

Criminal Detention in the EU: Conditions and Monitoring

Update of FRA's Criminal Detention Database
(FRANET)

Country: Cyprus

Contractor's name: University of Nicosia and Symfiliosi

Authors: Trimikliniotis N. and Demetriou C.

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Part I: National standards

1. Cells

a. Cell space

The central prison is used to detain convicted persons serving a sentence as well as persons awaiting trial. Some persons awaiting trial may be detained temporarily in police station cells, where the standard varies from one police station to the other. Police cells may also be used in order to detain persons serving a sentence for up to 15 days.¹

The size of individual prison cells at the central prisons must be no less than 7 m²; the size of communal wards must be of such size so that at least 4 m² accrue to each detainee.² This standard is compliant with the calculation requirements of the CJEU ruling in *Dorobantu* which set a presumption of violation of Article 3 of the ECHR when the personal space available to a detainee is below 3 m² in multi-occupancy accommodation. This standard is presumably also compliant with para. 34 of the Commission recommendation of 8.12.2022 which requires a surface area of at least 6 m² in single occupancy cells and 4 m² in multi-occupancy cells, with an absolute minimum personal space of at least 3 m² surface area per detainee. According to the Commission recommendation, the calculation of the available space should include the area occupied by furniture but not that occupied by sanitary facilities, however given that most cells do not have sanitary facilities except sometimes a sink, the standard appears to be compliant with the Commission Recommendation.

The law on the rights of persons detained in police detention cells does not spell out the size of the cell; it merely provides that the cell must be of a 'reasonable size'.³ This standard is not compliant either with the CJEU ruling in *Dorobantu* or with the Commission Recommendation of 8.12.2022

b. Access to natural light and fresh air, cell equipment, furniture, and facilities

The standards applicable at the Central Prison:

The buildings must have natural sunlight, air circulation and space to move. Detainees must have individual cells to the extent that this is possible. When this is not possible, detainees reside in wards of up to five persons. Individual cells must have a bed, a table, a chair and a wardrobe. Each cell must have a bed, a chair and a wardrobe for each detainee and a common table for all detainees. Bed sheets and towels are provided for each detainee but detainees are also permitted to bring their own. The windows of all cells and wards must ensure good lighting and good ventilation.⁴ In each section there must be a 'satisfactory' number of showers with hot and cold water, a satisfactory number of toilets.⁵ Bathrooms in some wards are commonly used whilst in others there are private washbasins, toilet and showers inside the cells. The isolation cells must comply with the same standards.⁶ No explicit reference is made in the Regulations about mattresses or about heating or

¹ Cyprus, Law on prisons ([Ο περί φυλακών Νόμος](#)) N.62(I)/1996, article 4.

² Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 58(8).

³ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 19.

⁴ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 58(1)-(7).

⁵ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 58(9).

⁶ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 58(10).

cooling. According to the prison authorities, there is a central system of air-condition, ventilation and heating. Each cell has a TV set with free subscription, radio, play-station, CD/DVD player. TV sets are available in the commonly used spaces of the wards and in the gyms.

The standard applicable in police detention cells:

The law on the rights of persons detained in police detention cells does not spell out details of the cell but merely that they must contain “basic comforts and hygiene conditions, sufficient light and ventilation and suitable rest equipment.”⁷

c. Video-surveillance of cells

There is no national standard for video-surveillance of cells. Video-surveillance is not sanctioned by any of the legal or policy instruments regulating detention either in the central prison or in police cells. According to the Prison Authorities, there is video surveillance in some of the commonly used areas.⁸ The NPM reported that a camera is placed over the complaints box in the external space of Ward 1B, which accommodates adult men convicted of sexual offences against children and outside Ward 8 which accommodates minors and young men until the age of 21. The NPM further reported that a closed circuit surveillance system is in place in the commonly used corridors of Ward 10 which operates as a special psychiatric unit, accommodating persons in need of psychiatric monitoring or treatment; this camera also takes direct image from the spot where the complaints box is placed.⁹

d. NPM assessment

‘The inadequacy of the building infrastructure of the Central Prison, in relation to the overcrowding (more detailed reference is provided below) often resulted in prisoners sharing cells which are not of sufficient size to accommodate a large number of prisoners as a result of which, on the one hand, there is no safeguard for sufficient space for each prisoner on the basis of international standards and, on the other hand, does not safeguard decent conditions of detention, as recommended by the CPT...

From the figures that have been communicated to me by the Directorate, as of September 27, 2022, a total of 978 persons (894 men and 84 women) were detained, while the capacity of the (closed) prison is 424 persons. The number of prisoners by far exceeds the number foreseen, whilst the overcrowding in the prison has been steadily increasing in recent years, as noted in relevant reports by the CPT’.¹⁰

Telephone consultation with NPM

Telephone consultation with NPM highlighted overpopulation of the central prison as a major obstacle to maintaining adequate standards. In addition to overcrowding, the prison building is very old. In most cells the size is such that only one person should reside but because of overcrowding this is not possible and there are at

⁷ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 19.

⁸ Letter from the prison authorities to the FRANET contractor 28 June 2021.

⁹ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), [‘Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022’](#) (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

¹⁰ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), [‘Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022’](#) (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

least two persons sharing a small cell. Not all wings have washbasins inside. All prison cells have access to natural light and fresh air, in contrast with police cells which have glass blocks. The equipment inside the cells consists of the beds, bed side tables, chairs, wardrobe and a small television. Prisoners have access to a gym; each wing has its own gym but for some wings the gym is under construction. There are also separate basketball courts for each wing. There are no cameras in cells, but there are cameras in common areas and in the security room.

Regarding the police holding cells, the situation varies from one police station to another. Like the central prison, police holding cells also suffer from overcrowding and convicts are mixing with persons awaiting trial. Cells usually have a bed, a bench and a chair. The size of the cells is sufficient for one person, seven square metres for a person, however in some cells the NPM found two beds which means that when there are no free cells, the cell will be used to accommodate two persons. Some detainees told the NPM that they prefer to be placed in the same cell even if small. If the police station building is old there are windows, but the bars are so dense that they don't allow fresh air or light. The more recently constructed police stations have glass blocks and some have holes to allow fresh air and light. Not all police stations have space for detainees to spend outside. Other than television, there is nothing for the creative occupation of detainees. There are no video cameras in the cells, only in the common areas. Most police stations have been declared by a decree of the Justice Minister as prisons.¹¹

2. Allocation of detainees

a. Geographical allocation

There are no national standards as regards the allocation of detainees close to their homes or close to other locations for their social rehabilitation. There is only one prison, located in the capital Nicosia close to residential areas. Allocation to police station holding cells is not made on the basis of the detainee's place of residence but is mostly guided by the level of occupancy and availability of space.¹²

b. Allocation within detention facilities

There are no national standards as regards allocation of detainees within the detention facilities, except a provision dividing detainees into five categories, to be kept separately or treated differently if the Prison Director and the Minister of Justice and Public Order so decide. The categories are: persons awaiting trial; persons convicted for debt, owing monetary sentence, judicial expenses or compensation; persons convicted to serve a prison sentence other than a life sentence; persons convicted to live sentence; persons convicted to death sentence, which was subsequently abolished.¹³

The Prison Regulations further provide that, if the building infrastructure and available facilities permit, detainees awaiting trial are kept separately from persons serving sentences but may mix with persons serving sentences under conditions approved by the Prison Director.¹⁴

The new detainees stay in a separate reception ward for a period up to 21 days until their reception paperwork is completed and they familiarise themselves with prison life, unless the Prison Director decides otherwise.¹⁵

¹¹ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

¹² FRANET consultation with NPM, 5 April 2024.

¹³ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 35.

¹⁴ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 36(1).

¹⁵ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 24.

The Prison Regulations also provide that detainees aged under 21 reside in a separate ward if the infrastructure and facilities permit, but may work in the same space with other detainees following approval from the Prison Director,¹⁶ unless the detainee is aged over 18 and his behaviour is such that he is deemed unsuitable for detention in the ward for young detainees.¹⁷ Women must be kept in separate wards.¹⁸ If infrastructure and facilities permit, persons convicted by the military court will be kept separately from other detainees but may work in the same space with other detainees.¹⁹ Detainees with mental health issues rendering them dangerous to themselves and to others may be transferred to a state psychiatric or other institution for as long as they pose a threat to themselves or others.²⁰ Detainees who suffer from contagious diseases, mental illness or severe psychosocial disorder, drug addiction or lack of discipline may be detained separately from other detainees if the infrastructure and facilities permit.²¹ Detainees serving a life sentence may be kept separately if the infrastructure and facilities permit but may work with other detainees subject to conditions and following permission.²²

c. NPM assessment

The facilities of the Central Prison are divided into two parts, the **Closed Prison** and the **Open Prison**. At the same time, both the Closed Prison and the Open Prison are divided into Wards and auxiliary facilities. The **Closed Prison**, which houses the bulk of the population of the Central Prison, consists of the following Wings:

- Wing 1A: This ward houses adult male convicts. In exceptional cases and upon request by the person concerned, a person awaiting trial may also be accommodated in this Wing. Usually it's a repeat offender.
- Wing 1B: This ward houses adult males convicted of sexual offences against children. The Wing, initially, was for all sex offenders, regardless of the nature of the sexual offence they committed. Today, however, the vast majority of them are now accommodating sex offenders against minors due to the rapid increase in sex offences against children and minors. The ward has its own independent yard. Prisoners in the Wing are transferred and fed in the dining room of the kitchen of Wings 1&2, at different times, however, from prisoners in the other Wings...
- Wings 2A and 2B: These Wings house adult male convicts. In exceptional cases and at the request of the person concerned, an adult male person awaiting trial may also be accommodated in these Wings. Usually this is a repeat offender. The wings have their own yards, basketball courts and gyms. Prisoners in these Wings are transferred and fed in the dining room of the kitchen of Wings 1&2.
- Wing 3: Only women, convicted or awaiting trial, adults, juveniles and/or minors are accommodated in this ward ... The Wing has its own yard, basketball court, gyms, workshops and school. Detainees are fed within their Wards, as each meal is distributed in a special packet from the kitchen of Wards 1&2 ... [T]here is still the old building on the site, which houses the women detainees awaiting trial, which is a matter of concern. In particular, the mixing of remand prisoners with convicts is not in line with the CPT's recommendations and suggestions, according to which an attempt should be made to separate these categories of prisoners.

¹⁶ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 44(1).

¹⁷ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 44(2).

¹⁸ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 45(1).

¹⁹ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 47.

²⁰ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 48(1).

²¹ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 48(4).

²² Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 49.

- Wings 4 and 4A: These Wings are of small capacity and largely isolated from the rest of the Wings. They house adult convicts who require special treatment and / or increased monitoring. These Wards host, usually after the Department's Directorate consults with the Psychiatrist, the vulnerable prison population who, due to special circumstances, may face problems in the other Wards where the general population is accommodated...In some cases, on the recommendation of the Department's Psychiatrist, Wards 4 & 4A may temporarily host detainees who have received psychiatric care in Ward 10, which serves as a special ward for psychiatric observation, as a transitional stage before returning to the general population Wards... Ward 4 has a security cell used for the protection of the detainee himself, where there is no direct visual contact 24 hours a day between the prison guards and the prisoners housed in this cell, which calls into question the safety of the prisoners during the period they remain in the cell. Ward 4A is divided into two wards, one of which housed eight persons and the other one person, at his own request... Also, several of the prisoners had expressed their dissatisfaction with the fact that their fellow prisoners were smoking inside the ward, which, they said, violated their right to health and to clean air.
- Wings 5A and 5B: These Wings house adult male prisoners. The Wings have their own yard and basketball court and the prisoners go to the dining room of the kitchen of Wings 5&8 for their meals...
- Wings 8A & 8B: These Wings house adult male convicts. In exceptional cases and at the request of the person concerned, an adult male detainee awaiting trial may also be accommodated in these Wards. Usually this is a repeat offender. The Wings have their own courtyard, a basketball court, a small football (futsal) field with artificial turf and the detainees of the Wards use the dining room of the kitchen of Wings 5&8 for their meals.
- Wing Special 8: This Wing accommodates minors and young men, up to the age of 21, convicted or under trial. The Wing has its own yard, a basketball court and the prisoners take their meals within it, each meal being distributed in a special packet by the kitchen of the Wings 5&8. As a consequence, even during lunch/dinner, the detainees in this particular ward are confined to it, since there is no separate dining room but only tables inside the wing.
- Wing 9: This wing is completely isolated and remote from the others. It houses adult male convicts, usually serving life sentence and/or felons, although this is not the general rule. The choice to place a prisoner in this Wing is mainly for security reasons. The Wing has its own yard, workshop, gym, basketball court and school. Prisoners in the Wing take their meals within the Wing as each meal is distributed in a special packet by the kitchen of Wings 5&8.
- Wing 10: This Wing operates as a special Psychiatric Ward, under the responsibility and coordination of the Mental Health Services of the Ministry of Health. Adult and/or young male convicts and/or detainees awaiting trial who require psychiatric monitoring, hospitalisation and/or treatment are placed in this ward for a fixed or indefinite period, always and depending on the decision of the Prison Department's psychiatrist.
- Wing 10A: A newly established wing, created for the needs of protection and containment of the spread of the Covid-19 virus, which serves as a self-limitation area for newly admitted prisoners and/or for those prisoners who for various reasons were transferred off the prison premises and who did not strictly follow the self-protection protocols.
- Open Men's Prison: The Open Prison wing accommodates adult and young male convicts who have been granted the privilege of joining the Open Prison, after serving, as the case may be, a significant part of their sentence in the Closed Prison and during this period have shown good behaviour, discipline and diligence. Prisoners who have been convicted of civil debts (debts to the Social Security Department, alimony, warrants, etc.) are usually placed in the Open Prison from the day of their conviction. The Wing has its own courtyard, a gym, basketball and football fields (tartan), a school and its own kitchen where the prisoners take their meals. After joining the Open Prison, the prisoners rarely enter the Closed Prison facilities and during the day they are employed/work in the Department's Grocery, the warehouses, the car garage and the Manor (agricultural work). Security measures and restrictions are more relaxed in this Wing and the rooms are not reminiscent of the cells in the Closed Prison.
- Open Women's Prison: The area of the Open Prison for Women is located outside the premises of the Closed Prison. This area accommodates adult and young female convicts who have been granted the

privilege of being housed in the Open Prison after serving, as the case may be, a significant part of their sentence in the Closed Prison, during which time they have shown good behaviour and diligence.

