



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Thirty-fifth session

Summary record of the 733rd meeting

Held at Headquarters, New York, on Thursday, 25 May 2006, at 10 a.m.

Chairperson: Ms. Manalo

later: Ms. Belmihoub-Zerdani (Vice-Chairperson)

later: Ms. Manalo (Chairperson)

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The meeting was called to order at 10.10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined third, fourth and fifth periodic report of Cyprus (CEDAW/C/CYP/3-5; CEDAW/C/CYP/Q/5 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Cyprus took places at the Committee table.*

2. **Ms. Koursoumba** (Cyprus) said that Cyprus had taken the recommendations made by the Committee seriously into consideration in formulating Government policy in relation to gender equality. One factor contributing to the delay in submitting the combined periodic report (CEDAW/C/CYP/3-5) was that the limited resources available to Cyprus had been channelled into other United Nations processes assessing progress in gender equality such as the five and ten-year review of the Beijing Platform for Action. In parallel, much work had been done in paving the way for the accession of Cyprus to the European Union (EU), and the creation of an administrative infrastructure to enhance gender equality.

3. Reviewing the major factors that had catalysed the further advancement of the implementation of the Convention in Cyprus, she mentioned, first of all, the Beijing Platform for Action, which had provided impetus and strengthened political will towards legal and de facto gender equality. Secondly, the process of acceding to the EU had entailed harmonization of laws and enactment of legislation of crucial importance to women in the area of equal treatment and conditions of work. Thirdly, the measures taken by the United Nations Secretary-General aimed at achieving a peaceful settlement of the Cyprus problem, and the efforts of the Government towards reunification of the island, had boosted women's endeavours to organize bicomunal meetings and projects contributing to a culture for peace on the island. A vital element in further promoting women's advancement in that environment was the dynamic interaction of the Government, the Parliament and civil society.

4. The commitment of Cyprus had been manifested by its accession to, and ratification of, a series of international legal instruments on women's rights, including the Optional Protocol to the Convention,

ratified by Law 1(III)/2002. Based on the provisions of the Convention, the Beijing Platform for Action and EU laws and policies, the Government of Cyprus, through the National Machinery for Women's Rights (NMWR) had formulated a national action plan covering areas that corresponded to national priorities and commitments undertaken at the Beijing Conference. Simultaneously, the specific goals on gender perspective and equality had been integrated to a great extent into recent ongoing plans on employment, social inclusion and trafficking. While much remained to be done in order to achieve the desired level of equality, there had obviously been significant developments in all the major priorities and commitments of the Government.

5. More specifically, progress had been achieved in the areas of legal reform, public awareness, education, health, economic empowerment of women and improvement in the status of rural women, protection of women from all forms of violence, trafficking and sexual exploitation, and achievement of a balance in the participation of women and men in political and public life.

6. She described the functions of the NMWR in coordinating, monitoring and implementing Government policy on gender equality and promoting gender mainstreaming throughout the public sector. In addition, a number of human rights mechanisms and bodies promoting gender equality, according to their specific spheres of competence, had been created.

7. Looking towards the future, she said Cyprus would attach great importance to a number of priorities, including changing social attitudes on gender-equality issues, improving implementation of legislation, and providing support for the special needs of vulnerable groups, including migrants and foreign women. A comprehensive new action plan on gender mainstreaming was under preparation.

Articles 1 and 2

8. **Mr. Flinterman** recalled that in 1996 the Committee had expressed concern that military service was not compulsory for women, as it was for men, and noted that the Ministry of Defence was reconsidering the matter. He was interested in knowing what public opinion was on the question.

9. With regard to innovations under the new Civil Registry Law, 2002 (L. 141(I)/2002) concerning

nationality, he asked whether women born between 1966 and 1999 were given the same option as their male peers to choose their citizenship, and how many men had in fact exercised that option. Was he correct in understanding that children born to Cypriot women since 1999 automatically acquired Cypriot nationality?

10. He welcomed the fact that the provisions of the Convention prevailed over domestic law and were invoked by the courts of Cyprus. He was grateful for the example of a 1990 case in which the Convention had been cited in the courts. However, he would have liked to have had examples of even more recent cases, since they would have given a clearer idea of how sensitized the judiciary was to the provisions of the Convention. He also noted with concern that the training programmes arranged for the judiciary related primarily to EU human rights law and there was no evidence of sensitization in gender issues or the Convention.

