

Coronavirus pandemic in the EU – Fundamental Rights Implications

Country: Cyprus

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1 Measures taken by government/public authorities impacting on specific freedoms

Please briefly describe the main developments, between 1 September – 31 October 2020, in the legal framework and related measures adopted in your country in response to the Coronavirus pandemic with respect to emergency laws/state of emergency, freedom of assembly and freedom of movement.

1.1 Emergency laws/states of emergency

Measures from 1 September till 21 October.

Cyprus did not declare a state of emergency at any stage of the pandemic.

On 19 August 2020, the authorities introduced a set of moderate restrictions, which mainly remained in place until 22 October 2020. These measures prohibited the gatherings over 50 persons in parties, allowed 350 persons at weddings and christenings outdoors and 150 persons indoors and 250 persons outdoors in catering establishments. Fairs, festivals, exhibitions and concerts in stadiums continued to be banned, except for concerts and theatrical performances at open air amphitheatres which were permitted subject to seating and ticketing arrangements. All these measures were included in the Decrees issued by the Ministry of Health. Conferences and general meetings were also permitted with the Minister of Health permission. In addition, protocols and guidelines about social distancing, personal hygiene and maximum capacity of 50 persons at a time during coffee/snack/cocktail time were decreed.¹ By 17 October, as the number of coronavirus infections increased, the ceiling of 10 persons was reintroduced for both private and public meetings. Sports matches were allowed without spectators, a ceiling of 150 outdoors and 75 persons indoors for catering establishments was imposed with no more than 10 persons per table, cocktail parties and well-wishing ceremonies at weddings and christenings were prohibited, but 350 persons could still attend seated lunch or dinner events. Conferences and performances were permitted subject to the health protocol and indoor cinemas and theatres were permitted to operate with 50% capacity. Special measures were announced for Limassol, the country's second largest city due to the increase of COVID-19 cases. catering establishments had to close at 10.30pm and people were urged not to go out after 11.30pm.²

As of 14 September, which was the beginning of the new school year, school buses were permitted to operate with 100% capacity. All passengers had to wear masks, except those who had a doctor's certificate exempting them from the obligation to wear a mask for health reasons. Students without a mask were not permitted to board on the bus. The parents had the responsibility to provide the masks for the students. The bus driver is not obliged to provide masks to those students who do not have their own masks.³

Measures applicable from 22 October onwards

As of 22 October, the maximum number permitted in restaurants was 75 persons inside and 150 outside. A distance of three square meters indoors and two square meters outdoors had to be

¹ Cyprus, [‘Decisions of the Council of Ministers for the management of the coronavirus pandemic’](#), 21 August 2020.

² Cyprus, [‘COVID-19 measures extended island-wide and contingency measures decided for Lemesos District’](#), 17 October 2020.

³ Cyprus, Ministry of Transport, Communication and Works (2020), [‘Χρήση μάσκας κατά τη μεταφορά μαθητών με μαθητικά λεωφορεία’](#), 10 September 2020.

maintained. The number of persons per table must not exceed six persons. Sports games are permitted without spectators and subject to complying with the health protocol. Cinemas and theatres can operate with 50% capacity. Gatherings in homes and in public spaces except for restaurants must not exceed ten persons.⁴ Public transport can still operate with 100% capacity. Cocktail parties and the congratulations custom at weddings and christenings are not permitted, but seated meals with a maximum of 350 persons are permitted. Retail businesses for food, drinks and medicines will be serving only persons with disabilities and persons aged 60 and over until 9 am.⁵ Religious mass in churches is to be conducted in accordance with the guidelines of the Greek Orthodox Church of Cyprus. Following public reactions in social media criticizing the Ministry's decision to leave the handling of the pandemic in the hands of the church, the reference in the official announcement of this measure was modified to 'performing ceremonies and worship on the basis of the Ministry of Health guidelines'.⁶

During this period, school buses continue to operate with 100% capacity, despite the rise in the number of COVID-19 positive cases.⁷

In two cities, Limassol and Paphos, where there is a comparatively higher number of Covid-19 cases, incidents were recorded, and additional measures were applied from 22 October: catering businesses and bars must close at 10.30pm, although home deliveries are permitted after 10.30pm; there was a curfew from 11pm until 5am, except for medical reasons and for travelling to and from work, for which they must present a relevant certificate from their employer; all afternoon activities for children, such as sports and art classes were suspended.⁸ By the end of October, the Ministry of Health was considering the extension of the measures taken to all the cities or partial lockdown of Limassol and Paphos, depending on the cases of COVID-19.

Use of masks

Whilst in August and the first part of September the use of a protective face mask was compulsory only indoors and where there was increased gathering of people,⁹ from 15 October onwards the use of masks became imperative for all aged 12 years and above in all indoor areas where more than one person was present, as well as in public transport, workers at building sites who were also required to wear masks when moving in cars and the number of persons in cars could not exceed two, for deliverers and in elevators. Exceptions from the duty to wear masks applied for houses, persons actively eating and drinking, exercising, cooks and chefs during cooking, persons with special cognitive abilities, other disorders making the use of masks impossible and persons with gnathofacial

⁴ Cyprus, Official Gazette, [The Infectious diseases law Cap. 260](#), *Regulatory Administrative Acts, Third Annex, Part I, R.A.A. 479/2020*, 22 October 2020.

⁵ Cyprus, Official Gazette, [The Infectious diseases law Cap. 260](#), *Regulatory Administrative Acts, Third Annex, Part I, R.A.A. 479/2020*, 22 October 2020.