- Centre Extramural Employment and Rehabilitation of Prisoners (K.E.A.A.K.): The K.E.A.A.K. area is located outside the premises of the Closed Prison, opposite the area of the Men's Open Prison. It accommodates those convicts, both men and women, who benefited from the privilege of being included in the Extra-Institutional Employment programme. The prisoners of this programme go to their workplace outside the Central Prison every morning and when they get off work they return to their rooms for rest and sleep. They are essentially in a unique form of confinement, which is the final stage before their reintegration into society.²³

Detention in police cells

Pre-trial detention may, for a short period of time take place within police stations. Persons detained by the police must be brought before a judge no later than 24 hours after the apprehension, and the judge must decide, no later than three days thereafter, whether the person must be released or remanded in custody. Remand in custody pending trial must not exceed three months, and is usually served in prison. However, a judge may, upon a request by the police, remand a person in police custody for renewable periods of up to eight days to facilitate further police investigation.²⁴

Telephone consultation with NPM

*The NPM has never received any complaint regarding the allocation of detainees. One prisoner expressed satisfaction over the fact that he was detained in a centre close to his family but no detainee expressed dissatisfaction about his allocation.*²⁵

3. Hygiene and sanitary conditions (note – section 11 contains specific questions concerning female detainees)

a. Access to toilets

The standards applicable at the Central Prison:

There are no national standards regarding access to toilets or privacy of detainees who use them. According to the prison authorities, the common toilets may be accessed 24 hours a day.²⁶ The prison authorities report that privacy in the use of toilets is secured through the use of a door, but did not clarify if the door can be locked.²⁷ Persons with disabilities or with severe health conditions are placed in cells with private toilets and washbasins.²⁸

The standard applicable in police detention cells:

The law on the rights of persons detained in police detention cells does not spell out details of the cell but merely that they must contain “basic comforts and hygiene conditions.”²⁹ Police detention centres must have

²³ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), [‘Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022’](#) (Visits conducted to the central prison during the period 2020-2022), 15 November 2022.

²⁴ Cyprus, Constitution of the Republic of Cyprus ([Σύνταγμα της Κυπριακής Δημοκρατίας](#)), 16 August 1960, Article 11.

²⁵ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

²⁶ Letter from the prison authorities to the FRANET contractor 28 June 2021.

²⁷ Letter from the prison authorities to the FRANET contractor 28 June 2021.

²⁸ Letter from the prison authorities to the FRANET contractor 28 June 2021.

²⁹ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 19.

toilets either within the cell or in commonly use spaces; where the toilets are located within the cell, a partition must be placed to ensure privacy.³⁰ There are no standards regarding access to toilets where these are located outside the police cell.

b. Access to showers and warm and running water

The prison regulations provide that there must be a satisfactory number of bathrooms with hot and cold water.³¹ The prison authorities report that privacy in the use of showers is secured through the use of a door, but did not clarify if the door can be locked.³² Bathrooms in some wards are commonly used whilst in others there are private washbasins, toilet and showers inside the cells. The isolation cells must comply with the same standards.³³

The standard applicable in police detention cells:

The law on the rights of persons detained in police detention cells does not spell out details of the cell but merely that they must contain “basic comforts and hygiene conditions.”³⁴

c. Access to sanitary products

There are no regulations establishing a duty on detention authorities to supply detainees with basic sanitary products. Prison regulations provide that the prison authorities have a duty to ensure that detainees follow the generally acceptable rules of personal hygiene³⁵ but do not specify how. Prison authorities reported that they regularly provide detainees with free soap and all the newcomers are supplied with personal hygiene products; these are also regularly supplied to all ‘poor detainees’, although no details were made available as to how this term is defined.³⁶

d. Hygienic conditions in cells

No particular standards are foreseen in any laws or regulations regarding cleaning. The only standard foreseen relates to the central prison where the prison authorities are under a duty to secure the hygiene and good operation of all prison facilities. However, the detainees are under a duty to observe ‘instructions and orders regarding the cleaning of common-use and other prison spaces, their individual cells and the joint residence wards.’³⁷ This applies to all persons detained in the central prison, irrespective of the regime of detention. According to the Prison Authorities, this translates into an obligation on detainees to clean their own cells.³⁸ There are no standards regulating the provision and cleaning of a detainee’s clothes, towels, bed linens or change of mattresses. The prison authorities report that they offer to detainees free cleaning materials for cleaning their own cells and the commonly used areas. The cleaning of common areas is performed daily by detainees who apply for the job and who receive remuneration for it.

No standards exist as regards hygienic conditions in police cells.

³⁰ Cyprus, Police Regulation 5/3 ‘Handling and rights of detainees’ (not available on line).

³¹ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 58(9).

³² Letter from the prison authorities to the FRANET contractor 28 June 2021.

³³ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 58(10).

³⁴ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 19.

³⁵ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 61(1).

³⁶ Letter from the prison authorities to the FRANET contractor 28 June 2021.

³⁷ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 61(1).

³⁸ Letter from the prison authorities to the FRANET contractor 28 June 2021.

e. NPM assessment

Access to toilets:

'The facilities in the women's ward have been improved with the opening of the new building in 2016, the cells are in good condition, each of them has a toilet that ensures the privacy of the people using it and the condition of the bathrooms is considered very satisfactory...

Another thing that was also found during the visits is that the toilets in Ward 4 are located inside the cells, but there is no partition wall or other configuration to ensure the privacy of the prisoners using them, with the consequence that the toilet is visible from the cell door...

In all cells [in Wing 10] there is a bell installed with which prisoners can inform the guards during their confinement hours that they wish to go to the toilet...

In the Central Prison there are infrastructures for the accommodation of persons with disabilities and persons with mobility difficulties (accessible areas, ramps, toilets for persons with disabilities, etc.), but they concern persons who are able to help themselves...

Some other issues that may seem insignificant, such as the failure to ensure the privacy of prisoners using the toilet in some wards, due to the configuration of the cells, should be addressed as a matter of urgency, either by a partition wall that prevents their visibility from the cell door or, if this is deemed necessary, as impracticable, even with the construction of other toilets in the Wing outside the cells. This is because the lack of privacy in the use of toilets due to their non-segregation from the rest of the prison premises has been repeatedly described by the European Court of Human Rights (ECtHR) as degrading treatment, as it may undermine the dignity of prisoners by exposing them to the eyes of their fellow prisoners, which may cause them feelings of distress, humiliation and degradation...

And based on the relevant case law²⁸ of the European Court of Human Rights (ECtHR), to which reference is made in the Handbook, the detention of a severely disabled person in conditions where he or she cannot go to the toilet alone or keep clean without difficulty constitutes degrading treatment and consequently contravenes Article 3 of the European Convention on Human Rights, according to which "No person with a severe disability shall be detained in a place where he or she is unable to go to the toilet alone or keep clean without difficulty..

Taking measures to ensure the privacy of all prisoners when using the toilets, either by modifications within the cells or, where this is not feasible, by building new toilets in the specific Wards."³⁹

Access to showers

"The facilities in the women's ward have been improved with the opening of the new building in 2016, the cells are in good condition, each of them has a toilet that ensures the privacy of the people using it and the condition of the bathrooms is considered very satisfactory...

Based on the relevant case law of the European Court of Human Rights (ECtHR), to which reference is made in the Handbook, the detention of a severely disabled person in conditions where he or she cannot go to the toilet alone or keep clean without difficulty constitutes degrading treatment and consequently contravenes

³⁹ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), '[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)' (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

Article 3 of the European Convention on Human Rights, according to which "No person with a severe disability shall be detained in a place where he or she is unable to go to the toilet alone or keep clean without difficulty. Consequently, the failure to address the issue of the provision of care to disabled prisoners, particularly when it comes to persons who are unable to care for themselves, by providing those persons with the necessary guarantees to ensure that they can live in dignity in the Central Prison, in addition to failing to guarantee their rights as enshrined in the above provisions of the Convention, it is likely to result in inhuman and degrading treatment, in violation of Article 3 of the ECHR.⁴⁰

Access to sanitary products

No reference

Hygienic condition of cells

'Wing 4A is divided into two wards, one of which houses eight persons and the other one person, at his own request. It was found that in that ward there were no lockers for the personal belongings of the prisoners and the mattresses of the beds were in a poor state. In addition, several of the prisoners had expressed their dissatisfaction with the fact that their fellow prisoners were smoking in the ward, which, they said, violated their right to health and to clean air. It was noted that both wards were heavily overcrowded and several of the detainees had pointed out that there were no washing machines for them to wash their own clothes.'⁴¹

Telephone consultation with NPM

Overcrowding is undermining the hygienic conditions in both the prison and the police holding cells. The situation of persons with disabilities and the absence of carers to assist those detainees who could not use the toilet unassisted was brought to the attention of the NPM and continues to remain unresolved.⁴²

4. Nutrition

a. Quality and quantity of food

Central prison standards

Prison regulations require that the food given to detainees, irrespective of their detention regime, must be healthy, nutritious, suitably prepared and packed, reasonably diverse, satisfactory from the perspective of both quantity and quality and adjusted to the principles of dietary contemporary hygiene. The daily diet is monitored by the medical officer and the Prison Director who check the quality, quantity and general condition of the food prepared on a daily basis. No detainee will be served with a smaller quantity of food except following recommendation from the medical officer. The medical officer examines the food supplied to detainees and may recommend increase, decrease or amendment of the diet of any detained patient; this recommendation is recorded in the diary and the competent nutrition officer is notified.⁴³ The food consists of breakfast, lunch

⁴⁰ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), '[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)' (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

⁴¹ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), '[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)' (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

⁴² FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

⁴³ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 74.

and dinner which is accompanied by a snack that detainees can transfer into their cells. The prison kitchens are regularly inspected by the state Health Services and are licensed to operate as kitchens.⁴⁴

Detainees are not permitted to keep food in their cells other than the one served by the prison authorities, except following permission from the medical officer.⁴⁵

In the event where a detainee on hunger strike enters a condition dangerous to his life or entailing a risk for severe or permanent injury to his health or is not in a position to exercise free will, then the medical officer may in collaboration with the doctors at the hospital perform force-feeding.⁴⁶

Police detention standards

The national standard is a duty on the police station director to ensure that the food is 'suitable and adequate'.⁴⁷ No details are provided.

b. Drinking water

There is no national standard about the availability of drinking water. According to the prison authorities, drinking water is available from the taps 24/7; pipes and water tanks for drinking water are regularly cleaned and inspected.⁴⁸

c. Dietary requirements

The medical officer determines special or additional diets for those who detainees who need, taking into account, wherever possible, requirements due to health or religious reasons.⁴⁹ According to the prison authorities, detainees have a choice from eight menus which are compiled monthly by a dietician from the Health Ministry in collaboration with the Prison Director and the Kitchen Chief, based on health issues, preferences and religious practices.⁵⁰ The diet is determined by the Prison Director following recommendation of the Prison medical officer, taking into account the age, health, work and, as far as possible, the religious convictions of the detainees.⁵¹

d. NPM assessment

'Regarding the food and the quality of the food, no complaints were expressed by the prisoners, but only repeated complaints regarding the time of the meals, especially during the summer period when dinner is served very early...

Although no complaints have been noted or submitted regarding the quality or quantity of the food provided, which should be credited to the efforts made in this regard by the Directorate of the Central Prison, the timetable for the provision of meals may need to be revised, possibly by varying the time of the dinner service

⁴⁴ Letter from the prison authorities to the FRANET contractor, 28 June 2021.

⁴⁵ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 60.

⁴⁶ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 85.

⁴⁷ Cyprus, Law on the rights of persons arrested and detained ([Ο περί των Δικαιωμάτων Προσώπων που Συλλαμβάνονται και Τελούν υπό Κράτηση Νόμος](#)) N.163(I)/2005 as amended, Article 19(3).

⁴⁸ Letter from the prison authorities to the FRANET contractor, 28 June 2021.

⁴⁹ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 74.

⁵⁰ Letter from the prison authorities to the FRANET contractor, 28 June 2021.

⁵¹ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 60.

during the summer months. If this is not feasible, consideration could be given to the possibility of providing additional snacks to prisoners during these months.⁵²

Telephone consultation with NPM

The NPM described the nutrition in both the central prisons and police holding cells as adequate and taking into consideration religious as well as health reasons of detainees. Pork is not served in any police station, presumably for the convenience of the authorities so as not to have to make separate food for some detainees. There had been complaints about how tasty the food was, adding that dinner was served rather early in the day and an evening snack would have been in order, but generally speaking nutrition was described as adequate. No one complained that the food was inadequate. In the central prison there were complaints that the dinner was served too early and they would prefer to have a snack before bedtime. Health issues of particular detainees are taken into account when deciding the food to be served to them.⁵³

5. Time spent outside the cell and outdoors

a. Time spent outdoors

There is no national standard for the minimum time spent by detainees outside their cell outdoors, either in the central prison or in police detention cells. Persons convicted for up to 12 months in jail can join the open prison scheme, whilst prisoners residing at the Centre for Extra-institutional Occupation can extend their stay from 12 months to 18 and are able to visit their families without being escorted every week.⁵⁴

b. Time spent indoors

There is no national standard for the minimum time spent by detainees outside their cell in indoor spaces, either in the central prison or in police detention cells. The Prison Authorities reported that detainees can be outside their cells between 0600-2100 on weekdays and 0600-2200 on weekends and can be outside their wards between 0700-1730, with access to work places, schools, exercise, activities, visits, therapeutic programs and interventions, depending on their program. According to Prison Authorities, detainees are entitled to ten visits per month, as well as additional visits from embassies, consulates, lawyers, religious representatives of their choice, unlimited access to telephone booths between 0800-2030, unlimited mail correspondence and the use of SKYPE.⁵⁵

c. Recreational facilities

Detainees have the right to physical training at least twice a week unless the authorities decide otherwise for a particular prisoner.⁵⁶ There are no national standards regarding the facilities that must be made available. Although not foreseen in any law or regulation, in the past eight years, volleyball, basketball, football and futsal were created in the ward grounds; eight gyms were also set up with contemporary aerobic exercise equipment where detainees can exercise daily under supervision from trained professionals.⁵⁷

⁵² Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), '[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)' (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

⁵³ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate as NPM, 5 April 2024.

⁵⁴ Cyprus, [Regulations issued under article 28 of the Law on Prisons](#), Regulatory Administrative Act No. 149, 3 April 2020.

