determined frequency as to when this information is gathered and compiled but it is certainly demanded from the relevant public authorities in order to construct reports destined for scrutiny before quasi-judicial bodies in international organisations. One of the aims of the Ombudsman is to institutionalise the frequency and format of these reports and this is an ongoing effort of the Cypriot government. It has to be noted, however, that there does not seem to exist any sort of co-ordination between the incumbent bodies in respect of data collection, albeit because of the size of the public sector there does exist an informal exchange of information between the various bodies.

One of the suggestions incorporated in the last report of the Cypriot government to the CRC Committee was the creation of an information bank into which all the Ministries and public authorities engaged in children’s issues could deposit all relevant data collected. As far as this author is aware this information bank has not yet been put into operation, the materials of which would also be made available to NGOs. Although some data collection does take place, as discussed in the previous paragraph, the Ministry of Justice does not keep a detailed account of court judgments, orders and other material that may be used to assess the state of juvenile justice in the country. Thus, besides some statistical data nothing else is generally available. It is hoped that the newly-founded University of Cyprus will be commissioned to undertake studies of this nature and to document the jurisprudence.

1. **The Role of Civil Society, Including Children**

It should be stated from the outset that unlike other countries in mainland Europe in Cyprus the concept of an NGO dedicated to children is rather a novel idea, at least from certain perspectives. NGOs do in fact exist in more traditional forms, such as the Cyprus Family Planning Association or otherwise associations of parents or of guardians of children with special needs. Hence, the grassroots members of such organisations are not impartial third parties but rather concerned persons with vested but genuine interest in children’s protection and rights. It is only of recent vintage that NGOs similar to the mainland European model have emerged in Cypriot civil society. To a very large degree because of their short presence on the island they have not had the opportunity to make an impact. One should also not forget the role of the Orthodox Church of Cyprus in respect of its philanthropic work, although unlike its neighbour Greece it has not needed to set up special institutions for children, such as orphanages. NGOs in the sense described above are permitted to take part in the country’s policy making concerning children, albeit restricted to specialised areas and themes. In particular, the Central Committee for the Implementation of the CRC, which as already explained is one of the key bodies in the submission of policy proposals and legislative bills is composed not only of government agents but also of a number of NGOs, such as the “Hope for Children” UNCRC Policy Center and Pancyprian Coordinating Committee for the Protection and Welfare of Children and the Pancyprian Council of Prosperity). NGO participation exists in respect of other committees with policy making capacity, such as the National Plan of Action on Children. Thus in general it may be said that the themes in respect of which NGOs partake in a limited policy making revolve around education and welfare. Some experts, whether interviewed or otherwise, take the position that NGOs do not have a significant role in policy making but from a formal point of view it is evident that they are part of a formalised structure that has a voice in the protection of children’s rights in Cyprus.