⁶ Cyprus, Official Gazette, [The Infectious diseases law Cap. 260](#), *Regulatory Administrative Acts, Third Annex, Part I, R.A.A. 479/2020*, 22 October 2020.

⁷ Cyprus, Ministry of Transport, Communication and Works (2020), '[Χρήση μάσκας κατά τη μεταφορά μαθητών με μαθητικά λεωφορεία](#)', 10 September 2020.

⁸ Cyprus, Official Gazette, [The Infectious diseases law Cap. 260](#), *Regulatory Administrative Acts, Third Annex, Part I, R.A.A. 479/2020*, 22 October 2020.

⁹ Cyprus Official Gazette, [The infectious diseases law Cap 260, R.A.A. 342/2020](#), 31 July 2020.

variations/distortions or/and injuries. The fine for non-compliance with the decree is €300.¹⁰ On 22 October, as the number of Covid infections rose, the use of masks became imperative in public spaces as well, except for persons exercising.¹¹ Following criticisms about the proportionality and reasonableness of the regulation for wearing a mask outdoors all the time even when a person is alone,¹² the Ministry of Health issued a clarification, specifying the instances where masks need not be used: within homes, within one's own garden, when actively drinking or eating, when travelling with one's own private car alone or with family members including under age children, when exercising including in gyms or dance schools, persons with listed health issues, when walking alone in a non-crowded space, when sitting in a catering establishment but the mask needs to be worn whilst entering, leaving or visiting the washrooms or the till. The police have discretion to impose fines of €300 to persons found to be in violation of the measures.¹³

1.2 Freedom of assembly

Regulating street protests

The measures as regards public gatherings and demonstrations at the beginning of September were the same since the outbreak of the pandemic: they were prohibited. On 19th June, when most of the restrictions applicable in the previous phase were abolished, gatherings, demonstrations, festivals and parades continued to be banned.¹⁴ On 19 August, the authorities announced relaxations on other restrictions, but the ban on public meetings and demonstrations was not included in the relaxations. At the end of August, a large crowd of demonstrators gathered in Nicosia to protest against the Covid-19 measures. The protesters did not wear masks and did not keep distances between them. No arrests were made or fines issued on the spot. The police stated that the number of protesters was far too high for the police to start arresting persons or issuing fines, as that would have led to tensions and to larger problems and infection risks.¹⁵ Within 24 hours, and although the ban on street protests was not officially lifted, the Health Ministry issued a set of guidelines to be observed during outdoor peaceful protests: use of masks by all participants, maintaining distances of 1,5 metres between each participant, no distribution of leaflets or other papers, no sale of any items, the organiser must notify the police in advance, nominating a person who will be the interlocutor with the police and who will be responsible for compliance with the measures.¹⁶

On 28 October, another street march against the coronavirus measures, against 5G and against migrants, resulted in violence as demonstrators started throwing Molotov bombs against police cars,

¹⁰ Cyprus, Ministry of Health, '[Revised instructions for the mandatory use of facemask by the general population](#)', 14 October 2020.

¹¹ Cyprus, Official Gazette, *The Infectious diseases law Cap. 260, Regulatory Administrative Acts, Third Annex, Part I, R.A.A. 479/2020*, 22 October 2020.

¹² Kallinikos, G. (2020), '[Η ρουλέτα, το Υπουργικό και η μπούρδα με τις μάσκες παντού!](#)', *Phileleftheros*, 23 October 2020.

¹³ Kathimerini (2020), '[Σύγχυση με τη μάσκα σε εξωτερικούς χώρους- Επικρατεί σύγχυση για του πού και πότε κάποιος πρέπει να φέρει μάσκα - Απαντήσεις σε απορίες πολιτών](#)', 24 October 2020.

¹⁴ Cyprus, *The infectious diseases law Cap 26, R.A.A.265/2020*, 19 June 2020,

¹⁵ Sigmalive (2020), '[Αστυνομία: Έκτακτη σύσκεψη για την εκδήλωση διαμαρτυρίας στο Προεδρικό](#)', 30 August 2020.

¹⁶ Cyprus Ministry of Health (2020), '[Κατευθυντήριες οδηγίες για ειρηνικές διαδηλώσεις σε εξωτερικούς χώρους](#)', 31 August, 2020.'

causing one of them to catch fire. Four police officers and a fireman were injured. Some hours later, the police arrested seven persons on suspicion of rioting, car arson, malicious damage, unlawful possession of explosives and conspiracy to commit a misdemeanour.¹⁷ When the police presented the arrested persons in court requesting for a remand in custody, the court rejected the police request because there was no testimony connecting the arrested persons to the offences they were suspected of. The seven persons were released without being charged.¹⁸ The Justice Minister told the press that she was troubled by the young age of the persons arrested and by the fact that some of them were asylum seekers, adding that they left their countries with the excuse that they are in danger and come to our country putting our citizens in danger.¹⁹ NGOs criticized the Minister's statements, for violating the presumption of innocence and containing racist overtones. The NGOs particularly criticised the fact that the Justice Minister's partner, a well-known journalist, sought to justify the Minister's statements, by posting on social media a video from 2017 involving violent incidents amongst Cypriots.²⁰ The Justice Minister's statements came at a time when the European Commission served a formal notice on Cyprus about the incomplete transposition of the Directive on the Presumption of Innocence, including shortcomings in relation to public references to guilt made by public officials and the availability of effective measures if this happens.²¹