⁵⁵ Letter from the prison authorities to the FRANET contractor 28 June 2021.

⁵⁶ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, articles 106-112.

⁵⁷ Letter from the prison authorities to the FRANET contractor 28 June 2021.

Prison regulations provide for the right of detainees to participate in recreational activities in suitably adapted places within the prison, including theatre, music and athletic events, painting and handicraft exhibitions, screening of movies and any other activities promote recreation, improvisation and artistic expression. The programs are prepared by a special committee comprising of prison staff, the prison teacher, the social worker in collaboration with the detainees.⁵⁸

All detainees have the right to practice their religion and to participate in cultural and recreational activities and sports events both inside and outside the prison.⁵⁹

There are no national standards for access to sports or other recreation in police holding cells.

d. Educational activities

Prison regulations provide for the right of all detainees in the central prison, irrespective of their detention regime, to education through participation in educational programs, access to books, newspapers, magazines, radio and TV programs, film screenings, lectures, seminars, discussions etc.⁶⁰ To materialize this right, the prison authorities are under a duty to undertake 'reasonable arrangements' so as for detainees to develop their education and training through programs organised within the prison. Detainees have the right to borrow books from the prison lending library and the prison authorities have a duty to enrich the library with suitable books including educational publications and literature, to serve the needs of both Cypriot and foreign inmates. Arrangements include distance learning, private study and creative occupation. Subject to permission, detainees may attend lessons and training programs outside the prison.

e. NPM assessment

Access to exercise

'During the visits, it was found that, apart from Wards 4 and 10, there are gyms where prisoners can exercise, and it was apparent that there is a programme in place that allows each ward to rotate an outdoor exercise, facts that we are particularly pleased with, as they are in line with the standards set by the CPT for daily exercise for prisoners...

Consequently, the use of solitary confinement for disciplinary reasons should be used only in exceptional cases and should not be the rule, as seems to be the case today, its duration should be limited to only a few hours and the prisoners to whom it is imposed should not be deprived of their other rights, such as outside exercise, human contact, submission of complaints...'⁶¹

Access to educational programs

'It is further noted that the residents in Wards [4 and 4A] are not provided with any education, since they do not participate in the Prison schools, nor do they have access to any creative activities...

[T]he prisoners on remand do not have access to these educational programmes since, as indicated to us by the Prison Management, due to the short period of time they remain in the Central Prison (compared to the

⁵⁸ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 110.

⁵⁹ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 109.

⁶⁰ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 108.

⁶¹ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), '[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)' (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

prisoners), it is not possible for them to be integrated into the prison school in order for them to benefit from attending it...

As it was found, a large number of prisoners still do not have access to any creative activities (Wards 10, 4 and 4B), while the prisoners on remand, as well as the prisoners in Wards 4 and 4B, are not provided with any education through their participation in prison schools...

Although the Directorate's position, that the convicts do not participate in educational programmes due to the short period of time they remain in the Central Prison which does not allow their integration in school, is valid this should not constitute an obstacle to any other form of creative and constructive engagement, both for the convicts and for the other prisoners who currently do not have access to anything creative, as there are detainees who are still in custody for a long period of time.⁶²

Telephone consultation with NPM

The NPM reported that detainees spend adequate time outdoors, around two hours daily. Due to overcrowding both in the prison and in the police stations the authorities endeavour to permit the prisoners to spend as much time outdoors as possible. There have not been any complaints about the quality of time spent outdoors, especially as regards the prison, where there is a variety of activities they can engage in, including an indoor gym, a basketball court, workshops and a library. In the case of the police holding cells it is only a television in a common room, occasionally some games; no library or gyms. ⁶³

⁶² Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), '[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)' (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

⁶³ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

6. Solitary confinement

a. Placement in solitary confinement

The prison director may order the solitary confinement of any detainee, irrespective of the detention regime in exceptional circumstances for the shortest period possible provided it is necessary to maintain discipline and order, and for a maximum of 20 days, to protect the interests of the prisoner or the other prisoners or to contain violent and unruly prisoners who create upheaval and harass other prisoners. The confinement can take place in the prisoner's own individual cell or in another individual cell or in a special protection room. The director must maintain a detailed written record of the reasons, circumstances duration and place where the prisoner is confined, must give the prisoner the chance to be heard, must inform the prisoner in writing of the reasons and duration of the solitary confinement and must take into account the views of the medical staff on site.⁶⁴ The Prison Regulations provide a table with offences and the corresponding period of confinement foreseen for each offence:⁶⁵

- For burglary or theft within the prison, the penalty is confinement for up to 15 days and deprivation of the privilege of smoking, visits and telephone communication, although visits and telephone communications are restored after 10 days of solitary confinement;
- Causing bodily harm to another detainee or inciting others to do so carries a sentence of solitary confinement of up to 15 days;
- Being in possession of money or attempting to receive money or other prohibited object carries the penalty of restriction to one's individual cell during night hours for up to 30 days;
- Refusal to comply with a prison law or regulation carries the sentence of restriction in one's ward for up to 45 days;
- Refusal to comply with an order of the prison director carries the sentence of no exit permits for up to three months;
- Refusal to comply with a lawful order of a prison officer carries the sentence of confiscation of pay from work in order to restore the damage caused to prison property or to the property of another detainee;
- Indecent behaviour towards any person carries the sentence of losing grace period for up to 60 days;
- Insults or threats towards anyone carries the sentence of restriction in one's individual cell for up to five days and deprivation of the privilege of smoking, visits and telephone communications;
- Change of cell without permit carries the sentence of restriction in one's own cell for up to 10 days and deprivation of the privilege of visits;
- Entry to another ward without permit carries the sentence of restriction in one's own ward for up to 30 days;
- Wilful damage to prison property or to property of other detainees carries the sentence of deprivation of the privilege of exit permits for up to four months; participation in fights with other detainees carries the sentence of having their work pay confiscated to restore the damage caused;
- Use of violence or threat to use violence against other detainees carries the sentence of losing grace period for 30 days;
- Rioting carries the sentence of confinement for up to 20 days and deprivation of the privilege of smoking, visits and telephone communications, although the visits and communications are restored after completing ten days in confinement;
- Incitement to riot carries the sentence of confinement for up to 20 days and losing the right to visits for the first ten days;
- Attempt or conspiracy to escape carries the sentence of confinement for up to 40 days;

⁶⁴ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, article 151.

⁶⁵ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, articles 160(1) and 160A.

- Assault against staff member carries the sentence of confinement for up to 60 days;
- Bribing or attempting to bribe prison staff carries the sentence of deprivation of exit permit for up to six months;
- Threatening or insulting or bad faith allegations against prison staff carries a sentence of losing grace for up to 90 days;
- Escape carries the penalty of confinement for up to 20 days and deprivation of the privilege of smoking, visits and telephone communications, but visits and communications resume after the first ten days;
- Use of violence against prison staff and causing bodily harm carries the penalty of confinement during night hours for up to 90 days or confinement in the same ward for up to six months, or loss of grace for minimum 90 days and maximum one year or deprivation of the right to an exit permit for up to one year.

The above standards apply to all regimes – pre-trial detention/remand and post-trial detention. There are no national standards as regards detention in police stations. Solitary confinement in police detention cells is not sanctioned by any legislation or police regulation and no police station has the needed infrastructure for solitary confinement.

b. Monitoring of detainees

The prison director must inform the prison medical or nursing staff of the solitary confinement within 24 hours from issue of the decision. The medical staff must visit the confined prisoners without delay and monitor the prisoner's state of health, including both mental and physical health, informing the prison director accordingly. The doctor in charge must compile a report on the prisoner's state of health at regular intervals. In case the doctor deems that the prisoner's state of health was negatively affected as a result of the confinement order, the doctor must inform the prison director in writing who must interrupt the solitary confinement. During solitary confinement, prisoners have the right to telephone contact with and visits by their lawyers and to weekly visits by and telephone contacts with family, friends and associates. Telephone calls take place at a specific telephone booth in a controlled space at the cost of the prisoners themselves.

Prisoners can send letters to and receive letters from: their lawyers, the Attorney General of the Republic, the Commissioner for Administration (ombudsperson), the Prisons Council, the Council of Europe's Committee for the prevention of torture and inhumane or degrading treatment or punishment and to the ECtHR. The prison authorities are not permitted to open these letters and must send them without delay.⁶⁶ The decision to place a detainee in solitary confinement cannot be challenged in court as an administrative act via the judicial review procedure. Detainees may file complaints to the Prisons Council, a body appointed by the Council of Ministers⁶⁷ to examine complaints from detainees.

c. NPM assessment

'In all cells there is a bell installed with which prisoners can inform the guards during their confinement hours that they wish to go to the toilet and all prisoners have access to lockers where they keep their personal belongings...From the inspection of prisoners files, it was found that in cases of disciplinary misconduct, the measure of isolation of the prisoner in his individual cell (4+2 days) is often used, while there was a serious delay in the adjudication of the relevant cases, while in many cases no disciplinary proceedings were initiated...

The use of the above measure is covered by Article 155 of the Prisons (General) Regulations, but it is the position of my Office that its frequent use, at will and without individualisation of each case, is problematic and requires review by the Prisons Department. In addition to the above, it has also been established that

⁶⁶ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, article 114(3).

⁶⁷ Cyprus, Law on prisons of 1996 ([Ο περί Φυλακών Νόμος του 1996](#)) N. 62(I)/1996, Article 23.

there is no record of the frequency of use of this measure of solitary confinement for disciplinary reasons. In this regard, article 156 of the Prisons (General) Regulations stipulates that if a prisoner is to be charged with disciplinary misconduct, the charge shall be made as soon as possible and the hearing of the case shall begin no later than two months from the date of the misconduct and shall be completed as soon as possible. However, as I mentioned above, there has been a delay in both informing the detainees of the charges against them and in the hearing of the case, with the consequence that the accused detainees were deprived of privileges while the disciplinary proceedings were pending and in some cases some of their rights were restricted, such as visits, exit permits, application for membership to the Open Prison and/or the Parole Board. In consultation with the Department's management on this issue, we were informed that this phenomenon is isolated and in most cases where there is a delay in the adjudication, the responsibility lies mainly with the prisoners who, due to their attitude - non-admission while there is compelling evidence of disciplinary offences having been committed – impede the completion of the procedure. However, the Prisons Department must take all necessary measures to fully comply with the procedure provided for in the Regulations regarding the adjudication of disciplinary cases, in order to eliminate the phenomenon of delay, while creating a database for better recording and control of these cases, in accordance with the relevant Regulations, which provide that the summary minutes of the trial must be entered in the Register of Disciplinary Offences and Penalties of Prisoners.

Following the above, it is noted that from the inspection of personal files of detainees, apart from the fact the entries of documents in them were not numbered, in several cases there are no data in relation to the outcome of the investigation of disciplinary cases, nor can the complete minutes of the trial or the transcripts and testimonies relating to the case be found in the personal files. On the contrary, in almost all the personal files inspected, there is only a written apology from the detainee in relation to the disciplinary offence of which he was accused, without any evidence or indication of whether it was eventually adjudicated or whether or not the procedure provided for by the Regulations has been followed. So the problem arises again of prisoners being placed in confinement or solitary confinement (as a rule) for days, without anything ultimately arising against them since their case is never heard, resulting in the punitive measure of solitary confinement being imposed on them without sufficient justification which can be substantiated by the contents of the personal files...

With regard to the universal use of the measure of solitary confinement in the investigation of possible disciplinary offences, it should be noted that partial or relative isolation, i.e. the prohibition of contact with other prisoners for reasons of security, order and protection, according to the ECtHR, does not in itself constitute a form of inhuman or degrading punishment or treatment since, in any event, certain elements such as the circumstances of the case, the severity of the measure, the consequences for the individual, the duration of the special regime and the purpose pursued must be taken into account. However, the effects of solitary confinement on the mental health of the prisoner are extremely adverse and it should therefore be a measure of last resort and only applied in exceptional cases and for a minimum period of time...As, on the same issue, the Council of Europe's Recommendation of Ministers on European Prison Rules notes, solitary confinement should not be imposed as a disciplinary sanction except in exceptional cases and for a fixed period of time, which should be as short as possible. Furthermore, in any case, in accordance with the (Revised) European Prison Rules, each prisoner in solitary confinement should be guaranteed at least one hour of outdoor exercise, be provided with reading material, have at least two hours of substantial human contact per day and have daily visits, including visits from the Director of Prisons or a member of staff acting on his behalf. At the same time, again under the (Revised) European Prison Rules, prisoners in solitary confinement should not be deprived of their right to lodge complaints. Consequently, the use of solitary confinement for disciplinary reasons should be used only in exceptional cases and should not be the rule, as seems to be the case today, its duration should be limited to only a few hours and the prisoners to whom it is imposed should not be deprived of their other rights, such as outside exercise, human contact, submission of complaints...

The principle of proportionality should also be taken into account in all cases, so that the measures taken, in this case the confinement of prisoners in a cell, are consistent with and do not go beyond what is necessary to

achieve the objective pursued, but above all to ensure that the restriction of prisoners' rights through solitary confinement does not amount to punishing them in advance for an act or action which they may not have committed and for which they may never be brought to trial. As it is evident that the process of examining disciplinary offences is in many cases unsuccessful and the disciplinary offences for which the prisoners are accused of are ultimately not tried, since there is no evidence in the personal files of the prisoners or anywhere else to indicate their outcome, such as the full minutes of the trial, transcripts and testimonies relating to each case...[T]here is a risk that the now well-established practice of solitary confinement of prisoners for several days may continue, solely on the grounds of an investigation into the potential disciplinary offence.. and when ultimately nothing is established against them, they have been effectively punished beforehand with confinement in a cell for no reason whatsoever.