11. With reference to the preparation of the report, he drew attention to the fact that the report had been drawn up by the National Institution for the Protection of Human Rights, with the head of delegation, the Law Commissioner, as its presiding officer. Since the National Institution was an independent body, he wondered to what extent the Government endorsed or took full responsibility for the content of the report.

Article 3

12. **Ms. Shin** remarked on the broad mandate of the NMWR, and recalled that the Committee had earlier urged Cyprus to strengthen its national mechanisms for the promotion of women's issues. She was impressed that the NMWR could have done so much with so little. She was therefore interested in knowing what plans were envisaged to increase the NMWR's resources, and said that, in her opinion, the body deserved to be upgraded to the status of a secretariat or even that of a ministry.

13. She observed that the future action plan on gender mainstreaming was still at the discussion stage, but she was interested in knowing what time frame had been established for its implementation. In addition, bearing in mind how crucial it was for the action plan to be fully supported by civil society, she noted that there was already active participation by NGOs in the various special committees and councils established by the Government. However, she was curious to know

how transparent that involvement was, especially with regard to NGOs that were not represented on those government bodies.

Article 4

14. **Ms. Schöpp-Schilling** said she wished to clarify some conceptual issues arising from the State party's report. There were clear links between the Convention and the Beijing Platform for Action, but the Convention alone was legally binding. The accession of Cyprus to the EU had naturally entailed considerable work regarding EU directives and treaties; however, the Convention was of universal scope and therefore more far-reaching. There was no mention in the report of temporary special measures: the "positive actions" taken could not be regarded as such but came, rather, under the heading of general policies. She appreciated that, at the time when the report had been under preparation, the Committee had not yet adopted its general recommendation No. 25; the State party could usefully refer to it, as it clarified terminology. Temporary special measures actually meant preferential treatment, and she asked whether the Government was intending to take such measures, in particular by reviewing laws and establishing quotas. It would also be interesting to know whether the Government incorporated the equality principle into the contracts it concluded with the private sector. She stressed the link between article 4 (1) of the Convention and Security Council resolution 1325 (2000) on women and peace and security and enquired whether special measures had been taken to ensure the participation of an appropriate number of women in the Cyprus peace talks.

15. **Ms. Kouroumba** (Cyprus) said that, while women were not required to perform military service, such service remained an option for them, albeit not a popular one. There was an ongoing dialogue on the subject in the country. Regarding the new law on citizenship, which gave right of citizenship to children born of Cypriot women, it was true that the male children in question thus became liable for military service. The first generation concerned had been granted the option of postponing such service until a later date. That law also applied to subsequent generations. In the hierarchy of laws, the Constitution was uppermost, followed by all international treaties to which Cyprus was party, which had superior force over domestic law. Judges preferred to invoke article 28 of

the Constitution, which protected gender equality, or relevant regional instruments, rather than the Convention, which nevertheless, as a universal instrument, could equally be invoked. The matter needed to be looked into. As the judiciary was independent, judges decided themselves on their training, which tended to focus more on matters relating to the EU in the context of the recent accession. As for the National Institution for the Protection of Human Rights, it consisted of two tiers, one governmental, the other non-governmental; in her capacity as Law Commissioner, which was neither a political nor a civil service position, she was appointed by the President of the Republic to serve as its presiding officer. The Institution advised the Government on human rights and suggested reforms in related laws. In terms of the Paris Principles, it was an anomaly, which she herself had discussed with the United Nations High Commissioner for Human Rights. In accordance with the guidelines given to her on that occasion, she had begun to prepare a legislative bill for the establishment of a Human Rights Commission which would be independent of the Government.