Photographing protesters for the purpose of imposing fines

In the summer of 2020, the police informally introduced a method of photographing persons attending public protests and from the photos they identify persons who are not wearing masks and are not distancing, so as to mail them the fine of €300.²² Although this practice inevitably leads to unrestricted retention of mass data, the DPA did not comment on the legality of this practice and its compatibility with article 6 of the GDPR. By contrast, in the case of the video released by Aljazeera regarding Cyprus' citizenship by investment program,²³ the DPA had found that there was a data protection breach, without examining whether processing was necessary for one of the reasons listed in article 6(1) of the GDPR.²⁴

¹⁷ Cyprus, Police press report No.2, [‘Οχλαγωγία – Εμπρησμός αυτοκινήτου – Πρόκληση κακόβουλης ζημιάς σε περιουσία – Παράνομη κατοχή εκρηκτικών υλών – Συνωμοσία προς διάπραξη κακούργηματος – Παράνομη κατοχή ναρκωτικών’](#), 29 October 2020.

¹⁸ Phileleftheros (2020), [Ελεύθεροι οι 7 νεαροί για τα έκτροπα της Λεμεσού](#), 29 October 2020.

¹⁹ Dialogos (2020), [‘Γιολίτη: Αιτούνται φιλοξενίας και την ίδια ώρα εξαπολύουν μολότοφ και πετροβολούν’](#), 29 October, 2020.

²⁰ KISA (2020), Press release 1 November 2020; Racism Watch (2020), Press release 1 November 2020.

²¹ European Commission (2020), [‘October infringements package: key decisions’](#), 30 October 2020.

²² Kathimerini (2020), [Στις 7.500 ευρώ τα πρόστιμα από την πορεία διαμαρτυρίας στο Προεδρικό’](#), 30 October 2020.

²³ Aljazeera (2020), [‘The Cyprus Papers’](#), 23 August 2020.

²⁴ Cyprus Data Protection Authority (2020), [‘Ανακοίνωση Επιτρόπου Προστασίας Δεδομένων Προσωπικού Χαρακτήρα για ενδεχόμενη παραβίαση δεδομένων προσωπικού χαρακτήρα’](#), 25 August 2020.

1.3 Freedom of movement

Flights to Cyprus

The Unit of Surveillance and Control of Infectious Diseases of the Medical and Public Health Services continued to evaluate the epidemiological picture of various countries with regard to COVID-19, based on the epidemiological indicators of the countries, such as:

1. The effective reproduction number $R(t)$ for SARS-CoV-2,
2. The number of new diagnoses per 100.000 population (daily, 7-day cumulative, 14 day cumulative),
3. The number of laboratory tests per 100.000 population (overall, daily and 7-day cumulative)
4. The mortality rate per 100,000 inhabitants (overall and 7-day cumulative),
5. Testing positivity percentage,
6. The classification by the World Health Organization (WHO),
7. Weekly percentages of positive cases from random checks conducted in airports upon arrival of flights/passengers from the assessed country and
8. Qualitative assessment by a panel of experts

Countries of origin continued to be frequently categorised in accordance with the above procedure and rearranged based on the epidemiological picture of each country. At the beginning of October, only three EU countries were listed in Category A, which does not require to present a laboratory COVID-19 test certificate or go into self-isolation: Germany, Latvia and Finland. Amongst third countries, Australia, New Zealand, South Korea and Thailand were also grouped as Category A.²⁵ It should be noted that random testing is conducted at various flights.

For passengers travelling to Cyprus from Category B countries, a negative laboratory test within 72 hours prior to departure is required and possibly additional random testing upon arrival, included Denmark, Greece, Estonia, Ireland, Italy, Lithuania, Poland and Sweden, amongst EU countries. Amongst non EU countries, category B included UK, Iceland, Lichtenstein, Norway, Vatican City, San Marino, Uruguay, China, Japan, Rwanda, Canada and Serbia. Cypriot citizens or other Cyprus residents, and other categories who travel to Cyprus from any of the countries listed in this category undergo PCR COVID-19 tests upon arrival. Persons travelling from countries in category B are required to remain in self-isolation at home until the examination result is issued.²⁶

Category C comprises of 15 EU member states (Austria, Belgium, Bulgaria, France, Croatia, Luxembourg, Romania, Spain, Malta, Netherlands, Hungary, Portugal, Slovakia, Slovenia, Czech Republic) and eight non-EU members (Andorra, Monaco, Switzerland, Algeria, Georgia, Morocco, Montenegro, Tunisia). This is a high risk category and only specific categories of citizens travelling from these countries will be allowed into Cyprus and some of them are requiring a special permission through cyprusflightpass subject to a diagnostic test for PCR COVID-19 being carried out upon their arrival in Cyprus or have with them a negative RT-PCR test certificate for COVID-19, undertaken

²⁵ Cyprus, Ministry of Health (2020), [Epidemiological risk assessment of countries concerning COVID-19](#), 6 October 2020.