The fact that prisoners are required to give a written apology for the disciplinary offence of which they were accused of, while the disciplinary procedure, at least as it emerges from their personal files, is not advanced or completed, also argues in favour of the possibility that they were punished in advance by solitary confinement... And when the disciplinary penalty of solitary confinement is imposed, prisoners should not be deprived of their other rights, such as outdoor exercise, human contact, submission of complaints, etc...'⁶⁸

Telephone consultation with NPM

In the central prison, solitary confinement is practised across the board for four days even when there is no concrete evidence of having committed a disciplinary offence; in essence prisoners were punished in anticipation and without ascertaining that a disciplinary offence had been committed. There were no incidents recently where solitary confinement periods being extended. Doctors and members of staff frequently visit persons in solitary confinement and monitor their condition. There is no evidence of solitary confinement being practised in police holding cells.⁶⁹

7. Work and education of detainees to promote social reintegration

a. General measures to promote social reintegration

According to the Prison Authorities, the measures to promote social reintegration after they leave prison are those related to the prisoners' right to education and to work and in and out of prison.⁷⁰

b. Access to work

If they so wish, prisoners convicted to sentences in excess of one month can work in jobs allocated to them by the Allocation Committee, in exchange for money.⁷¹ The type of work allocated to the prisoners must correspond to their abilities as assessed by the medical officer and the type of work they are allocated must be such so as to contribute to their vocational training and increase their chances for employment and social re-integration after release from prison.⁷² The organisation and method of the job must be similar to work in free society, so as to prepare prisoners for working conditions they will encounter when they are

⁶⁸ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), '[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)' (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

⁶⁹ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

⁷⁰ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

⁷¹ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, article 87.

⁷² Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, article 89.

released.⁷³ The prison authorities consider the schooling of prisoners as work and remunerate it in the same way as any other prison work. The working schedule is usually five days per week and five hours per day. Subject to conditions, prisoners may also be admitted to the institution of the Open Prison provided they meet a set of criteria and they have been so approved by a special prison committee following individual assessment.⁷⁴ These are, generally speaking, prisoners for whom there are no security risks or discipline issues or other prohibitive reasons. Prisoners in the Open Prison reside, work and move under conditions of reduced security but have to observe the same principles of conduct, discipline and order as all other prisoners. Foreign prisoners are generally deemed not to meet the criteria for advancement to the Open Prison. Persons in pre-trial detention are not eligible for the Open Prison.

Prisoners who are admitted to the Centre for Guidance and Extra-institutional Employment of Convicts can work for private companies or study outside of the Prisons. Prisoners can also serve part of their sentence imposed by the measure of house detention using electronic monitoring and at the same time study or work outside of the Prisons.⁷⁵

c. Access to education

The Prison Department offers daily educational programs as well as theoretical and vocational training from 08:00 to 15:00 throughout the year, including during summertime.⁷⁶ The educational programmes offered inside the prison are updated and aligned with the education offered in schools in the world outside. At the time of writing, there were nine prison schools offering education at a secondary, higher and tertiary level available to all prisoners; and vocational training is offered according to the Technical school curricula. Prisoners who have not completed school are given the opportunity to do so from the prison school and receive the respective certification, as well as continue their studies following their release. Prisoners can choose to attend educational classes or work and they get paid equally for their participation. Prisoners may also attend universities through distance learning and tutoring.⁷⁷

The vocational education offered in the prison is provided by educators from the Ministry of Education Youth and Sports as well as from other government agencies and professional bodies and is described as being of the highest quality. Modular training courses pursued within prison can be easily continued or complemented in the outside world after release.⁷⁸

d. NPM assessment

Access to work

“After joining the Open Prison, the prisoners rarely enter the Closed Prison facilities and during the day they are employed in the Department's Grocery, the warehouses, the car garage and the Manor (agricultural work)... In addition, there are 3 large kitchens, 8 schools, 8 gyms, a football field, basketball courts in each wing, a central theatre, blacksmith, carpentry and bookbinding workshops, a church and a mosque.”

Access to education

“[T]he prisoners on remand do not have access to these educational programmes since, as indicated to us by the Prison Management, due to the short period of time they remain in the Central Prison (compared to the

⁷³ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, article 92.

⁷⁴ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, articles 127-135.

⁷⁵ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, articles 136-145.

⁷⁶ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

⁷⁷ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

⁷⁸ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

prisoners), it is not possible for them to be integrated into the prison school in order for them to benefit from attending it...

As it was found, a large number of prisoners still do not have access to any creative activities (Wards 10, 4 and 4B), while the prisoners on remand, as well as the prisoners in Wards 4 and 4B, are not provided with any education through their participation in prison schools...

Although the Directorate's position, that the convicts do not participate in educational programmes due to the short period of time they remain in the Central Prison which does not allow their integration in school, is valid this should not constitute an obstacle to any other form of creative and constructive engagement, both for the convicts and for the other prisoners who currently do not have access to anything creative, as there are detainees who are still in custody for a long period of time."⁷⁹

Access to the open prison by non-Cypriots

[The report below was issued by the ombudsman in her capacity as commissioner for administration rather than as NPM]

'The investigation carried out on this issue, showed that foreign prisoners serving a prison sentence, both third country nationals and European citizens, are indirectly subjected to discriminatory treatment, compared to Cypriot prisoners in a number of privileges, because of the non-timely clarification of their residence status in the Republic, after their release from prison. The restriction of the possibility for third country nationals to join the Open Prison, is related to the fact that, having been sentenced to imprisonment, they are considered, on the basis of Article 6 of the Law on Aliens and Immigration Law, as unwanted immigrants which deprives them automatically of the right of legal residence in the Republic...As it turned out, this fact is an obstacle to the assessment of whether a detained third-country national has the potential to join the Open Prison..., given that such prisoners do not hold a residence permit in the Republic and are therefore not allowed to move freely within the country... Detainees who are citizens of the European Union are also subjected to less favourable treatment than Cypriots prisoners with regard to the privilege of joining the Open Prison...'⁸⁰

Telephone consultation with NPM

In the central prison, work and education is available to all, except for persons awaiting trial. Detainees in police holding cells do not have access to work or education.

⁷⁹ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), '[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)' (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

⁸⁰ Cyprus, Commissioner for administration and protection of human rights (2023), '[Έκθεση αναφορικά με την έγκαιρη διευκρίνιση του νομικού καθεστώτος παραμονής στη Δημοκρατία αλλοδαπών κρατουμένων στις κεντρικές φυλακές](#)' (*Report on the timely clarification of the legal status of the stay in the Republic of foreign prisoners in the central prisons*), File No. A/P 557/2021, 27 January 2023.

8. Healthcare (note – section 11 contains specific questions concerning female detainees)

a. Access to healthcare

Prison

Medical services are offered to the central prison as an extension to the state medical services and include all medical specialisations. There is a general pathologist offering services in the prison on a daily basis, nominated by the Ministry of Health, whose duty is to examine prisoners and monitor their physical and mental health, determine treatment and check that this is precisely delivered, advise on whether prisoners must be admitted to hospital or referred to a specialist medical practitioner, ensure that the prison medical centre is equipped with all necessary medical tools and machinery, ensure the provision of pharmaceutical supplies and regularly inspect their suitability, check the suitability of nutrition, ensure the vaccination of the prison staff and prisoners to protect them against contagious diseases and inform the Prison Director about all health matters concerning the prison and the prisoners. In addition to the full time prison doctor, there are general practitioners and part-time doctors of various specializations such as psychiatrists, psychologists, occupational therapists, dermatologists and dentists visiting regularly or when needed. Detainees who choose to contact their own doctor must bear the cost themselves.⁸¹

Police detention cells

Detainees in police detention cells are entitled to medical care for all medical specialties including dentists, dermatologists and opticians, by a doctor of their choice and have the right to communicate with their doctor in person or by phone. Detainees who choose to contact a private doctor can do so but they will have to bear the cost. Detainees who do not wish to exercise the right of communicating with their own doctor are entitled to free medical care by a state doctor arranged by the director of the police station as soon as possible. Where this is not possible, the director may order the transfer of the detainee to a state hospital; transfers to private hospitals are not permitted. Medical examinations take place out of sight and sound of any police staff, unless the police station director has reason to believe the doctor's physical integrity is at risk, in which case the examination must take place within sight, but not sound, of a police officer of the same sex as the detainee. In the case of detainees aged under 18, their parents or guardians may be present during the medical examination or treatment. Shortly after remand in custody, detainees must be handed a list of rights setting out the above in a language understood to them and must sign a special form confirming receipt. Foreign detainees who cannot communicate with the doctor in a language understood to them may be examined by a doctor in the presence of an interpreter placed at their disposal by the director of the police station to enable the doctor to communicate with the detainee.⁸²

b. Availability of medical staff

Medical services of all specializations are offered in the Central Prison, as an extension of the public health service. A doctor of general medicine appointed by the Ministry of Health is mandated with examining detainees' mental and physical health, determining the treatment and monitoring its faithful administration, opining on the admission of detainees to a hospital or rehabilitation centre outside the prison or on their referral to a special doctor.⁸³ The prison medical centre is staffed on a 24-hour basis with suitably trained

⁸¹ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, articles 62-85.

⁸² Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), articles 23-28.

⁸³ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, articles 62-85.

nurses.⁸⁴ According to the prison authorities, in addition to the full time doctor of general medicine, there is also a full time psychiatrist and part-time psychologists on a daily basis.⁸⁵

In police detention centres, there are no permanently stationed health professionals. According to the law, a detainee can request to be examined by a doctor of his choice or by a public doctor and the police station director must contact the doctor as requested.⁸⁶

c. Medical examination upon admission

Medical screening of newly-arrived inmates is systematically carried out within 24 hours from arrival, however inmates arriving on a Friday are not seen until the following Monday. The medical screening involves both physical and mental health in order to diagnose they type of treatment and medication that will be needed during the person's detention.⁸⁷

There is no national standard to regulating the medical screening at the beginning of the detention period at a police holding cell.

d. Preventive care

The medical centre at the central prison carries out vaccination programs for prisoners and for prison staff for contagious diseases. The medical officer of the prison examines each detainee upon admission and thereafter at least every 12 months or sooner if the general health condition of a detainee requires that. The medical officer will also examine detainees every time the detainees request that and immediately before their release.⁸⁸

There is no national standard regarding preventive care in police holding cells.

e. Specialised care

Detainees in need of treatment that cannot be treated within the prison are transferred to a state hospital outside the prison, unless the necessary treatment cannot be offered by the state medical services and the detainees specifically ask for a particular private clinic, in which case the detainees may be referred to the private clinic subject to permission from the prison director and subject to the detainee covering the cost incurred. The private clinic must be within the Nicosia urban boundaries, it must not suffer from security risks and guards must be available to guard the prisoner during the period of the treatment.⁸⁹ Prisoners suffering from contagious diseases are isolated upon written orders from the prison medical officer and the isolation is terminated upon further written orders from the medical officer.⁹⁰ If the medical officer takes the view that a particular prisoner's life in prison may turn out to pose risks for his life, then the medical officer must file a full medical report to the Permanent Secretary of the Ministry of Health and the Prison Director without delay,

⁸⁴ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, articles 62-85.

⁸⁵ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

⁸⁶ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), articles 23-28.

⁸⁷ Cyprus, Prison (General) Regulations of 1997 ([Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)) issued under the Prison Laws, No. 121, 18 April 1997, article 65(1).

⁸⁸ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, articles 62-85.

⁸⁹ Cyprus, Prison (General) Regulations of 1997 ([Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)) issued under the Prison Laws, No. 121, 18 April 1997, article 72.

⁹⁰ Cyprus, Prison (General) Regulations of 1997 ([Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)) issued under the Prison Laws, No. 121, 18 April 1997, article 74.

following which the Prison Director transmits the medical report to the Attorney General after having added his own observations and recommendations.⁹¹

When a prisoner declares that he wants to go on a hunger strike, then the prison staff isolate him in his cell or place him in a special isolation cell without food, they record the incident in the wing's diary and notify the Prison Director and the prison medical officer. If the prisoner refuses to take food after 48 hours, the medical officer monitors his health condition daily, records it in a special registry and notifies the Prison Director. If necessary the medical officer may recommend to the Prison Director that the prisoner be transferred to a public hospital to better monitor the prisoner's health condition. At the hospital, if the prisoner's condition becomes critical risking a permanent damage to his health or is not a position to exercise free will, the medical officer and the hospital staff may if necessary force-feed him.⁹²

There is no national standard regarding specialised care in police holding cells.

f. Treatment of the detainee's choosing

There are no special national standards as regards medical treatment of the detainee's own choosing. The medical protocol as regards the choice of treatment by the patient applies: the prisoner is informed in advance of the consequences of the treatment and the non-treatment and has the choice to undergo the treatment or not.

Inside the prison, medical examinations take place without the presence or the monitoring of prison staff, who do not to interfere unless there is a reason. All detainees' medical history is examined in order to diagnose whether or not they have a history of drug addition, mental or personality disorders or other special needs or problems in order to provide with them with suitable psychological and medical support and to protect other detainees.

There is no national standard regarding medical treatment of the detainee's own choosing in police holding cells.

g. NPM assessment

'It is noted that upon admission to the Prison, the prisoner is immediately subjected to a medical examination by the competent medical officer, in order to determine the health status of the prisoner, and a virological examination is carried out by a team of the Mental Health Services of the Prison Department.

Each detainee may request to be examined by a doctor of his own choice, where the examination is carried out after approval and in the presence of the medical officer of the Prison, during the medical officer's duty hours. In the event that it is necessary for the prisoner to be treated by a private clinic and if the prisoner so wishes, after permission of the Director, the prisoner shall be referred to a private clinic. The costs of the private clinic shall be borne by the prisoner.

During the inspection of the clinic area it was found that the medical files were located in a place where there could be easy access by the rest of the prison staff, while in the examination area of the prisoners, there is no partition to ensure medical confidentiality.

The need to strengthen the nursing staff is also stressed, so that these tasks are not carried out by prison guards, who have received the appropriate and necessary training, but their role in the clinic should be purely supportive and primarily concerned with security issues.

⁹¹ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 76.

⁹² Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 84.

In relation to the issue of the provision of care to disabled prisoners who are detained in prisons and cannot help themselves, it is noted that it has already been investigated following a complaint submitted to our Office by the President of the Cyprus Paraplegics Organisation (O.P.A.K.). It is noted, in this regard, that in November 2019, the Director of the Central Prison had requested the views of O.P.A.K. on the matter, due to the presence of a person with a disability in the Central Prison and the President of O.P.A.K. had mentioned to the Director that the provision of care to disabled persons in Prisons should be done by the nurses working in prisons, as is the case in hospitals, since nurses "are trained to manage health and mobility problems of patients with disabilities and can and should provide services to prisoners with disabilities with quality and safety". This issue, as well as the general safeguarding of the rights of persons with disabilities detained in the Central Prison, including the provision of care by specialized staff, was brought before the Director, who informed us of the following:

- In the Central Prison there are infrastructures for the accommodation of persons with disabilities and persons with mobility difficulties (accessible areas, ramps, toilets for persons with disabilities, etc.), but they concern persons who are able to help themselves.
- The nurses of the Ministry of Health who are seconded to the Central Prison have been instructed by their supervisor not to enter the Wards, and therefore cannot take care of prisoners with disabilities. The issue of providing a caregiver or nurse for the personal care of disabled prisoners who cannot help themselves cannot be resolved by the Prison Department, as they are under the jurisdiction of other services. And prison guards or other prisoners cannot take up the issue of providing care to prisoners with disabilities who cannot help themselves, since it is outside their duties and is the responsibility of other services.