16. *Ms. Belmihoub-Zerdani (Vice-Chairperson) took the Chair.*

17. **Ms. Varnavidou** (Cyprus) acknowledged the very broad mandate of the National Machinery for Women's Rights, which had been strengthened, particularly through having its funding increased more than threefold over the previous three years. It had thereby been able to achieve more by outsourcing to external experts, commissioning research and organizing meetings. It helped NGOs to seek funding from the EU for the implementation of programmes on gender equality. There was nevertheless a constant demand for further strengthening of the Machinery, notably in view of the key role it would play in monitoring the new plan on gender mainstreaming and in mobilizing governmental departments and civil society alike. The strengthening of inter-ministerial collaboration was a particular concern. All NGOs wished to be members of the Council for Women's Rights, which already included 13 organizations and trade unions; but a line had to be drawn somewhere. The Council worked in consultation with all relevant NGOs, however, including non-members, and ensured transparency through its website, which fully reflected all its activities.

18. **Ms. Koursoumba** (Cyprus) said that the EU accession process had entailed considerable legal harmonization, particularly in regard to mainstreaming and equality issues, which formed part of the *acquis communautaire*. That had paved the way for a broader reform. On the question of positive action, the courts had found, in a case relating to the children of displaced persons, that article 28 of the Constitution did not allow it. The Government had therefore sought to amend the Constitution so as to provide for the adoption of temporary special measures. She assured the Committee that general recommendation No. 25 would be duly taken into account.

19. **Ms. Varnavidou** (Cyprus), responding to the question regarding the time frame for the action plan on gender mainstreaming, said she hoped that it would be approved by the end of 2006; it would cover the period 2007-2013, thus coinciding with the new strategic development plan, of which it would be a part. The possible introduction of a quota system as a means of accelerating equality had been much discussed in the pre-election period and had met with considerable resistance in civil society. Recent research had revealed a glass ceiling restricting the number of women in banking and semi-governmental circles. There again, opposition had been expressed to the adoption of positive discrimination measures. In public service, women were advancing better than previously, although there was still room for improvement. In the political sphere, efforts to achieve the EU target of 40 per cent participation by women had been helped by NGO partnerships, but work was still needed to put the message across to society at large. No such provision existed in electoral laws; that was a possibility to be entertained.

20. **Ms. Koursoumba** (Cyprus) said that women had been active participants in the peace talks. In the diplomatic service, the number of women had increased, and many occupied high positions. In the Office of the Attorney-General there were more women than men. The President's Constitutional Adviser on the peace proposal of the Secretary-General of the United Nations was a woman, while she herself was directly involved in the framing of laws and in a number of technical committees, together with many other women.

21. **Ms. Varnavidou** (Cyprus) said that, while no woman was yet president of a political party, there were two women vice-presidents of political parties,

who played a particularly active role. She was confident that increasing numbers of women would be seen at negotiation tables.

Article 5

22. **Ms. Tavares da Silva** suggested that, in addition to institutional training, one way to provide training for judges would be to organize high-level seminars. Noting that many of the organizational members of the National Machinery for Women's Rights were from political parties and trade unions, she said that information about independent NGOs which were members would be appreciated.

23. It was not clear if there was a comprehensive, integrated programme to cover the issues referred to in article 5 of the Convention. The comprehensive national action plan on gender mainstreaming and the plan to combat trafficking appeared to be moving forward very slowly, which ran counter to the reference in article 2 to taking action "without delay". Was concern for cultural change and dismantlement of stereotypes already incorporated in the Government's efforts, or was it awaiting the plan on gender mainstreaming? Was there a tolerance of gender stereotypes on the part of the Government? Why were there special visas for woman cabaret artists? The report stated that part-time work was more popular among women, but perhaps it was the only option open to them. In short, the consequences of not addressing gender stereotypes were apparent in the report.

24. **Ms. Popescu** noted that the previous report had indicated that much progress had been made in combating gender stereotypes in the media, but less progress was visible in the current report. It would be interesting to know whether an assessment of previous media measures had been carried out and whether the new programme was based on such an assessment. She wondered how the media coverage had been during the elections, and whether the Cypriot Radio Television Authority, which was the media regulatory body, identified discrimination and imposed sanctions. She asked whether Radio Athina covered the whole country or just part of it and what impact it had. Had action been taken to increase the representation of women in the media, particularly as editors-in-chief? She enquired whether measures had been taken to train teachers regarding the equality of men and women and whether revision of textbooks and curricula had been made with gender issues in view.