²⁶ Cyprus, Ministry of Health (2020), [Epidemiological risk assessment of countries concerning COVID-19](#), 6 October 2020.

within 72 hours prior to departure and must remain in self-isolation for 14 days. A further Covid-19 test must be carried out 48 hours prior to the termination of their 14-day self-isolation, at their own expense and the self-isolation will come to an end on the 14th day provided that the outcome of the repeat test is negative.²⁷

The classifications are indicative of the situation only on the particular date; the classification remains dynamic and subject to change at any moment. The government advised everyone to avoid non-essential travel, to check the information regularly and, for Cypriot citizens abroad or those intending to travel abroad, to register on a special website created for this purpose.²⁸

Travels within the country

Although there were no restrictions in travelling within the area controlled by the Republic of Cyprus, crossing the checkpoints between the area which is not under the control of the Republic of Cyprus and area which is under the control of the Republic of Cyprus, continued to be prohibited, except to holders of a negative Covid-19 test conducted within the last 72 hours. As of June 21, the Republic of Cyprus allowed the crossing to and from the areas under its effective control, to all Cypriot citizens and all persons who reside legally (with a Residence Permit) in the Republic.²⁹

The 72-hour Covid test is required at both sides of the checkpoint and, depending on the officer in charge, test conducted at one side may not be recognised by the other side, in which case entry into the territory is not permitted.³⁰

2 Implications of Covid-19 and measures to contain it on specific social rights

Please provide information on legislation/measures taken by the government/public authorities, between 1 September – 31 October 2020, in response to COVID-19 that have impacted negatively on relevant social rights with respect to two of the following areas of life: education, work, health care and housing.

Vocational training schemes

The Ministry of Labour, Welfare and Social Insurance (MLWSI) announced a Special Scheme for the Training of the Employed in Specific Economic Sectors Affected by the Pandemic, to be implemented by the Human Resource Development Authority of Cyprus (HRDA), so as to develop their skills and knowledge in managing crisis, developing business continuity, digital knowledge and skills, safety and health at work, risk assessment at the workplace, principles of health food and personal hygiene and environmental issues. To be eligible for funding under this Scheme, employers must employ less than a hundred persons, the business must have suffered a reduction of its cycle of work exceeding 25% as

²⁷ Cyprus, Ministry of Health (2020), [Epidemiological risk assessment of countries concerning COVID-19](#), 6 October 2020.

²⁸ Cyprus, Ministry of Foreign Affairs (2020), [Travel Advice of the Ministry of Foreign Affairs for the Coronavirus](#), 29 October 2020.

²⁹ Announcement of the Ministry of Interior regarding the measures for crossing to and from the areas under the effective control of the government of the Republic of Cyprus, from June 21, 2020

³⁰ Consultation with the NGO Bi-communal Peace Initiative United Cyprus, 2 November 2020.

a result of the coronavirus pandemic and there must have been no salary reductions or unjustified dismissals since March 2020. The enterprise must also commit not to make any salary reductions or unjustified dismissals for the period of implementation of the Scheme and must not participate at the same time in other MLWSI's Schemes.³¹

The Ministry of Labour also announced a Special Scheme for the Vocational Training of the Unemployed in Organisations of the Public and broader Public sector, Local Government Authorities, Non-Governmental Organisations and Non-Profit Institutions, to be implemented by the HRDA. The Scheme aims at the provision of vocational training and work experience to the unemployed and at the same time providing opportunities to organisations of the public and broader public sector, local government authorities, non-governmental organisations and non-profit institutions, to utilise human resources through the implementation of appropriate vocational training and work experience programs. In particular, the Scheme aims at:

- Promoting employment and reducing unemployment by improving the employability of the unemployed.
- Providing opportunities for the unemployed to enter/re-enter employment by upgrading existing or acquiring new knowledge and skills.
- Encourage organisations/services to offer suitable training programs to the unemployed.³²

Labour related support schemes available from the Ministry of Labour for September and October 2020

A number of support schemes available in previous months continued through to September and October:³³ the support scheme for hotel and tourist establishments, a scheme for tourism related economic activities affected by the pandemic, schemes for full and partial suspension of operations of certain undertakings, a scheme for unemployed persons providing a benefit of €500 from which other public benefits are to be deducted³⁴ and a scheme for self-employed persons.³⁵ Other measures taken by the Ministry of Labour with an impact on the labour market is the rollout of a set of five active labour market schemes, which are in effect from October 2020 until April 2021, which provide for either significant subsidization of labour costs for any new hires of unemployed persons or for the subsidization of the cost of training for current employees in businesses that are affected by the pandemic (therefore reducing the labour costs for these businesses since no wages will be paid during the training, but an allowance is payed)".

Financing of interest rates for housing and occupational loans

On 27 October the media reported that a scheme of financing the interest of new housing and new business loans, due to expire on 31 December 2020, would be extended for another six months.

³¹ Cyprus, Ministry of Labour, Welfare and Social Insurance (2020), '[Ειδικό Σχέδιο Κατάρτισης Εργοδοτούμενων σε ορισμένους οικονομικούς τομείς](#)', 27 October 2020.

³² Ministry of Labour, Welfare and Social Insurance (2020), '[Νέα μέτρα στήριξης της απασχόλησης και για την αντιμετώπιση των επιπτώσεων του κορωνοϊού](#)', 7 October 2020.

³³ Offsite (2020), '[Αυτά είναι τα 6 νέα σχέδια για στήριξη εργαζομένων & ανέργων](#)', 23 October, 2020.

³⁴ Cyprus, [Laws on extraordinary measures adopted by the Ministry of Labour Welfare and Social Insurance for facing the Covid-19 pandemic of 2020, R.R.A. No. 422/2020](#), 17 September, 2020.

³⁵ Cyprus Press and Information Office (2020), [Support measures to address the consequences of the Covid-19 Coronavirus as regards employment and enterprises](#), Press conference, 3 September 2020. For more details on these schemes, please see the relevant webpage of the Ministry of Labour [here](#).