On the same issue, the Director General of the Ministry of Health informed us that the Department of Social Integration of Persons with Disabilities (DSI) is of the opinion that persons who are entitled to benefits from the DSI should continue to receive them during their stay in the Prison, provided, however, that the benefits are used to employ an independent carer who has access to the Central Prison and suitable conditions for providing care, on the recommendation of medical or nursing staff.⁹³

Telephone consultation with NPM

Prisoners have direct and immediate access to the prison doctor and they are referred to the hospital if needed. There have never been any problems detected. Detainees in police stations are also referred to doctors as and when needed. Generally access to healthcare is satisfactory in both prison and police holding cells.⁹⁴

⁹³ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), [‘Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022’](#) (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

⁹⁴ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

9. Prevention of violence and ill-treatment

a. Protection from violence by prison staff

There are a number of measures to contain violence in prison but no measures to protect prisoners against violence from prison staff, or to prevent or prosecute such violence.

Protection measures in police detention centres are not regulated through a legal document.

b. Protection from violence by other detainees

In the event of a confrontation amongst detainees or other violent incidents, the Prison Director can order the use of proportionate violence in order to restore order and safety. Subject to permission from the Prison Director, guards may use bats, tear gas and other chemical substances in order to contain and curb serious incidents amongst detainees, riots, escape of prisoners or destruction of prison property. Solitary confinement is not used against potential victims of violence, in order to protect them from violence from other inmates, unless the potential victim has been found guilty for any of the offences foreseen in the regulations as reasons for confinement.⁹⁵

Prison guards receive training on a number of areas, but such training is determined by the Prison Director and does not form part of the national standards. Detainees may file complaints at the Prisons Council who will submit their complaints to the Minister of Justice and Public Order or the Prison Director if they are deemed to be well founded.⁹⁶ If the Prison Director believes that there is a well-founded complaint of assault, the police will be called to investigate and prepare prosecutions. The decision of the Prisons Council or the Prison Director is not subject to challenge through the process of judicial review foreseen in the Constitution.⁹⁷ There is no fast-track procedure for examination of complaints nor any procedural safeguards in place to ensure the complainant is protected from reprisals from other inmates.

In police detention centres, each cell is equipped with a bell operated by light and/or sound so as for each detainee to contact the police officers on duty. A system of communicating with officers on duty, as well as a closed-circuit camera is to be also available in the communal areas used by detainees.

c. NPM assessment

There is no reference to violence in any of the reports of the NPM during the reporting period.

Telephone consultation with NPM

It is rare for such incidents to come to the attention of the NPM. In the central prison the authorities do what they can, although violence in prisons is a worldwide problem. One complaint reached the NPM from the lawyer of the prisoner claiming that his client had been assaulted by the police, however when the NPM interviewed the prisoner he denied having been attacked and stated affirmatively that he had no complaint against any police officer.

10. Contact with the outside world

a. Visits

Central Prison

⁹⁵ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, articles 160(1) and 160A.

⁹⁶ Cyprus, Law on prisons of 1996 ([Ο περί Φυλακών Νόμος του 1996](#)) N. 62(I)/1996, Article 25.

⁹⁷ Cyprus, District Court of Nicosia, Christodoulou v. Loizou and Attorney General ([Χριστοδουλου v. Λοΐζου και Γενικού Εισαγγελέα](#)), Case No. 7046/2011, 7 August 2019

The prison regulations provide that each prisoner is entitled to visits from family members, relatives or friends up to six times a month. The Prison Director may permit prisoners in the Open Prison to receive up to two additional visits per month from persons who may have a positive impact on the prisoners. The Prison Director may also exceptionally permit one or more visitors for the purpose of addressing extraordinary family, business, financial or other affairs, over and above the monthly entitlement of six visits per month. The Prison Director may approve additional visits, over and above the entitlement of six visits per month, to prisoners serving a sentence over five years provided they have shown good conduct and industriousness. Foreign prisoners are permitted to be visited by diplomatic or consular staff of their country or the country entrusted with their interests, by international bodies with a mission to address problems arising for their detention and especially by persons who speak their mother tongue. The Prison Director may permit visits of representatives of social bodies, scientific, cultural, religious or other associations. Police officers authorised by their superiors, public officers carrying warrants or orders to be serviced on prisoners may also visit prisoners. Lawyers may visit their detained clients so long as there is a charge pending against them. If there is no charge pending, lawyers may still visit prisoners to advise them on any matter, following permission from the Prison Director. Visits take place in specially adapted places in the prison where the prison officer supervising the visit has visual access. Prisoners receiving visitors as well as the visitors may be subjected to bodily search before or after the meeting.⁹⁸

Prisoners may request to be examined by a doctor of their own choice. The examination must take place with the approval and in the presence of prison medical officer during the hours of duty in the prison, in accordance with the rules of medical ethics. Where the examination of the prisoner cannot be conducted within the prison, the prison medical officer must refer the prisoner for examination in the private physician's office or clinic following which the private physician must submit a full report to the prison medical officer on the state of health of the prisoner. In such a case the private doctor exercises the role of a medical adviser and the prison medical officer remains responsible for the care and treatment of the sick prisoner.⁹⁹

Police holding cells

The law on the rights of people in police custody provides that detainees are entitled to be examined and treated by a doctor of their choice at any time while in detention and that, for this purpose, they are entitled to call the doctor in the presence of a member of the police. In this case, the detainee must cover the cost of the examination and treatment. Detainees who need a doctor but do not wish to exercise the right to a medical practitioner of their own choice, are entitled to be examined and treated by a government doctor arranged by the person in charge of the detention centre.¹⁰⁰

b. Correspondence

Prison

Prisoners may send letters to family members, associates, partners and friends twice a week, after submitting the letters for checking to the prison authorities. The Prison Director may permit a prisoner to send more letters if, in the Director's opinion, it would be helpful in maintaining beneficial contacts with the outside world. There is no restriction as to how many letters a prisoner may receive within the

⁹⁸ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, articles 116-118.

⁹⁹ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, article 71.

¹⁰⁰ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 23.

prison. If there is a proven immediate need, prisoners can request permission from the warden to communicate by telephone, or request the competent prison officer to communicate on their behalf by telephone with their lawyer or with family members or other associates for the purpose of settling any matter. Prisoners who for any reason do not receive visits may, with the permission of the Director, communicate by telephone with their family or with persons who may have a beneficial effect on them at least once a month. Prisoners serving a sentence for debt can be granted leave by the Director to communicate by telephone or may request a prison officer to communicate on their behalf by telephone with their lawyer or relative or friend for the purpose of arranging settling of the debt and securing their his release. The telephone call is placed in one of the booths located in a controlled area of the prison at the expense of the prisoners themselves or by other means approved by the prison director. The content of telephone calls and letters is checked by the prison authorities; depending on their content, the letters may be withheld and telephone calls may be cut off. Facts of importance contained in letters sent to prisoners which were withheld by the prison authorities are brought to the knowledge of the prisoner provided the information is not related to the reasons for which the letter was withheld. The contents of letters or telephone calls which come to the knowledge of the prison authorities are not to be disclosed to third unauthorised persons. The privilege of correspondence or telephone communication can be suspended by order of the prison director in the event of disciplinary action. Letters sent by prisoners to any official authority of the Republic or to political or other public persons or to the mass media, must always be sent through the prison director. If it transpires that the content does not fall within the competence of the authority or the person to whom it is addressed, or that inappropriate or abusive language, malicious allegations or unfounded accusations are used in such letters, or attempts to falsify facts or disclose information relating to the security and functioning of the prion, the prison director may prohibit the dispatch of the letter and inform the prisoner accordingly.¹⁰¹

Police holding cells

Persons detained in police station are entitled to communicate with their lawyers and the police is under a duty to maintain the confidentiality of communications between the detainees and their lawyers. The right to communicate with lawyers includes meetings, correspondence and telephone.¹⁰² Non-Cypriots held in police holding cells have the right to communicate with their embassies or consulates.¹⁰³

c. Visits with children

Prison regulations do not establish a duty on prison authorities to maintain a child-friendly environment for visits. According to information provided by the Ministry of Justice and Public Order, all visiting areas are equipped with a small playground with toys for the children of the prisoners. The children can have physical contact with their parents as the separation glass which was placed during the Covid 19 period, was removed. Special arrangements are made for the children of the prisoners with disability to visit their parents in the area of the Open Prison or in the visiting rooms for the lawyers. The prison authorities organise a number of activities every year for the prisoners' children and grandchildren including an annual 3-day event for the International Children's Day which includes gymnastic activities

¹⁰¹ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, articles 114-115.

¹⁰² Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 3(2)(C).

¹⁰³ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 5.

for children, screening of short films, music and juggling, activity stations, inflatables, food and beverages and gifts for children.¹⁰⁴

There are no standards about children visiting their parents detained in police holding cells.

d. NPM assessment

‘However, as I mentioned above, [in the case of prisoners accused of disciplinary misconduct] there has been a delay in both informing the detainees of the charges against them and in the hearing of the case, with the consequence that the accused detainees are deprived of privileges while the disciplinary proceedings are pending and in some cases some of their rights are affected/limited, such as visits, exit permits, application for membership of the Open Prison and/or the Parole Board...

In all wards of the Central Prison there are telephone booths to which prisoners have unlimited access daily from 08:00 until 20:30. Communication can also be made using SKYPE, which is mainly used by foreign prisoners who do not receive visitors. A prisoner may also send and receive unlimited letters to family members, associates and friends, after submitting these letters to the officer in charge for checking. The content of telephone calls or letters is checked if the Director considers it necessary for security reasons or for any other reasonable cause, with the exception of letters sent or received by the detainee to/from his/her lawyer, the Attorney General, the Commissioner for Administration and Human Rights’ Protection, the Prison Council, the Council of Europe’s Committee for the Prevention of Torture and Other Forms of Torture, the Council of Europe’s Committee for the Prevention of Torture and Other Forms of Inhuman or Degrading Treatment or Punishment and the European Court of Human Rights. In each ward there is a complaint box in which every prisoner may, if he wishes, submit a complaint to the Commissioner, which, according to the above, is not subject to inspection and is confidential, since only my Office has the right to receive such letters. However, as I found from my visits to some Wards, this box is placed in a location covered by security cameras and therefore is likely to be unsecured and/or subject to censorship. It is also possible that the presence of the camera may act as a deterrent to a detainee wishing to make a complaint and/or inform my Office of any issue that may be of concern to him/her. In addition, in two wards it was found that the box was in a condition which did not allow any complaint to be placed on it. Therefore, in all Wards, the complaint boxes should be in a condition that allows them to be used for their intended purpose, that there are no factors that prevent their use by prisoners, such as direct exposure to security cameras, and that correspondence placed in the boxes is not checked by prison staff but is only accessible to the Officers of my Office. It is understood that in any case, detainees should know in advance their right to submit a complaint to my Office, as well as the confidentiality that should characterize such complaints.

Each detainee is entitled to receive up to ten visits per month from family members, relatives and friends, three adults per visit. The prisoner may receive additional visits, in addition to the above, from embassies, consulates, consulates, high commissions and religious representatives of his choice. In order to visit a detainee, the detainee must enter the name of the visitor in his/her list for visits and send the visitor an invitation. If this procedure is not followed it is possible that the visitor may not be allowed to enter the Prison. In isolated cases, it has been observed from the examination of complaints against the Prison Department that relatives who confronted and/or displayed inappropriate behaviour towards the management and staff members of the Prison Department and/or refused to follow or comply with the security rules have not been allowed to visit the prisons unless they apologise in writing. It is noted that in all the entrance areas and visitation areas, there is a prominently displayed notice, in Greek and English, of the Department’s Directorate (ref. no.: 5.13.001/15) under the title "Inappropriate Visitor Behaviour", which draws their attention to this issue and the possibility of being refused entry. However, I believe that this measure should be used and/or applied in very rare cases, when the behaviour and actions of visitors do indeed exceed the permissible limits and pose a threat to the real

¹⁰⁴ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

and visible danger to the order and security of the prison and the psychological and emotional stress that may be felt by the visitor at any given moment should always be taken into account.

Regarding the area for confidential meetings of the detainees with their lawyers, as we found out from our visits there was a camera installed, but according to the supervisors of that area, it is deactivated in terms of sound. However, this may have a deterrent effect on communication between them, as it may raise questions regarding the confidentiality of what is said in their conversations.¹⁰⁵

Telephone consultation with NPM

The NPM reported that there is adequate contact with the outside world in both the central prison and the police holding cells; detainees can receive visits from their families, their lawyers, representatives of their embassies, ministers of their religious faith and any other people they declare upon admission to the facility, which they can subsequently update to include more people. They have access to telephone booths and can send and receive letters. Same applies to police stations where they can also receive visits. Visits are permitted from all the persons listed by the detainees themselves. The NPM was not sure if police stations permit visits from persons other than the detainees' lawyers and family.¹⁰⁶

11. Special measures for female detainees

a. General conditions of detention for women and girls

Prison

Women detainees are detained in a special ward, which is serviced only by women officers. The Allocation Committee allocates work to women detainees which is suitable to their gender, as far as this is possible.¹⁰⁷

According to the prison authorities, women at pre-trial detention are not held in the same ward as women serving a sentence, although they can meet under supervision in common areas, during sports activities, work, education or events. Women held in the open prison may visit their families without escort for a period of eight hours up to six days, depending on their prison term. Women held at the Centre for Guidance Extra-institutional Occupation and Rehabilitation can work outside the prison and return to the Centre in the afternoon; they can also stay with their families over the weekends.¹⁰⁸

Police holdings cells

There are no national standards about detention conditions of women in police holding cells. The law on the rights of persons arrested and detained provides that every woman prisoner is entitled to treatment and conduct that does not constitute direct or indirect sexual harassment or an affront to her moral dignity.¹⁰⁹

¹⁰⁵ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), '[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)' (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

¹⁰⁶ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

¹⁰⁷ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 45.