Non-governmental stakeholders are also deeply involved in policy delivery and this has been a traditional feature of Cyprus in the field of child protection because of the relatively small size of the country and the family-based and oriented structure of such organisations. This is true for example in respect of the Cyprus Family Planning Association which aims to protect and ensure the reproductive sexual health of all people living in Cyprus. The Association provides not only educational information but also a host of clinical services, especially to marginalised groups or persons. It is a fine example of the inextricably public-private relationship inherent in the vast majority of traditional Cypriot NGOs. We have already explained that these NGOs participate to see degree in decision making and play an advisory rule, but otherwise the structures in the Cypriot State are such that there is very little room for these to have any serious impact in policy delivery. This is so because the charitable work typically carried out by NGOs in other parts of Europe – and which require some infrastructure – are implemented wholly by the government. Yet, there is significant scope for NGOs to tackle other serious issues, particularly child abuse, delays in the delivery of justice, especially in tackling the notorious judicial delays in cases of adoptions and guardianship and in setting a clear agenda on what constitutes in Cypriot law and practice “the best interests of the child”. These issues had not been dealt by the traditional Cypriot NGOs, but have otherwise been identified by the Ombudsman and the new breed of independent Children’s rights NGOs, such as Hope for Children, which have only recently set up shop in Cyprus. It is founded on the principle of promoting and protecting children’s rights. It aims to achieve this through the implementation of a variety of projects; and, by raising awareness through fundraisers, campaigns, advocacy, advisory services to government and various organizations, organizing conferences, workshops, and dissemination of information on European laws on children’s rights. HFC so far has provided trainings to youth and children on Human Rights Education through non-formal education activities, using the Council of Europe manuals “Compass” and “Compassito”. The organization provides social and psychological support to children victims of violence and their families, and unaccompanied minors amongst them victims of trafficking. In the cases of unaccompanied minors, support is provided even after they become adults. HFC has recently initiated in Cyprus as the official partner of the Council of Europe, the Council of Europe ‘One in Five’ campaign to stop sexual abuse against children and has also designed and started the implementation of the “Beat Bullying” campaign which is an island-wide campaign aiming at sensitizing the public and the educational community, as well as at developing tools for the identification, prevention and handling of the phenomenon of bullying. Hope for Children has established and coordinates a global network for the promotion of children’s rights the “Network for Children’s Rights” which has as members NGOs, CSOs, Ombudspersons, government departments, research groups, and international and local organizations. HFC is also a member of the Separated Children in Europe Program - SCEP, the European Juvenile Justice Observatory and the European Network for Guardian Institutions. Additionally, it has participated in the drafting of a Green Paper in cooperation with the International Juvenile Justice Observatory for the European Commission on the application of EU criminal justice legislation in the field of detention, and has conducted researches covering issues such as the online grooming and the implementation of the Lanzarote Convention in Cyprus, the return of unaccompanied minors, and the guardianship of unaccompanied minors..

Because of the traditional structure and membership of traditional Cypriot NGOs their focus has been on areas that directly affects their members, e.g. disabled children, or children with special needs, or minority schools and others. Equally, associations looking out for the beneficial activities of the country’s youth have been in operation since at least 1969, as is the case with the Youth Centres which have in time become administratively independent. In fact, in 2008 the Youth Centers Cyprus Organisation (KOKEN) was established as an NGO with legal responsibility over its member centers and authority over how each is to be supported. Such organisations remain particularly active in these areas and to a very large degree they have been successful in putting forward their views, which have subsequently been implemented, particularly through the introduction of specialised professionals in schools to help disadvantaged children. To some degree this has been achieved because of the personal relations of the relatives with the incumbent public agents given that most people know each other in one way or another.

As regards financing, we have already demonstrated in other sections that traditionally Cypriot NGOs are members of committees set up by the government under official decrees. These committees, some of which are independent, have their own distinct budget and hence NGOs participating therein take advantage of these arrangements. The government also reserves some money for the needs of the traditional NGOs and as a result they are apportioned public money other than through their participation in committees. Public money is also made available to NGOs that run day care centres for children of school age. The money allocated for these projects covers a substantial part of their budget. As far as the author is aware public finances are not made available to the new breed of NGOs, unless a particular project is outsourced to them. The government and the various Ministries are moreover involved in European funding programmes and make an effort to render relevant funds available to NGO stakeholders. Finally, NGOs conduct significant fundraising through the ranks of their own members. Public promotion events to attract donations are generally unknown in Cyprus.

Children’s participation in policy making and delivery is a distinct part of Cypriot life. Some features of this have already been explained very briefly and I am referring particularly to the institution of the Cyprus Youth Board. This was established by Law 33(1)/1994 (1994) and its administration board is composed seven members, consisting of one representative of the youth organisations of each political party with a parliamentary team in the House of Representatives (i.e. the Cypriot Parliament), whereas the remaining members are appointed directly by the Council of Ministers. The Minister of Education acts as the liaison between the Youth Board and the Council of Ministers. The Youth Board is a semi-governmental organisation but with independent standing and has its own structure and staff. Its basic aim is to promote the prosperity of all young people in Cyprus. It is particularly active in the fields of participation, volunteerism, evaluation of youth policy, youth information, positive lifestyle, campaigns and employment. The Youth Board enjoys mainly an advisory role, but it also has jurisdiction to implement youth-related programs following an approval by the Council of Ministers. In its capacity as an advisory body the Administrative Board of the Youth Board submits recommendations in respect of drafting a coherent youth policy aiming to achieve the objectives set out by the government. The Minister of Education has the authority to issue directives in this regard to the Board. To a very large degree the role of the Youth Board is to foster inclusion of young people and promote activities and it is largely seen in that light by the public. Another important institution which demonstrates the active participation of youth or children in common affairs is the Cyprus Youth Council. This is composed of other member organisations, political and non-political NGOs that encompass both of the island’s ethnic communities, as well as religious minorities and foreign students resident in Cyprus. Its purpose is to promote cooperation between youth associations.