Although the decision was not formally announced, media reports claimed that the Ministry of Finance had already decided in favour of this measure, in an endeavor to offer cash flow to self-employed persons, to encourage households to apply for new housing loans and to assist the banks.³⁶

Sick Leave Certificate - Absence from work due to Covid-19 related reasons

The Ministry of Health issued a Decree on the 4th of November 2020 and it was specified that for the employees of the Public Sector, , as from 20 March 2020 and onwards, took or will take a leave of absence from work because they came into contact with an infected person or who travelled to a Category C country for work related reasons, will not have this leave deducted from their annual leave or their sick leave. This regulation will also apply in case of employees who stay at home to care for a child under 15 where the child is a confirmed contact of an infected person or the child is infected.³⁷

Access to health- prices of tests and masks

Testing is free for (a) persons who are symptomatic and their personal doctor submits the need for the test, (b) persons belonging to a specific category and for whom their personal doctor submits the need for the test (c) close contacts that the Unit of Surveillance and Control of Infectious Disease arranges for the test to be done and (d) positive cases that the Unit of Surveillance and Control of Infectious Disease arranges for the test to be done.

Depending on the period, waiting time for testing in the context of tracing contacts can range between 48 hours and 72 hours.³⁸ Persons may get tested privately on their own initiative by appointment and at the price of 75 Euro (VAT not included); appointments are on average made within 24-72 hours from request. Furthermore, at periodic times the Ministry of Health announces scheduled free testing for COVID-19 in different cities and for special categories of groups in the community, for example regions with increase of COVID-19 cases, health professionals, front-line workers and in nursing homes for old people.

In mid-October, the Auditor General's report revealed phenomena of irregular procurement procedures and profiteering in the prices charged for Covid-19 tests, in the purchase price of face masks and in the construction of a new wing of the main public hospital in the capital, Nicosia.³⁹ The Auditor General located two instances where the Health Minister contracted directly a company belonging to a previous Health Minister without following public procurement procedures, in violation of the applicable legislation. This led to unhealthy competition and a high cost of testing for Covid-19, originally fixed at €110 per test, to drop later to €40-€43, following complaints and additional tenders submitted. The Auditor General located a similar problem with the one-use surgical masks, bought at €4,68 each under a contract awarded directly without public procurement. The Auditor General further reported that the creation of a new intensive care unit at the main public hospital in Nicosia

³⁶ Kathimerini (2020), ['Επιδότηση επιτοκίων έως τον Ιούνιο 2021'](#), 27 October 2020.

³⁷ Alpha News (2020) ['Αυτοί οι δημόσιοι υπάλληλοι δικαιούνται ειδική άδεια για λόγους δημόσιας υγείας'](#), 2 November 2020

³⁸ Consultation with chemist at testing laboratory of a Nicosia private clinic, 9 November 2020.

³⁹ Cyprus, Auditor General of the Republic (2020), ['Έλεγχος διαγνωσμών στην περίοδο πανδημίας Covid-19: Εργαστηριακές εξετάσεις Covid-19, αγορά προστατευτικών масκών και κατασκευή νέας πτέρυγας στο Γενικό Νοσοκομείο Λευκωσίας'](#), Special Report No. YPYG/01/2020, 13 October 2020.

was also awarded to a particular contractor at an unjustifiably high price without following competitive procedures.

Access to work and housing: Referral of law extending tenants' evictions until end of the year

At the beginning of October, Parliament adopted a law extending the prohibition of fast track evictions of tenants from 30th September, as was the law until then, till 31 December 2020. The law, which was proposed by the opposition, was adopted with a nearly absolute majority of 47 votes in favour and only one vote against it.⁴⁰ On 29 October however, the President of the Republic referred this law back to parliament, claiming that this extension infringed the freedom to contract, the separation of powers and the right to access to justice. The President's referral claimed that the law was unconstitutional because it amounted to an unjustified interference of the legislature with signed and partly executed agreements adding that such interference may have been justified even if marginally during the total lockdown but could not be justified under the current limited restriction measures; that the legislature is interfering with eviction decisions already in progress before the court; and it deprived landlords of the right to access justice. Tenants' evictions were originally suspended until 31 May and then the suspension was extended until 30 September. The main opposition party criticized the government for referring back to Parliament and to the Supreme Court all laws protecting social rights whilst it goes out of its way to serve the interests of the banks and large businesses.⁴¹ The main opposition party called on Parliament to oppose the President's plan and to join forces to protect social rights of vulnerable groups hit by the pandemic.⁴² The Association of entertainment and restaurant owners expressed its opposition to the referral by the President of the suspension of evictions law, stating that this will be the final blow to the entertainment and restaurant sector, which was hit by the pandemic, leading to evictions from their premises, bankruptcies and job losses

Pandemic and recession

According to a forthcoming study on the impact of the pandemic on the Cypriot economy, commissioned by the Friedrich-Ebert-Stiftung Foundation, the 2020 recession in Cyprus is expected to be as deep as 11.5% of the GDP, resulting from a primary decrease of 17.5% in GDP reduced to 11.5% by government measures. The recession is expected to increase the public deficit to levels exceeding 10% of the GDP, the public debt to more than 100% of GDP, and unemployment by five percentage points, from 7% in 2019 to 12% in 2020. The study found that there are strong indications, that unless drastic measures are taken, Cyprus may be facing one of the greatest poverty crises of modern times. The economic consequences of the lockdown and the bleak economic forecasts of a mainly tourist driven economy, are likely to have a serious impact on those working in precarious jobs, as Cyprus is characterised by relatively high shares of non-standard employment and labour fragmentation, marked by one of the highest adjusted wage gaps in the EU between permanent and temporary employees. Many workers in precarious jobs work in the informal sector, a large portion of whom are migrant workers, are irregular. The informal sector is estimated to be over 25% of the Cypriot economy, which is the sixth largest percentage in the EU. Whilst non-standard employment is more likely to be met among women and young persons, following the financial crisis in Cyprus after 2012, non-standard employment increased considerably among men and persons with tertiary

⁴⁰ Cyprus, Law amending the Rent Control Act (Temporary Provisions) No. 3 of 2020 [*Ο περί Ενοικιοστασίου (Προσωρινές Διατάξεις) (Τροποποιητικός) (Αρ.3) Νόμος του 2020*], 7 October 2020.