¹⁰⁸ Letter from the prison authorities to the FRANET contractor 28 June 2021.

¹⁰⁹ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 21.

b. Separation from men

Prison

In the central prison, where detainees are held either pre-trial or serving a sentence, women detainees are detained in a separate ward, which does not communicate with the wards in which men are detained. Women detainees do not have the right to communicate with male detainees except where there is prior permission from the Prison Director.¹¹⁰

Police holding cells

Police detention cells are individual, so women are detained at pre-trial, serving a sentence up to 15 days or awaiting deportation, separately from men but there are no separate wards for women detainees. In most cases, women are detained in police stations where only women are detained.

c. Hygiene

Prison

There are no special standards of hygiene conditions or products for women detainees. According to the Prison Authorities, gender-specific personal hygiene products are supplied free of charge to all women detainees.¹¹¹

Police holding cells

In police detention cells, personal hygiene supplies for women are either provided by the police station or arrangements are made by the police station in order for the women detainees to be supplied with these goods, at the women's own expense.¹¹²

d. Healthcare

Prison

No special standards apply for the healthcare of women detainees. The expenses for the nutrition, maintenance and medical care of babies whilst in prison are borne by the State.¹¹³

Police holding cells

No special standards apply for the healthcare of women detainees. The law on the rights of persons detained provides that the police station must make 'necessary arrangements' which are not defined, so that the pregnancy or health of women detainees is not adversely affected.¹¹⁴

e. Pregnancy and women with babies or young children

There are no special standards applicable for pregnant detainees.

The Prison Director may permit an infant baby of a woman detainee born while the mother was serving her sentence to remain in the Prison together with the woman detainee for as long as she is breastfeeding. The stay of the baby with the mother in Prison may be prolonged until the baby reaches

¹¹⁰ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 45(3).

¹¹¹ Letter from the prison authorities to the FRANET contractor, 28 June 2021.

¹¹² Cyprus, Law on the rights of persons arrested and detained ([Ο περί των Δικαιωμάτων Προσώπων που Συλλαμβάνονται και Τελούν υπό Κράτηση Νόμος](#)) N.163(I)/2005, Article 22.

¹¹³ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 46(4).

¹¹⁴ Cyprus, Law on the rights of persons arrested and detained ([Ο περί των Δικαιωμάτων Προσώπων που Συλλαμβάνονται και Τελούν υπό Κράτηση Νόμος](#)) N.163(I)/2005, Article 22.

two years of age if a medical officer certifies that removing the baby from the mother might negatively impact the baby's state of health.¹¹⁵

For babies born before the mother was imprisoned, the Prison Director may permit their stay in Prison together with their mother for as long as the baby is breastfeeding provided this is necessary for medical reasons. In such cases, the babies can remain in prison until they reach the age of one.¹¹⁶

Any extension of the stay of a baby in prison beyond the ages of two and one respectively must be sanctioned by a Court order.¹¹⁷

Police holding cells

The officer in charge of the detention centre must make all necessary arrangements, which are not defined in the law, to enable a breastfeeding detainee to continue breastfeeding in a private room in the detention centre and, if she so wishes, to enable the infant to remain with her, at her own expense, in the cell where she is living. In respect of pregnant detainees the officer in charge must make all necessary arrangements, which are not defined, to ensure that the pregnancy or the health of the woman or the foetus are not adversely affected.¹¹⁸

f. NPM assessment

'Ward [3] accommodates only women, convicted or remanded in custody awaiting trial, including adults, juveniles and/or minors, without any special restriction. The Ward has its own courtyard, basketball court, gymnasium, workshops and school. Detainees are fed within their Wards, as each meal is distributed in a special packet from the Wards 1&2 kitchen. The facilities in the women's ward have been improved with the opening of the new building in 2016, the cells are in good condition, each of them has a toilet that ensures the privacy of the people using it and the condition of the bathrooms is considered very satisfactory. However, there is still the old building on the site, which houses women awaiting trial, which is a matter of concern. In particular, the mixing of detained awaiting trial with convicts is not in line with the CPT's recommendations and suggestions, according to which an effort should be made to separate these categories of prisoners...

As regards the mixing of convicts with detainees awaiting trial which, as mentioned, is practised in the Women's Wing, apart from being contrary to the relevant recommendations of the CPT on this matter, it contributes to the direct association of convicts with persons who have not already been tried, with all the negative consequences that this may entail for them. In particular, apart from being inconsistent with international standards and recommendations, this may constitute an obstacle to the extended rights that suspects may enjoy in prison compared to convicts, as well as exposing them to the wider culture that may prevail in prison, which may be unfamiliar to them. The mingling of accused persons with prisoners creates particularly aggravating psychological conditions for defendants who may be

¹¹⁵ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 46(1).

¹¹⁶ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 46(2).

¹¹⁷ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 46(3).

¹¹⁸ Cyprus, Law on the rights of persons arrested and detained ([Ο περί των Δικαιωμάτων Προσώπων που Συλλαμβάνονται και Τελούν υπό Κράτηση Νόμος](#)) N.163(I)/2005, Article 22.

persons without any involvement in serious criminal offences, with all the consequent consequences, both during their stay in prison and in their broader psycho-emotional development.¹¹⁹

Telephone consultation with NPM

*Women are treated without discrimination on the ground of sex. An individualised needs assessment is carried out upon their admission to the prison and special psychological support is made available to them. The NPM could not comment on the situation of women in police holding cells because there were no women detained in the police stations visited.*¹²⁰

12. Special measures for foreign nationals

a. General measures for foreign nationals

Prison

Foreign prisoners are facilitated to receive visits from diplomatic or consular representatives of the state to which they belong or of the state responsible for their interests or by any other national or international authority having as its mission to defend their interests or by persons contributing to the protection of their interests mitigate the specific problems arising from detention and in particular persons who speak their mother tongue. The Prison Director can allow special arrangements to be made to facilitate visits from family members of the prisoner coming from abroad.¹²¹

The prison authorities are under a duty enrich the prison library with educational material and books in languages to meet the needs of both national and foreign prisoners.¹²²

Foreign prisoners are generally deemed not to meet the criteria for advancement to the Open Prison, as they seem to be automatically assumed to have a high risk of absconding.

Police holding cells

Foreign nationals have the right to call their consular or diplomatic mission immediately upon arrest to inform them of their arrest or detention and of the police station where being held. The call must take place in the presence of a member of the police as soon as practically possible after the arrest. If there is no consular or diplomatic mission of the detainees' country in Cyprus, then the detained foreign national can call the Ombudsman's office.¹²³

b. Interpretation and translation

Prison

¹¹⁹ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), '[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)' (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

¹²⁰ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

¹²¹ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 116(6).

¹²² Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 108(6).

¹²³ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 5.

Whilst all prisoners must be informed in writing of their rights and obligations as soon as they are admitted to the prison, including the Regulations governing the operation of the prison, non-Greek speaking prisoners must be informed orally in a language they understand, if possible.¹²⁴

According to the Ministry of Justice and Public Order, all newly admitted prisoners receive a booklet with their rights, obligation and prison rules, translated in four languages: English, Turkish, Arabic and Georgian; and whenever needed, an interpreter is called in order to facilitate the process.¹²⁵

Police holding cells

If the bill of rights is not available in a language understood by the arrested persons, then the police station officers are under a duty to have it explained to them in a language they understand without delay.¹²⁶ The bill of rights must be posted in every police holding cell in Greek, Turkish and English and in any other language deemed necessary by the police station director.¹²⁷ Where foreign nationals are arrested outside the police station and the arresting officer did not speak their language in order to inform them of the reasons for their arrest, then the police station is under a duty to arrange for interpretation services without delay and before the interrogation of the arrested persons.¹²⁸ Interviews between foreign detainees and their lawyers may be conducted in the presence of an interpreter, if needed.¹²⁹ Every important communication between detainees and other persons, including communication about rights, must be conducted in a language understood by them.¹³⁰ Foreign detainees who cannot communicate with the doctor in a language understood to them may be examined by a doctor in the presence of an interpreter placed at their disposal by the director of the police station to enable the doctor to communicate with the detainee.¹³¹

¹²⁴ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 23.

¹²⁵ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

¹²⁶ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 7(1A)(c).

¹²⁷ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 29.

¹²⁸ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 7(2).

¹²⁹ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 12(4).

¹³⁰ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 18.

¹³¹ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 25.

c. NPM assessment

'Communication can also be made using SKYPE, which is mainly used by foreign prisoners who do not receive visitors...

The investigation carried out on this issue, showed that foreign prisoners serving a prison sentence, both third country nationals and European citizens, are indirectly subjected to discriminatory treatment, compared to Cypriot prisoners in a number of privileges, because of the non-timely clarification of their residence status in the Republic, after their release from prison. The restriction of the possibility for third country nationals to join the Open Prison, is related to the fact that, having been sentenced to imprisonment, they are considered, on the basis of Article 6 of the Law on Aliens and Immigration Law, as unwanted immigrants which deprives them automatically of the right of legal residence in the Republic...As it turned out, this fact is an obstacle to the assessment of whether a detained third-country national has the potential to join the Open Prison..., given that such prisoners do not hold a residence permit in the Republic and are therefore not allowed to move freely within the country... For prisoners who are citizens of the European Union, who are also subjected to less favourable treatment than Cypriot prisoners, as far as their privilege to join the Open Prison is concerned, the relevant legal framework stipulates that the fact of their previous conviction does not in itself constitute a factor that automatically restricts their right to free movement in the Republic... In this respect, in the case of a European citizen who has been convicted and is serving a prison sentence, the [immigration authority] as the competent authority, should proceed to an individualised assessment in order to determine whether it may impose restrictions on the right of free movement and residence of the person concerned on grounds of public policy or public security, respecting the principle of proportionality, and after establishing that the personal conduct of the person concerned constitutes a genuine, present and sufficiently serious threat against a fundamental interest of society.'¹³²

Telephone consultation with NPM

*There is no issue of discrimination and their rights are being respected. Access to the open prison remains an issue however for those whose immigration status is uncertain, because the immigration authorities usually delay to inform them whether they will be deported after serving their sentence, which impacts on their evaluation as to whether they can advance to the open prison or not.*¹³³

13. Special measures relating to detention of children and young adults/juvenile detention regime

a. Age groups

The age for criminal responsibility is 14.¹³⁴ There is a separate ward in the central prison for detaining minors, i.e., children under 18 and young people i.e., aged between 18 and 21. Individual young detainees may be transferred to another ward if in the opinion of the Allocation Committee they are unsuitable for the ward of the young detainees.¹³⁵ A law adopted in 2021 set up a criminal justice system that is friendly to children in conflict with the law, including provisions transposing Council Directive

¹³² Cyprus, Commissioner for administration and protection of human rights (2023), ['Έκθεση αναφορικά με την έγκαιρη διευκρίνιση του νομικού καθεστώτος παραμονής στη Δημοκρατία αλλοδαπών κρατούμενων στις κεντρικές φυλακές'](#) (Report on the timely clarification of the legal status of the stay in the Republic of foreign prisoners in the central prisons), File No. A/P 557/2021, 27 January 2023.

¹³³ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

¹³⁴ Cyprus, Law establishing a criminal justice system which is friendly towards children in conflict with the law ([Νόμος που προβλέπει την εγκαθίδρυση συστήματος ποινικής δικαιοσύνης φιλικής προς τα παιδιά που βρίσκονται σε σύγκρουση με το νόμο](#)) N. 55(I)/2021.

¹³⁵ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 44.

800/2016.¹³⁶ Under the new law a prison sentence may be imposed only on children who have reached 16 years on the date of issue of the court decision, the prison sentence must be imposed only as final measure and must have the shortest possible duration which must not exceed half of the sentence foreseen in the law; in the case of a life sentence this must not exceed ten years. The court can only impose a prison sentence if the prosecution assures the court that the child will be detained in a detention place for children and that detention in a special area within the central prison is permissible only for a period of one year from the date of the law coming into force. A child must never be detained in the same space with an adult who has completed 21 years of age. Under the 2021 law on children in conflict with the law, children detained in a child detention facility who complete 21 years of age are not automatically transferred to prison but only after individual evaluation of their case and only if the continuation of their detention in the child detention facility does not undermine their own interests or the interests of the other children in the detention centre.¹³⁷

Media reports referred to inadequate infrastructure and lack of adequately trained human resources to implement the law, which was repeatedly referred by the police to the Attorney General for instructions over some of its provisions which were deemed as too general and vague.¹³⁸ At the date of writing no child detention centres were set up, which had the result of children being detained in police holding cells and the courts refusing to impose prison sentences on children in light of the absence of a child detention facility one year after the adoption of the law.¹³⁹ In 2024 the law was amended to extend until 2026 the period within which children can be detained in a special area of the central prison,¹⁴⁰ to allow for more time in order for the child detention facility to be created.

b. General measures for detained children and young adults

Under the law adopted in 2021 on children in conflict with the law, the child detention centre must fulfil the following:¹⁴¹

- Any decision taken by the authorities of the detention facility must have the best interests of the child as a primary consideration;
- The treatment of all children by the authorities of the place of detention shall be consistent with the principle of the children's right to life and development, dignity, respect for their privacy and religious beliefs;
- Children in detention have the right to communicate with their parents or those exercising parental responsibility over them;
- The staff and other professionals in the detention area where children are kept must have undergone training regarding the treatment of children in conflict with the law, the rights of children and the provisions of this law;
- The staff in the child detention facility must treat children without discrimination;

¹³⁶ Cyprus, Law providing for the establishment of a system of criminal justice friendly for children in conflict with the law ([Νόμος που προβλέπει για την εγκαθίδρυση συστήματος ποινικής δικαιοσύνης φιλικής προς τα παιδιά που βρίσκονται σε σύγκρουση με το νόμο](#)), N.55(I)/2021

¹³⁷ Cyprus, Law providing for the establishment of a system of criminal justice friendly for children in conflict with the law ([Νόμος που προβλέπει για την εγκαθίδρυση συστήματος ποινικής δικαιοσύνης φιλικής προς τα παιδιά που βρίσκονται σε σύγκρουση με το νόμο](#)), N.55(I)/2021, article 123.

¹³⁸ Makrides F. (2021) '[Αντιμέτωπος με τον νέο ασαφή νόμο ο 16χρονος στο Κίτι που έδωσε ψευδή στοιχεία](#)' (16-year-old in Kiti who gave false evidence faces new vague law), 30 August 2021.