In order to make a correct assessment of NGOs and civil society in Cypriot public life the reader needs to be acquainted briefly with the socio-political structures on the island. Cyprus is very much a politicised society and this is reflected not only in the party one votes for but also in respect of club support in football! It is natural that in such an environment certain groups will be favoured over others, depending on who is in power, and that particular alliances will be formed. It is not uncommon therefore for certain organisations to accuse specific government agencies and some NGOs of being antithetical to their plans or cumbersome in respect of human rights policies. The situation is far from ideal and there needs to be a mechanism in place through which civil society can best be co-ordinated so that accusations of favouritism can effectively cease. This is something that the government needs to think about and is something which is already been implemented to the best of her abilities by the incumbent Ombudsperson for Children. Equally, it is important for civil society to broaden its traditional focus and throw some light on areas of children’s protection that are not associated with their direct or indirect interests and which are not generally in the limelight. Some of these areas have been identified above. Equally, given that Cypriot NGOs do not possess the capacity to conduct scientific research on matters affecting children, it is important that universities or other competent agents be employed to conduct in-depth social research with a view to addressing all the current and forthcoming issues. Equally, the experience of NGOs should be utilised to the maximum to collect data, among others, in relation to this suggested types of research. Overall, it is this author’s assessment that the traditional organisations dealing with the welfare and education of Cypriot youth have had a significant role in policy making because their structure was indistinguishable from the State. This is true of all such organisations.

1. **Evidence of Good Practice**

Although as has been obvious from this report a number of public and semi-public institutions have been set up to deal with children’s issues it seems that in the short time that the Office of Ombudsman has been in operation it has managed to concretise and give a definite focus to what had been well intentioned but disparate efforts. A particularly good practice which has been incorporated in the Ombudsman’s authority is the legal representation of all children before the authorities and the courts, including unaccompanied minors. In countries where this is not the case ombudsmen are generally frustrated that they are merely the recipient of complaints, which they can simply pass on to the authorities, but cannot offer any tangible assistance to the victims. Among the successes of the system by far the most significant has been the participation of civil society in the deliberations on policy. By all accounts, if nothing else, it has allowed for greater transparency and the input has had a beneficial effect on the policies themselves. Of substantial success, and which may be seen as a radical departure from the traditional complacency of Cypriot society, was the introduction of the Violence in the Family (Prevention and Protection of Victims) Law No 119(I)/2000 which effectively repealed most of Cyprus evidence law with a view to facilitating the rights and needs of abused children or children giving evidence. Hence, it allowed for *in camera* proceedings through the giving of evidence to the police in specially designated rooms and by means of video-taped interviews or closed circuit television. The Cypriot Police has taken steps to train and sensitize its personnel with regard to taking depositions from young people and treating them as victims of family abuse. The Cypriot Police has set up a specialist unit, the so-called Domestic Violence and Child Abuse Office. This was followed by the preparation of a Manual of Inter-departmental Procedures concerning family violence which was drafted by the Advisory Committee for the Protection of Handling of Family Violence. Moreover, the Attorney-General has given instructions to all government departments to report all family violence incidents to his Office and from the period between 1 January 1999 to 15 March 2003 a total number of 1402 such incidents had been reported. These sustained efforts from the legislature down to the Attorney-General and police level have proven to be extremely effective, considering the reluctance of Cypriot society to intervene in what it saw as exclusive familial and personal matters.