⁴¹ Hambi M. (2020), '[Αναπομπή νόμου για παράταση προστασίας από εξώσεις](#)', Stockwatch, 30 October 2020.

⁴² AKEL (2020), '[Η κυβέρνηση με κραυγαλέα κοινωνική αναλγησία επιλέγει να αφήσει απροστάτευτους οικογένειες και μικροεπιχειρηματίες από το κίνδυνο να βρεθούν κυριολεκτικά στο δρόμο](#)', 30 October 2020.

qualifications. Studies have shown how the crisis has adversely affected these precarious workers, in terms of their rights and their income and benefits. Inequalities in the labour market are translated into higher risk of in-work poverty and disparities in social provisions, mostly in regard to the adequacy of earnings-related benefits, including pensions. The three-month lockdown period and the rest of the COVID-19 restrictions led to a deterioration of the income of employees.

Cyprus has a special category of the working poor, who are in relative poverty and at risk of social exclusion, in spite of being in employment because of low wages.⁴³ The at-risk-of-poverty rate is defined as the share of people with an **equivalised disposable income** (after social transfer) below the at-risk-of-poverty threshold, which is set at 60 % of the national **median** equivalised disposable income after **social transfers**.⁴⁴ Even though according to national official statistics the AROP for the general population was 23.3% and 22.3% for 2008 and 2019 respectively, this picture is in fact inaccurate because the calculation is linked to the GDP,⁴⁵ which has fallen significantly. As a result there is a paradox where the AROP appears lower than what it actually is, because of a drop in the GDP and a change in the poverty threshold. In order to address this and provide a more accurate picture, Eurostat now publishes additional poverty indicators based on the poverty threshold of previous years. The poverty indicator as corrected by Eurostat, shows the percentage of AROP in Cyprus in 2008 to be at 15,9, in 2010 at 17,4%, in 2015 at 35,10, in 2017 at 28,3 and in 2019 at 22%.⁴⁶ Based on the poverty threshold of 2008, one in four persons in Cyprus is at risk of poverty, compared to one in six.⁴⁷

According to official statistics, the number of unemployed persons in October 2020 increased by 90,3%, compared to October 2019.⁴⁸

3 Negative impact on social rights for vulnerable groups including measures to address this

Please select and provide information concerning two groups whose social rights were particularly negatively impacted with respect to developments/measures adopted in relation to COVID-19, between 1 September – 31 October 2020. For each of the two groups selected – highlight which social rights were most impacted. Also, identify any government and related measures that were introduced to alleviate the negative impact on these groups.

Impact of Covid-19 on elderly people

At the end of October, an elderly resident of a care home died from coronavirus. This was the first instance of a care home death in Cyprus. The deceased person's relatives filed a complaint at the police against the care home for their failure to follow the health protocol take measures to stop the

⁴³ Ioakimoglou, E and Trimikliniotis, N (2020), *The Post-pandemic stimulus to restart the Cypriot economy: A wage-led growth strategy*, Policy brief for the Friedrich-Ebert-Stiftung Foundation (forthcoming).

⁴⁴ Eurostat Statistics explained, '[Glossary:At-risk-of-poverty rate](#)'.

⁴⁵ Eurostat Statistics explained, '[Income poverty statistics](#)'.

⁴⁶ Eurostat, '[At risk of poverty rate anchored at a specific point in time](#) (2008) by age and sex -EU SILC Survey'.

⁴⁷ Cyprus Labour Institute, '[Έκθεση για την Οικονομία και την Απασχόληση 2019](#)', page 5, December 2019.

⁴⁸ Economy today (2020), '[Διπλασιάστηκαν σε 12 μήνες οι άνεργοι στην Κύπρο](#)', 4 November 2020

spreading of Covid-19. The deceased person was infected by one of the nurses working at the care home, who had tested positive to Covid-19 on 10 October. The relatives of the residents were not informed of this until 25 October, when a SMS was sent to them by the management of the care home, explaining that a nurse was sent home as soon as the Covid-19 symptoms appeared and was subjected to three tests, of which the first two were negative and the third was positive. The deceased person tested positive for Covid-19 on 27 October, after her health condition had already deteriorated to a no-return point. She was transferred to the reference hospital where she died of Covid-19 three days later.⁴⁹ The deceased person had not been institutionalized for long; she had been transferred from her family home to the care home on 3 October in order to be protected from Covid-19. Before that, she was living with her grandchildren and great grandchildren and the family feared a high risk of infection.