¹³⁹ Phileleftheros (2023), '[Σε αστυνομικά κελιά η κράτηση ανηλίκων](#)' ([Detention of minors in police cells](#)), 21 December 2023.

¹⁴⁰ Cyprus, [The children in conflict with the law \(Amendment\) Act of 2024](#) [Ο περί Παιδιών σε Σύγκρουση με το Νόμο (Τροποποιητικός) Νόμος του 2024] N. 36(I)/2024.

¹⁴¹ Cyprus, Law providing for the establishment of a system of criminal justice friendly for children in conflict with the law ([Νόμος που προβλέπει για την εγκαθίδρυση συστήματος ποινικής δικαιοσύνης φιλικής προς τα παιδιά που βρίσκονται σε σύγκρουση με το νόμο](#)), N.55(I)/2021, articles 119-123.

- The place of detention of children shall provide a natural environment and accommodation which respects the privacy of the children and their rights to socialisation and participation in various activities;
- The children in detention must have access to education, vocational and occupational training;
- Children have the right to medical examination upon admission to the detention facility and to medical and paramedical care offered within the detention facility on a continuous basis;
- The staff of the detention facility must ensure that children have frequent contact with the wider community, including frequent contact with their families, the right to visit their home and to meet the Commissioner for the protection of the right of the child and the Commissioner for administration and human rights protection;
- Disciplinary sanctions imposed on a child in detention must be proportionate to the offence and consistent with respect for the child's dignity;
- Corporal punishment, torture, inhuman and degrading treatment or punishment, solitary confinement or any other punishment or disciplinary sanction which endangers the child's physical, mental or psychological health is prohibited under all circumstances;
- Every child in detention has the right to submit complaints to any public authority, the Commissioner for the Protection of Children's Rights, the Commissioner for Administration and Protection of Human Rights, any independent mechanism for the monitoring of places of detention and the authorities of the place of detention of children must facilitate the exercise of this right;
- The Commissioner for the Protection of Children's Rights, the Commissioner for Administration and Protection of Human Rights, any independent authority for the monitoring of places of detention and human rights bodies have the right to visit without prior notice a place of detention for children and to meet and talk with children in detention; non-governmental organisations working on children's rights or human rights shall have the right to visit subject to permission from the Minister of Justice and Public order.

The 2024 amendment to the law clarified that the above prerequisites apply even in the absence of a child detention facility and must be seen as the standard applicable to the special area of the central prison where children are detained pending the creation of the child detention facility.¹⁴²

Catering, exercise and counselling interventions by the Mental Health Services are offered to children and young detainees daily, separately from the rest of the prison population. Under supervision, young detainees follow educational programs at the prison schools, visit the prison church, are escorted to the dentist and doctor where they might come into contact with adult detainees. A number of specialised programs of psychological educational interventions are available to young detainees, including a personal development program aimed at the prevention of drug abuse behaviour, lectures on how to write CVs, on youth entrepreneurship, on social integration of delinquent youth, on preventing illiteracy and on art and creativity.¹⁴³

c. Separation from adults

Prison

The 2021 law on children in conflict with the law provides for the creation of child detention facilities, pending the creation of which, children can serve prison sentences in a special area of the prison.¹⁴⁴ Currently, children serving sentences are accommodated in Block 8 of the central prison under a wing which accommodates adults serving long sentences. The two sections are separated by a staircase which

¹⁴² Cyprus, [The children in conflict with the law \(Amendment\) Act of 2024](#) [Ο περί Παιδιών σε Σύγκρουση με το Νόμο (Τροποποιητικός) Νόμος του 2024] N. 36(I)/2024.

¹⁴³ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

¹⁴⁴ Cyprus, Law providing for the establishment of a system of criminal justice friendly for children in conflict with the law ([Νόμος που προβλέπει για την εγκαθίδρυση συστήματος ποινικής δικαιοσύνης φιλικής προς τα παιδιά που βρίσκονται σε σύγκρουση με το νόμο](#)), N.55(I)/2021, articles 119-123.

is always closed. However, children detainees mix with adults serving long sentences in the restaurant, the school and the medical centre, in the presence of a guard.¹⁴⁵

Police holding cells

All detainees aged under 18 must be kept in separate cells from other detainees.¹⁴⁶

d. NPM assessment

‘Special Wing 8: This ward accommodates juveniles and young men, up to the age of 21, convicted or under trial. The Wing has its own yard, a basketball court and the prisoners are taking their meals within it, each meal being distributed in a special packet ... As a consequence, even during lunch/dinner, the detainees in this particular ward are confined to it, since there is no separate dining room but only tables inside the ward. Further, in this Wing too, the complaints box to my Office is placed in a location that is directly visible from the security camera, which, as has been mentioned above, may act as a deterrent to detainees who may wish to make any complaint to my Office.’¹⁴⁷

Telephone consultation with NPM:

*The NPM reported that the central prison has a special mechanism for the psychosocial support of young detainees which is operating adequately. In the case of the police holding cells, the police officers can, upon the young detainees’ request, summon child psychologists but there is considerable delay until they can visit the detainee.*¹⁴⁸

14. Special measures to protect detainees with disabilities or serious medical conditions

a. Care in detention

There are no special measures applicable to persons with disabilities either in the central prison or in police detention cells. Persons with disabilities are expected to benefit from the medical services system already in place for all detainees. According to the Ministry of Justice and Public Order, upon admission, prisoners are examined by a General Doctor/Physician and are assessed by Mental Health professionals in order to diagnose the type of treatment and medication needed during imprisonment, according to each person’s needs. The assessment continues on a regular basis during the imprisonment. Depending on the outcome of the initial assessment, the prisoners are provided with the possibility to visit doctors of all specialties and if necessary, medication is administered. Almost every block of the Prisons, has basic facilities for persons with disabilities like a ramp for wheel chairs and accessible toilets. There is a Block with specialized personnel for vulnerable groups of prisoners like for example with serious health problems who coordinate with mental health professionals to assess their psychological and psychiatric needs and offer them support. When prisoners require mandatory hospitalization in a secure psychiatric centre, then the relevant transfer process is activated.¹⁴⁹

¹⁴⁵ Stamatiou E. (2024), ‘[BLOCK 8: Η σημερινή θλιβερή πραγματικότητα των ανήλικων κατάδικων των Κεντρικών](#)’ ([BLOCK 8: Today's sad reality of juvenile convicts in Central Prison](#)), *Alphanews*, 14 February 2024.

¹⁴⁶ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 20.

¹⁴⁷ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), ‘[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)’ (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

¹⁴⁸ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

¹⁴⁹ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

b. Continuity of care

There are no special measures applicable to persons with disabilities either in the central prison or in police detention cells. According to the Ministry of Justice and Public Order, the continuity of the medical care and support after the release of the prisoners, is not guaranteed as it depends on them to decide if they wish to continue the sessions or the medication outside of the Prisons.¹⁵⁰

c. Reasonable accommodation and accessibility

Prison

There are no special provisions about the conditions for persons with disability in the central prison. The prison regulations provide that persons with disabilities or with severe health conditions are placed in cells with private toilets and washbasins.¹⁵¹

Police holdings cells

Persons detained in police cells who are unable, due to an intellectual or physical disability, to exercise their right of communication with a lawyer and a relative or an employer or other person of choice, are entitled to assistance from an officer of medical or social services of the state, which must be made available to him immediately or soon as possible after arrest.¹⁵² Persons with disabilities in detention are entitled to have their rights explained to them in a manner understood to them.¹⁵³

d. NPM assessment

'In relation to the issue of the provision of care to prisoners with disabilities who cannot help themselves, it is noted that it has already been investigated following a complaint submitted to our Office by the President of the Cyprus Paraplegics Organisation (O.P.A.K.). It is noted, in this regard, that in November 2019, the Director of the Central Prison had requested the views of the O.P.A.K. on the matter, due to the presence of a person with a disability in the Central Prison and the President of the O.P.A.K. had mentioned to the Director that the provision of care to disabled persons in Prisons should be done by the nurses working in prisons, as is the case in hospitals, since nurses "are trained to manage health and mobility problems of patients with disabilities and can and should provide services to prisoners with disabilities with quality and safety". This issue, as well as the general safeguarding of the rights of persons with disabilities detained in the Central Prison, including the provision of care by specialized staff, was brought before the Director, who informed us of the following:

- In the Central Prison there are infrastructures for the accommodation of persons with disabilities and persons with mobility difficulties (accessible areas, ramps, toilets for persons with disabilities, etc.), but they concern persons who are able to help themselves.
- The nurses of the Ministry of Health who are seconded to the Central Prison have been instructed by their supervisor not to enter the Wards, and therefore cannot take care of prisoners with disabilities.

¹⁵⁰ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

¹⁵¹ Letter from the prison authorities to the FRANET contractor 28 June 2021.

¹⁵² Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 3(4).

¹⁵³ Cyprus, Law on the rights of persons suspected, arrested or in custody of 2005 ([Ο περί των Δικαιωμάτων Υπόπτων Προσώπων, Προσώπων που Συλλαμβάνονται και Προσώπων που Τελούν υπό Κράτηση Νόμος του 2005](#)), article 7(4).

- The issue of providing a caregiver or nurse for the personal care of disabled prisoners who cannot help themselves cannot be resolved by the Prison Department, as they are under the jurisdiction of other services.
- Prison guards cannot undertake the provision of care to prisoners with disabilities who cannot help themselves, since it is outside their duties and is the responsibility of other services.

On the same issue, the Permanent Secretary of the Ministry of Health informed us that the Department of Social Integration of Persons with Disabilities (DSI) is of the opinion that persons who are entitled to benefits from the DSI should continue to receive them during their stay in the Prison, provided, however, that the benefits are used to employ an independent carer who has access to the Central Prison and suitable conditions for providing care, on the recommendation of medical or nursing staff.

According to the Director General, the Ministry of Health is also looking positively at the possibility of amending the legislation on the imposition of imprisonment with the measure of house arrest for persons with disabilities. In relation to the above, it is noted that during our visits to the Central Prison there were no persons with disabilities, and it was found that there are indeed infrastructures that facilitate the accessibility of persons with disabilities to the Central Prison, including a specially designed cell...

Based on the relevant case law of the European Court of Human Rights (ECtHR), to which reference is made in the Handbook, the detention of a person with severe disability in conditions where he or she cannot visit the toilet alone or keep clean without difficulty, constitutes degrading treatment and consequently contravenes Article 3 of the European Convention on Human Rights, according to which "No person with a severe disability shall be detained in a place where he or she is unable to go to the toilet alone or keep clean without difficulty". Consequently, the failure to address the issue of providing care to prisoners with disabilities, especially when it comes to people who cannot help themselves, by providing these people with the necessary guarantees that will ensure their dignified stay in the Central Prison, in addition to failing to guarantee their rights as enshrined in the above provisions of the Convention, it is likely to result in inhuman and degrading treatment, in violation of Article 3 of the ECHR...

It is understandable that prison guards are indeed not properly trained to provide specialised care to prisoners with disabilities, while this is not part of their duties, nor can another prisoner be entrusted with such a responsibility. Therefore, all available options should be considered as soon as possible, namely, whether it is appropriate for care to be provided by nurses, as recommended by the OPAA, or by specialist carers paid from the benefits paid to the person concerned, based on the recommendation of the CCEA.¹⁵⁴

Telephone consultation with NPM:

The prison staff are not trained to assist persons with kinetic disabilities nor is it their work to provide such assistance. There ought to be carers and nurses providing such a service, however the prison nurses are instructed not to enter the prison wings. There was one case of a detainee with disabilities who served his sentence in the hospital in order to be able to have his personal carer stay with him. With regard to the police holding cells, only a few of them are accessible for persons with disabilities. Such is the case of the holding cells of the Lakatamia Police Station, however when the NPM carried out an inspection visit, the space intended for persons with disabilities was occupied by non-disabled persons.

¹⁵⁴ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), '[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)' (Visits conducted to the central prison during the period 2020-2022), 15 November 2022.

The accessibility of the facility is not taken into consideration when deciding which police station will be used to detain a person with disability. Accessibility of the facility's infrastructure was nevertheless not raised as a complaint with the NPM, the only complaint received as regards the detention conditions of persons with disabilities was the inability to have a carer or a nurse in the prison to assist them in their daily tasks.¹⁵⁵

15. Specific measures to protect detainees with special needs or other vulnerabilities

a. Protection of LGBTI detainees

There are no national standards or special measures in place to protect LGBTI detainees. According to the Ministry of Justice and Public Order, upon admission of detainees, the Istanbul protocol is applied and in case a person is recognized as vulnerable to sexual violence, a designated procedure is followed. The Ministry reported that the prison authorities invest in training prison staff through courses, seminars, conferences and programs in Cyprus, abroad and online on LGBTI issues. The Prison Department participates in the European program «Prison Safe» in which Cyprus Prisons exchange good practices with other European prisons on how to handle LGBTI prisoners. The Prisons Department also cooperates with the NGO ACCEPT LGBT Cyprus.¹⁵⁶

b. Protection of trans detainees

Prison

There are no special measures for the protection of trans detainees. The Ministry of Justice and Public Order reported that when a transgender person is about to be personally searched, for example if a transgender person has not gone through operation and has not removed his/her genitals, then the search is undertaken by a member of the staff of the same sex. If he/she has breast implants, then the search of the upper part of his/her body, is undertaken by a female member of the staff.¹⁵⁷

Police holding cells

Following an Equality Body report on the detention of transgender persons published in 2013, the police adopted a set of guidelines to be used in the case of transgender persons arrested and remanded in custody. The guidelines focus on searching, registering and identifying a suitable place for detention based on the principle of self-identification. According to the Ministry of Justice and Public Order, the transgender prisoners are allocated a cell according to their preference which they state during the admission interview process. Protection of other vulnerable detainees

c. Protection of other vulnerable detainees

Prison

There are a number of measures to contain violence in prison but no measures to protect prisoners against violence from prison staff, or to prevent or prosecute such violence. In the event of a confrontation amongst detainees or other violent incidents, the Prison Director can order the use of proportionate violence in order to restore order and safety. Subject to permission from the Prison Director, guards may use bats, tear gas and other chemical substances in order to contain and curb serious incidents amongst detainees, riots, escape of prisoners or destruction of prison property. Solitary confinement is not used against potential victims of violence, in order to protect them from violence from other inmates, unless the potential victim has been found guilty for any of the offences

¹⁵⁵ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

¹⁵⁶ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

¹⁵⁷ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

foreseen in the regulations as reasons for confinement.¹⁵⁸ Prison officers receive training at the Prisons Academy on the respectful treatment of prisoners based on the principle of non-discrimination.¹⁵⁹

Detainees may file complaints at the Prisons Council who will submit their complaints to the Justice Minister or the Prison Director if they are deemed to be well founded.¹⁶⁰ If the Prison Director believes that there is a well-founded complaint of assault, the police will be called to investigate and prepare prosecutions. The decision of the Prisons Council or the Prison Director is not subject to challenge through the process of judicial review foreseen in the Constitution.¹⁶¹ There is no fast-track procedure for examination of complaints nor any procedural safeguards in place to ensure the complainant is protected from reprisals from other inmates.