Another institution which has proven to be of eminent success is the delivery of welfare and other supports to lower income families or families with disabled members. One of the objectives of this program was to allow children to continue their studies unimpeded and prevent discrimination at school or elsewhere. There are many components to this program, starting from tax relief (which have now taken the form of direct cash lump sums) to counselling services that make frequent house calls, which can be very extensive and ranges from the preparation and cooking of meals and cleaning for the family to training of family members in various dexterities. Equally, the government has been very proactive in addressing the plight of orphans, children in need of care, children with disabilities through its social welfare services. As has already been stated these services are offered exclusively by the State through the offices of the Social Welfare Services. The various shelters and institutions are utilised as a means of last resort and during the process extensive counselling of the family takes place. Fostering and adoption services are run very effectively according to all relevant reports and indicators. In this and the previous paragraph, for the purpose of coherency alone, I have meshed together best practices both in terms of policy development and policy delivery.

In the opinion of the relevant stakeholders the successive Cypriot governments have been quite open and frank about their policies, expected outcomes and efforts to bring them about. Although the policies described in this report have been successful to a very large degree, such as the integration of all children into schools and the avoidance of discrimination therein, the combating of serious crimes and abuse against children and their active participation in public life, certain other issues have remained unresolved. Chief among these is the lack of efficient co-ordination between the agencies and committees of the various government Ministries; the delays in the administration of justice, particularly with regard to cases of legal guardianship following divorce suits or settlements and whether the judgments and decisions rendered do in fact take into consideration the best interests of the child,[[2]](#footnote-2) and; finally not enough has been done to tackle the plight of immigrant and unaccompanied children. Although the government insists that its existing regulatory framework is sufficient to encompass these children and reinforce their rights, most stakeholders agree that the particular needs of these children cannot be subsumed within those of local children, which are not only more affluent but are generally supported by the system, speak the language and are fully integrated. Relevant studies suggest, and this may be a silver lining, that no discrimination takes place at school at the expense of migrant children. In my opinion civil society stakeholders and government officials generally agree on the success stories and the need to tackle these aforementioned areas of concern. Hence, there does not exist significant disparity in their respective views, save for the fact that civil society views these issues as crucial and of significant dimension whereas the government does not.

It is hard to evaluate correctly whether civil society stakeholders feel if they have enough participation and input into policy development in children’s issues. By and large we have already shown that by the operation of law or other ministerial decisions stakeholders are granted a privileged part in the formulation of policy and its delivery. Those organisations that take advantage of this privilege certainly have no qualms about their overall involvement and interaction with the government. For those stakeholders, however, which for various reasons are excluded from this process there does exist a feeling that they are side-stepped by the more traditional actors and that their voice is generally not as strong. From my personal observations and experience I would say that there is an element of truth from both sides. I do not want to unnecessarily reiterate what civil society considers as good examples, so the reader should refer to the best practices identified throughout this study but especially in the first part of this section.

This author is not aware of specific lessons from programs or mechanisms for the protection of children’s rights to have been used nationally in other contexts, although it is probably true that the Police has found its *in camera* proceedings for the youth to be good practice for vulnerable persons, particularly trafficked women. The opposite, however, is generally true that many of the outcomes in respect of children’s protection have emanated from programs initially set up to deal with other policy issues, particularly welfare services.

Stakeholders do not generally feel that EU actions have added any significant value or added any impact on children’s protection in the country. Certainly, civil society is pleased that more funds are available to finance social projects and programs and the government is equally happy to find political partners in its relevant efforts, but it does not seem that the EU has made any decisive inroad at least as far as policy development is concerned.

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1. This legislation is dispersed. By way of illustration the most significant legal provisions are: Art 11(2)(2) of the Constitution, which permits the restriction of the freedom of minors that have been convicted but only for reformative purposes; Art 18(7) of the Constitution, whereby up to the age of 16, one’s religion is determined by one’s guardian; Art 30(2) of the Constitution, which provides that judicial pronouncements that may be deemed harmful to minors should not be read in public; Law No 21(I) of 2000 on Labour of Children and Young Persons; Law No 113(I) of 1999 on Education of Children with Special Needs. [↑](#footnote-ref-1)
2. This is tied to the wider issue of child representation before the judicial system and the lack of Special Representatives in the Cypriot legal system. The Ombudsman has called for the provision of representatives so that children may have access to justice and information with a view to fully exercising their rights. [↑](#footnote-ref-2)