The Health Ministry subsequently announced that following 106 Covid-19 tests carried out at the same care home, 35 persons including staff members tested positive.⁵⁰ Shortly after this, another resident of the same care home lost his life.⁵¹

The National Union of Pensioners reported that, during the summer, there were incidents of elderly residents of care homes urgently transported to hospitals because of over-heating; the care homes they were residing in did not make use of the air conditions, using the Health Ministry Covid-19 protocols as a justification. The Union criticized the lack of planning on the part of the Health Ministry in promptly ordering a sufficient quantity of the flu vaccines, resulting in vaccine shortages that may cause many elderly people to fall sick with flu and run increased risks of Covid-19 complications. The Union stated that although there are 140,000 pensioners in Cyprus, the Health Ministry ordered only 135,000 vaccines to be used both for the elderly and the children aged under 15. Out of the 135,000 vaccines ordered, only 32,000 arrived and were quickly used up before the next quantity is due. The Union fears that unvaccinated elderly people will fall sick with flu, often confusing symptoms with Covid-19, leading to panic and pressure on the health system.⁵²

The National Union of Pensioners warned of the uncharted psychological impact of the pandemic on elderly people, who suffer from exclusion and isolation in the house, deprivation of their family environment and their increased need of help with shopping and other household chores, which they abstain from for risk of infection.⁵³

Entry into Cyprus of migrant care workers for the elderly

A new regulation adopted at the beginning of October set out the conditions for allowing entry into Cyprus of migrant domestic workers, as well as agricultural and farm workers, most of whom come from countries in Category C. According to the new regulation, migrant care workers and agricultural and farm workers who secure a visa and a work permit for Cyprus may enter the country subject to their prospective employers paying for the cost of obligatory self isolation for 14 days in tourist premises nominated and contracted by the Deputy Ministry Tourism and the cost of two Covid-19

⁴⁹ Cyprus Times (2020), [‘Καταγγελία στην Αστυνομία για τη γιαγιά Δέσποινα που απεβίωσε. «Κόλλησε covid-19 από το γηροκομείο» λένε οι συγγενείς](#), 1 November 2020.

⁵⁰ Offsite (2020), [Συναγερμός σε γηροκομείο στη Λεμεσό-35 άτομα θετικά στον κορωνοϊό](#), 2 November 2020.

⁵¹ Kathimerini (2020), [‘Επληξε τους ευάλωτους ο κορωνοϊός](#), 2 November 2020.

⁵² Consultation with Union of Cypriot Pensioners ESKYSY, 2 November 2020.

⁵³ Consultation with Union of Cypriot Pensioners ESKYSY, 2 November 2020.

tests, one upon arrival into the country and another upon the end of the self-isolation period. The employees must cover the cost of their transportation to these premises.⁵⁴ This is the first time since the outbreak of the Covid-19 pandemic that a regulation is made to allow the entry of new migrant workers into the country; previously, the need for care workers was filled in by the migrant labour force already in the country, however Covid-19 restrictions made relocations difficult. The new regulation carries increased costs for pensioners in need of in-house care that not everybody can afford. According to the national union of pensioners, the shortage of in-living care workers for the elderly was particularly apparent during the pandemic, as the care of the elderly at home had contributed to avoiding institutionalisation and the high Covid-related death toll amongst the institutionalised elderly persons experienced by other countries. In the absence of in-house care workers, elderly people were forced to choose between a care institution and cohabitation with other family members, both of which carried risks of infection.⁵⁵

Migrants, asylum seekers and refugees: Access to housing, joblessness, rising poverty and extended self-isolation and detention

According to the migrant support NGO KISA, the pandemic exacerbated the housing problem faced by migrants, asylum seekers and refugees, as rising poverty and job losses have forced many vulnerable persons to reside in overcrowded unsuitable premises. This led to municipalities threatening evictions under pressure from far-right anti-migrant rhetoric. The NGO referred to the declared intention of the Mayor of Nicosia to prohibit the residence of asylum seekers, refugees and immigrants in the city centre, pointing out that such a move is unlawful under the law transposing the Racial Equality Directive. The NGO further cited instances of over-exploitation by landlords who utilise the lack of affordable housing in order to demand disproportionately high rentals for low quality housing.⁵⁶

The NGO Cyprus Refugee Council reported deterioration in the situation of asylum seekers and refugees, mainly due to the economic crisis and joblessness that resulted from the pandemic. The NGO recorded a sharp increase in job losses, food requests, destitution and housing problems, as the rents did not drop significantly to correspond to reduced income of tenants. Since a high percentage of asylum seekers were occupied in atypical forms of employment before the pandemic, they were unable to access the support schemes offered by the Ministry of Labour to workers affected by Covid-19 measures.

The Cyprus Refugee Council also reported a sharp increase of persons detained in police stations because of problems in organizing their deportation as a result of the Covid-19 travel restrictions and residents of the Pournara camp had to be repeat the 14 day self-isolation several times as the quarantine areas are overcrowded and the quarantine restarts every time there is a new arrival or a resident tests positive for Covid-19.⁵⁷

⁵⁴ Cyprus, [Law on infectious diseases Cap 260, R.R.A. 465/2020](#), 9 October 2020.

⁵⁵ Consultation with Union of Cypriot Pensioners ESKYSY, 2 November 2020.

⁵⁶ KISA (2020), [KISA warns for mass evictions and upsurge of homelessness of migrants and refugees](#), 28 August 2020.

⁵⁷ Consultation with the Cyprus Refugee Council, 2 November, 2020.