Article 6

25. **Ms. Shin** expressed the hope that in the establishment of a national Human Rights Commission, high priority would be given to women's rights. In regard to sensitizing the judiciary, it would be worth considering convening a public forum, attended by officials from all branches of government, as well as representatives of NGOs and the media, to raise public awareness of the Convention and discuss how the Committee's concluding comments would be implemented.

26. In reference to the cabaret artist visa, it appeared that there were many more women coming into Cyprus on such visas than were finding employment in cabarets and night clubs. It would be interesting to know what happened to those who entered on the visa but did not find relevant employment. Abolishing the artist visa was a good idea and would help eliminate gender stereotypes. She also asked about plans to conduct a comprehensive study of trafficking, including the demand side, and requested that such information should be provided in the next report. Further data on the status of violence against women in such forms as rape, sexual harassment, stalking and adult pornography on the Internet would be appreciated.

27. On the issue of domestic violence, the country was doing much to improve the situation. However, the data collection form on domestic violence did not enable a respondent to say whether the domestic violence was repeated or a one-time occurrence and whether it had been reported to the police. Of the 939 cases of domestic violence reported to the police in 2005, how many prosecutions and how many convictions had there been? Finally, were the police trained to mediate in domestic violence?

28. **Ms. Koursoumba** (Cyprus) stated that the media had definitely changed, and that that had been particularly apparent during the election campaign, when many women had expressed their views in the media. The Radio and Television Authority was authorized to penalize media outlets which disseminated gender stereotypes, but figures on that would have to be provided later. Radio Athina was a private station owned by women, with shows for and about women.

29. **Ms. Varnavidou** (Cyprus) said that most of the organizational members in the NMWR were from

political parties. The parties were the largest and best-known organizations and could not be left out.

30. Work was being done on awareness-raising, without waiting for the gender-mainstreaming plan to take effect. The education system and the mass media were objects of sensitization work. One recent programme had encouraged elementary schoolchildren to think about the role of fathers in carrying out family responsibilities. However, such activities were not systematic or integrated. The media were independent, and therefore decisions could not be imposed upon them. The NMWR had held a meeting with women journalists. Gender equality was one of seven goals of education reform, and improvement had been noted, with more women entering the fields of architecture and medicine.

31. **Ms. Koursoumba** (Cyprus) said, in regard to the special artist visa, that there was no government tolerance of trafficking and that measures were being taken at all levels. The purpose of the artist visa, which would be abolished and replaced by a unified visa, was to control activity in a vulnerable sector. They were issued for three months and could be extended for another three months. Each extension was reported as a separate issuance, which might account for the discrepancy between the number of visas issued and the number of women employed in cabarets. Not every cabaret exploited its women, and the presumption of innocence had to be respected. Severe measures had been taken against cabarets which had been found guilty. There was no known issue of trafficking in the country, as most foreign artists returned to their own countries.

32. The Office of the Attorney-General had introduced a mandatory reporting procedure for cases of domestic violence. All cases referred to the Office were examined by lawyers and welfare officials with a view to determining whether they should be brought before the courts. If prosecution was not in the best interests of the family concerned, alternative solutions were sought.

33. A new draft law on aliens and immigration, incorporating the relevant provisions of European Community law, was currently before Parliament. In addition, new legislation designed to regulate private employment agencies' treatment of foreign workers was being prepared. The Government would take the

Committee's recommendations into account in that context.

34. **Ms. Varnavidou** (Cyprus) said that, although the report dealt mainly with domestic violence and trafficking, measures were in place to address all forms of violence against women. While the offence of rape had always been covered by the Criminal Code, the new laws on domestic violence included stiff penalties for marital rape. Cyprus had also enacted legislation criminalizing genital mutilation.

35. The Advisory Committee on Family Violence had drafted a manual of mandatory procedures for handling cases of domestic violence, the text of which made it quite clear that police officers should not mediate in such situations. While the forms used to report cases of domestic violence did not contain a section indicating whether the case in question was a recurrence, that information would emerge from the statistical analysis undertaken by the Office of the Attorney-General.

36. Lastly, she informed the Committee that the Mediterranean Institute of Gender Studies was currently engaged in research on human trafficking, with particular emphasis on the plight of victims and public responses to the issue. Further research on that issue was planned.