The findings of the Project Phoenix on the situation of migrants, refugees and asylum seekers during the pandemic

In October 2020 a team of researchers presented the first part of its findings from its secondary research into the impact of the pandemic on refugees, migrants and asylum seekers in Cyprus, which was based on publicly available academic, news, social media sources, interviews with case workers at humanitarian organizations, experts in the migration field, refugees, migrants and asylum seekers and other stakeholders.⁵⁸ The research found that there was a significant deterioration in the quality of life of this group, with a discernible impact on personal freedoms, wellbeing, and personal development, despite the efforts of NGOs to alleviate the impact of the pandemic in some areas. In recent months, most migrants and refugees experienced longer than usual delays in migration procedures and claims, with limited legal recourse. A gendered impact of the pandemic was noted, with women having to shoulder the burden of additional household and childcare responsibilities during the lockdown. The pandemic and the accompanying economic crisis led to the loss of jobs and livelihoods, the restrictions in access to healthcare and adverse mental health impacts, delays in social welfare payments, a lack of access to technology, education and personal development opportunities, as well as delays in asylum and migration procedures and limited access to the legal and judicial systems. The discretion granted to police officers to determine whether a person was in violation of the measures often resulted in migrants being unfairly fined with €300 which they struggled to pay, given the job losses and problems in accessing welfare.

The research located particular problems in accessing health care, as the National Health Service which was introduced in June 2019, is only available to recognized refugees and only some migrant workers. All asylum seekers, continue to fall under the previous health system which only allows treatment in public in-patient and out-patient departments of public hospitals, where they often face difficulties booking appointments, long wait times and difficulties in gaining access to COVID-19 tests. Given the disparities in access to healthcare, asylum seekers, migrants and refugees had almost no access to COVID-19 testing, the only exception being the new arrivals, who were tested upon entry to the refugee camps. Initially, only people with symptoms or those who were found through contact tracing were able to access a COVID-19 test. Later, once private laboratories offered tests, everyone had the option of paying for a test, which initially cost €110 before being reduced to a maximum of €85 in the following weeks. Due to the high cost of the test and the potential need of a translator, many refugees, migrant and asylum seekers remained outside of the testing regime. Across the country, physicians and outpatient hospital departments were closed to walk-ins, with the exception of emergencies. Due to limited access to hospitals and medical centres, the only option for migrants, refugees and asylum seekers was to call health centres and doctors on the phone. Over the phone, the language barrier became even more difficult and often required the intervention of a local organization to translate the call. Some found the process of making an appointment and finding an organization or a translator too onerous, so they ignored medical issues or delayed seeking medical care.

Many refugees, migrant and asylum seekers reported loss of jobs due to the long-term closure of many establishments in the tourism, catering and accommodation industry. Many reported long delays in receiving their benefits and although this situation improved from September onwards, many are still experiencing delays in receiving their social welfare and housing benefits. The aid packages offered by the government to alleviate the impact of the crisis resulting from the pandemic offered financial

⁵⁸ Project Phoenix, 'A systemic analysis of the impact of the Covid-19 pandemic on refugees, migrants and asylum seekers in Cyprus', Part I-An Overview, in collaboration with Friedrich Ebert Stiftung, October 2020.

incentives to keep businesses afloat and ensure employment for those in regular employment but no support to those who work irregularly or are in temporary employment, as is usually the case with refugees, asylum seekers and migrants, who were unable to benefit from these programs, with employers choosing to lay them off instead.

The research findings predicted that COVID-19 will have a catastrophic impact on refugee education, which was already inaccessible for so many. Despite the fact that the law guarantees access to primary and secondary education for children of refugees, migrants and asylum seekers as well as unaccompanied minors, the registration and dropout rates for this group of children are not monitored, making it impossible to assess how many may have fallen through the cracks due to the pandemic. The lockdown measures and the problems accessing e-education has led to a large number of children of refugees, asylum seekers and migrants to lose valuable time in their personal development journeys due to the pandemic.

ANNEX

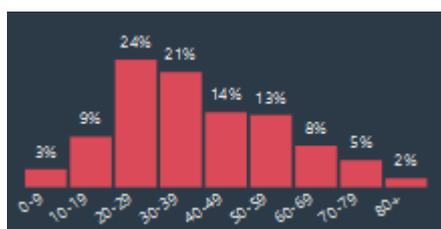
The number of Covid-19 infections started rising from mid-September onwards and continued to rise until end of October.⁵⁹ Table 1 below shows in red vertical lines the coronavirus incidents in Cyprus per month from the outbreak of the pandemic, recording the spike of October 202:

Table 1



Source: University of Cyprus, [Information Gate on Covid 19](#).

Table 2 shows the percentage of people who tested positive to coronavirus by age from the outbreak of the pandemic:



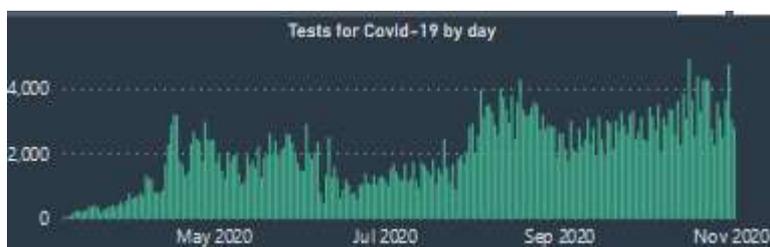
Source: University of Cyprus, [Information Gate on Covid 19](#).

Table 3 shows the percentage of people who tested positive to coronavirus by gender (red for women, blue for men):



Source: University of Cyprus, [Information Gate on Covid 19](#).

Table 4 shows the coronavirus tests carried out from May until November:



Source: University of Cyprus, [Information Gate on Covid 19](#).

⁵⁹ For more details on the infographics of Covid-19, see the official website of the government's Press and Information Office [here](#).