37. **Ms. Lambrianidou** (Cyprus) said that criminal proceedings had been initiated in respect of 374 of the 939 cases of domestic violence reported in 2005. As yet, she did not have any information on the outcome of those proceedings. In 2004, 91 investigations into so-called high-risk workplaces had been conducted. Almost half of those cases involved cabarets, nightclubs or similar venues. Cyprus took the issues of trafficking and exploitation very seriously and, as a result of its efforts, had been removed from the United States Department of State's tier 2 watch list. The Office to Combat Trafficking in Human Beings had been operational for two years, but much still remained to be done.

38. *Ms. Manalo (Chairperson) resumed the Chair.*

Articles 7 and 8

39. **Ms. Popescu** recalled that, in its concluding comments on the State party's combined initial and second periodic report, the Committee had expressed concern about the low representation of women in the legislature and in political life, and about their absence

from higher levels of government. While some progress had been made in the intervening decade, further efforts were needed to ensure that more women obtained senior posts in the civil service and to increase the number of female judges.

40. The increasing number of female electoral candidates clearly demonstrated women's desire to be involved in decision-making but, according to the report, the electorate did not have confidence in women's ability to perform in the political arena and there was little support for women's efforts to break into that world. In that connection, the State party should provide information about any measures taken to raise voters' awareness of the need to increase women's participation in political and public life. She encouraged the Government of Cyprus to step up its efforts in that regard and to consider the introduction of temporary special measures such as quota systems.

41. She was curious to know whether the female Turkish Cypriot candidate had won a seat at the recent parliamentary elections. She would also like to know more about the constitutional obstacles encountered in the State party: did the Constitution of Cyprus provide for the unequal treatment of Turkish and Greek Cypriots?

42. **Ms. Gaspard** said that, during a recent visit to Cyprus, she had been struck by the contrast between the country's dynamic economic performance and the low rate of female participation in political life. She wondered whether the persistence of gender-based stereotypes was to blame for that situation and encouraged the State party to conduct a detailed study on the issue.

43. The Government of Cyprus had taken steps to encourage women to participate in local government, but progress on that front had been slow. Women's presence on local councils was particularly important, because it allowed for the discussion of gender-specific policy issues. Cypriot NGOs had been involved in drafting the European Charter for Equality of Women and Men in Local Life, which had been adopted the previous week in Innsbruck. In that regard, she enquired whether the Government would ensure that the Charter was disseminated nationwide and encourage all communities to sign it. Lastly, she urged the State party to implement temporary special measures to increase women's participation in political life.

44. **Ms. Koursoumba** (Cyprus), referring to the questions put by Ms. Popescu, said that she wished to clear up a misunderstanding. The Constitution of Cyprus did not prohibit Turkish or Greek Cypriot women from participating in elections. However, the country was bicomunal and, as such, had two separate electorates — the Greek Cypriot community and the Turkish Cypriot community — each of which voted for its own parliamentary representatives on the basis of proportional representation. Accordingly, 56 of the 80 seats in Parliament were reserved for representatives of the Greek Cypriot community and the remaining 24 were assigned to the Turkish Cypriot community. Since the withdrawal of the Turkish Cypriot community from Government in 1964, the seats reserved for its representatives had remained vacant. However, since the reopening of talks between the two sides, the Government had been taking steps to encourage Turkish Cypriots to participate in parliamentary elections, including the adoption of a new law allowing a Turkish Cypriot to be elected to one of the 54 seats previously reserved for the Greek Cypriot community.

45. Unfortunately, the female Turkish Cypriot candidate had not won a seat in Parliament, but many more women had been involved in the recent electoral process. Their active participation in pre-election debates and discussions showed that attitudes were changing and that the various awareness-raising campaigns launched by the media were bearing fruit. With a view to making further progress on that front, the Government would certainly revisit the question of quotas and temporary special measures.

46. As far as the judiciary was concerned, the first female Supreme Court judge had been appointed in 2004 and the number of female judges in the lower courts was on the increase. It was hoped that that trend would continue. Upon her return to Cyprus, she would endeavour to stimulate public debate about the Convention and disseminate relevant information, including the Committee's recommendations.

The meeting rose at 1.05 p.m.