Police holding cells

In police detention centres, each cell is equipped with a bell operated by light and/or sound so as for each detainee to contact the police officers on duty. A system of communicating with officers on duty, as well as a closed-circuit camera is also available in the communal areas used by detainees.

Protection measures in police detention centres are not regulated through a legal document.

d. NPM assessment

There was no NPM intervention on the subject during the reporting period.

Telephone consultation with NPM

*There are no problems with regard to the detention of LGBTIQ persons, that trans women are placed in the women's prison and that no complaint was raised with the NPM at any time regarding their detention.*¹⁶²

16. Specific measures to address radicalisation in prisons

a. General measures to prevent radicalisation

There are no national standards aiming to prevent radicalisation in prison.

b. Risk assessments

According to the Ministry of Justice and Public Order, all prisoners into the prison system are put through a risk-based intake assessment for a series of risks including radicalisation, which turns into an ongoing risk management system.¹⁶³

c. Training of staff

According to the Ministry of Justice and Public Order, training is provided to the prison staff to identify signs of radicalization.¹⁶⁴

¹⁵⁸ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, articles 160(1) and 160A.

¹⁵⁹ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

¹⁶⁰ Cyprus, Law on prisons of 1996 ([Ο περί Φυλακών Νόμος του 1996](#)) N. 62(I)/1996, Article 25.

¹⁶¹ Cyprus, District Court of Nicosia, Christodoulou v. Loizou and Attorney General ([Χριστοδουλου v. Λοϊζου και Γενικού Εισαγγελέα](#)), Case No. 7046/2011, 7 August 2019

¹⁶² FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

¹⁶³ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

¹⁶⁴ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

d. Deradicalisation measures

The Ministry of Justice and Public Order stated that a deradicalization plan is available, based on the resources of the European Radicalization Network, Radicalization Awareness Network (RAN) and EuroPris, however, in Cyprus there had been few such cases in the past decade and no proven cases of radicalized inmates in prison. The risk management system includes collaboration with the Mental Health Services, the Social Welfare Services, the Ministry of Education Sports and Youth, the Police, NGOs and religious actors in order to assist with reintegration and prevent re-engagement in radical or violent extremist activities.¹⁶⁵

e. NPM assessment

The NPM interventions during the reporting period did not include references to addressing radicalisation.

Telephone consultation with NPM

*The risk of radicalisation is small, however the contact between convicts and those awaiting trial in the common areas presents some risks.*¹⁶⁶

17. Inspections and monitoring

a. Inspections

The law ratifying the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment of Punishment nominates the Ombuds institution as NPM with authority to freely visit all places of detention following written notice to the detention authorities. During the visit, the Ombuds officers have free access to all areas and facilities of the centre and inspect the treatment of detainees, as well as to issue recommendations following the visit aimed at strengthening protection and improve the detention conditions.¹⁶⁷ In February 2021 the ratification law was amended to provide that the NPM can visit any detention centre freely and without notice.¹⁶⁸

The Prisons Law established a Prisons Council mandated with the smooth operation of the prison. The members of the Prisons Council are appointed by the Council or Ministers and include the Nicosia District Officer at the time as president and persons of reputable standing who have relevant knowledge or experience and who do not have any administrative, institutional or other relationship with the Prison and who do not have or will not acquire any direct or indirect financial or other interest or benefit from the performance of their duties as members. The Council or any of its members can enter freely into all parts of the prison at any time and to communicate freely with all prisoners as well as to visit any prisoner in the presence of a prison officer. During their visits, they can hear and investigate complaints

¹⁶⁵ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

¹⁶⁶ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

¹⁶⁷ Cyprus, The Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment (Optional Protocol) (Ratification) Law of 2009 (Law 2(III)/2009) [[Ο περί της Σύμβασης κατά των Βασανιστηρίων και άλλων Μορφών Σκληρής, Απάνθρωπης ή Εξευτελιστικής Μεταχείρισης ή Τιμωρίας \(Προαιρετικό Πρωτόκολλο\) \(Κυρωτικός\) Νόμος του 2009 \(Ν. 2\(III\)/2009\)](#)]

¹⁶⁸ Cyprus, Law ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Cruel, Inhuman or Degrading Treatment or Punishment (Optional Protocol) (Amendment) 2021 [[Ο περί της Σύμβασης κατά των Βασανιστηρίων και Άλλων Μορφών Σκληρής, Απάνθρωπης ή Εξευτελιστικής Μεταχείρισης ή Τιμωρίας \(Προαιρετικό Πρωτόκολλο\) \(Κυρωτικός\) \(Τροποποιητικός\) Νόμος του 2021](#)]

made from the prisoners regarding their diet or their treatment, paying particular attention to sick or punished prisoners.¹⁶⁹

b. Access to detention facilities by national authorities

According to the Ministry of Justice and Public Order, parliamentarians from the Committee of Education and Culture and the Committee of Human Rights can visit the prison subject to notice.¹⁷⁰

c. Access to detention facilities by international bodies

Under the Council of Europe Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) can have unlimited access to all places where persons are deprived of their freedom, including the right to move inside such places without restriction and to interview in private persons deprived of their liberty. There is no known case where the CPT was prevented from exercising these powers. Members of the European Parliament as well as international bodies have access to the prison following permission from the prison authorities which is normally granted.

According to the Ministry of Justice and Public Order, observers from other European prisons as well as from different NGOs, Embassies and High Commissions can visit the Prisons upon notice.¹⁷¹

d. NPM assessment

‘Under articles 4 and 5 of Law 2(III)/2009, by which Cyprus ratified the Optional Protocol to the United Nations Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, the Commissioner for Administration and Protection of Human Rights has the power to conduct free, unhindered and unannounced visits to places where persons are deprived or likely to be deprived of their liberty. In this context, in the period 2020-2022, we conducted more than fifteen (15) unannounced visits to the Central Prison, for the holistic examination and investigation of problems that may arise in a place where persons are deprived of their liberty, as well as following the submission of individual complaints....

During the visits to the Central Prisons, the cooperation with the Directorate, as well as with the other staff serving in the Central Prisons, was exemplary and smooth and all were aware of our powers and responsibilities as the National Mechanism for the Prevention of Torture (NPM), including the power granted to us by the relevant legal framework, as amended, to conduct visits without notice to places where persons are deprived of their freedom.’¹⁷²

Telephone consultation with NPM

*Accessibility was assessed as satisfactory, without any issues for concern.*¹⁷³

¹⁶⁹ Cyprus, Law on prisons ([Ο περί Φυλακών Νόμος](#)) N. 62(I)/1996, articles 22-26.

¹⁷⁰ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

¹⁷¹ Letter from the Ministry of Justice and Public Order to the FRANET contractor, 5 April 2024.

¹⁷² Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), ‘[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)’ (*Visits conducted to the central prison during the period 2020-2022*), 15 November 2022.

¹⁷³ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

18. Access to remedy

a. Legal remedies

A Prisons Council appointed by the Council of Ministers¹⁷⁴ examines complaints from detainees, including complaints regarding nutrition and if it deems it necessary, submits the complaint to the Justice Minister and the Prison Director.¹⁷⁵ In order for a complaint to be deemed well founded, it needs to be premised on a violation of a law or regulation and not merely on a practice that was discontinued or was applied elsewhere. The decision of the Prisons Council or the Prison Director is not subject to challenge through the process of judicial review foreseen in the Constitution, but the complainant detainee may be able to sue the Prison Director in the District Court for human rights violations claiming compensation,¹⁷⁶ a procedure that may take up to ten years before a decision can be issued.¹⁷⁷ If the claim is successful, the detainee may be awarded damages.

In case of disciplinary proceedings against detainees, the decisions of the prison director must always be justified and recorded in detail in the minutes of the trial and lodged in a summary form in the Registry of Disciplinary Offences and Detainees' Sanctions. The detailed minutes and all written statements and testimonies are recorded in the detainees' personal file.¹⁷⁸

The decision to place a detainee in solitary confinement cannot be challenged in court as an administrative act via the judicial review procedure. Detainees may file complaints to the Prisons Council; depending on the findings of the Prisons Council, the complaint may be submitted to the Justice Minister and the Prison Director.¹⁷⁹ As reported above, the decision of the Prisons Council is not subject to challenge through the process of judicial review foreseen in the Constitution, but the complainant detainee may sue the Prison Director in the District Court for human rights violations and claim compensation,¹⁸⁰ which can take years to resolve.¹⁸¹

There are no fast-track procedures in place to ensure access to a remedy when there are issue of an urgent nature at stake, like access to healthcare. There are no safeguards in place to protect detainees who file complaints from reprisals and to ensure that the investigative process will not be compromised.

¹⁷⁴ Cyprus, Law on prisons of 1996 ([Ο περί Φυλακών Νόμος του 1996](#)) N. 62(I)/1996, Article 23.

¹⁷⁵ Cyprus, Law on prisons of 1996 ([Ο περί Φυλακών Νόμος του 1996](#)) N. 62(I)/1996, Article 25.

¹⁷⁶ Cyprus, Administrative Court (2021), A.T. v Ministry of Justice and Public Order ([Α.Τ. v. Υπουργείο Δικαιοσύνης και Δημόσιας Τάξης](#)), Case No. 279/2019, 16 March 2021; Cyprus Administrative Court, Xenophontos and Plesco v. Republic of Cyprus through the Central Prison Director and/or the Justice Minister ([Ξενοφώντος και Plesco v. Κυπριακής Δημοκρατίας, μέσω Διευθυντή Κεντρικών Φυλακών και/η Υπουργού Δικαιοσύνης](#)), Case No. 41/2015, 9 August 2018.

¹⁷⁷ Cyprus, District Court of Nicosia, Christodoulou v. Loizou and Attorney General ([Χριστοδουλου v. Λοΐζου και Γενικού Εισαγγελέα](#)), Case No. 7046/2011, 7 August 2019

¹⁷⁸ Cyprus, Prison (General) Regulations of 1997 [[Οι περί Φυλακών \(Γενικοί\) Κανονισμοί του 1997](#)] issued under the Prison Laws, No. 121, 18 April 1997, article 159.

¹⁷⁹ Cyprus, Law on prisons of 1996 ([Ο περί Φυλακών Νόμος του 1996](#)) N. 62(I)/1996, Article 25.

¹⁸⁰ Cyprus, Administrative Court (2021), A.T. v Ministry of Justice and Public Order ([Α.Τ. v. Υπουργείο Δικαιοσύνης και Δημόσιας Τάξης](#)), Case No. 279/2019, 16 March 2021; Cyprus Administrative Court, Xenophontos and Plesco v. Republic of Cyprus through the Central Prison Director and/or the Justice Minister ([Ξενοφώντος και Plesco v. Κυπριακής Δημοκρατίας, μέσω Διευθυντή Κεντρικών Φυλακών και/η Υπουργού Δικαιοσύνης](#)), Case No. 41/2015, 9 August 2018.

¹⁸¹ Cyprus, District Court of Nicosia, Christodoulou v. Loizou and Attorney General ([Χριστοδουλου v. Λοΐζου και Γενικού Εισαγγελέα](#)), Case No. 7046/2011, 7 August 2019

b. Legal assistance

Detainees in the central prison are entitled to visits from their lawyers. The area where they meet has a camera, however according to the prison authorities it is deactivated in terms of sound.¹⁸² Detainees can also send letters to their lawyers which the prison authorities are not permitted to open and must send without delay.¹⁸³

There are no national standards regulating access to legal assistance in order to pursue a complaint for violation of detention condition norms. Access to legal aid is subject to a means test and does not cover administrative law procedures such as judicial review of an administrative act.¹⁸⁴

c. Request and complaints

There are no rules facilitating effective access to a complaints procedure. Detainees can complain to the NPM and the Prisons Council but there is no data to indicate the extent to which this is known to detainees, especially foreign detainees. There are boxes in various spots around the prison where detainees may please a letter to the NPM.

d. Independent authority

The NPM can examine complaints and issue recommendations. The NPM must bring to the attention of the Attorney General any complaints against members of the police for criminal violations of human rights.¹⁸⁵

Complaints submitted to the Prisons Council are referred to the Minister of Justice and Public Order or the Prison Director if they are deemed to be well founded.¹⁸⁶ The Prison Director will call the police to investigate prisoners' complaints for assault which are deemed to be well founded.

The Independent authority for Investigating Allegations and Complaints against the Police (IAIACAP) examines complaints for police misconduct submitted by named complainants or on its own initiative that may ultimately lead to criminal prosecution of police officers involved.¹⁸⁷ This is another lengthy procedure that takes years to generate a decision. Although the IAIACAP is not hierarchically or institutionally linked to the Cyprus Police, the selection process of its members is neither open nor transparent, as all five members are appointed by the Ministerial Council. More importantly, the pool of criminal investigators upon whose services it depends mainly consists of former police officers. The possibility of filing complaints at this body is expected to be undermined by a bill currently discussed in parliament which will criminalize false, malicious and bad faith complaints against members of the police to the Independent Authority for the Investigation of Allegations and Complaints against the

¹⁸² Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), '[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)' (Visits conducted to the central prison during the period 2020-2022), 15 November 2022.

¹⁸³ Cyprus, Regulations issued under article 28 of the Prison law 1996-2018 ([Οι περί φυλακών νόμοι του 1996 έως 2018, Κανονισμοί δυνάμει του άρθρου 28](#)), No. 2, Regulatory Administrative Act No. 5103, 27 July 2018, article 114(3).

¹⁸⁴ Cyprus, The legal aid Act of 2002 ([Ο περί νομικής αρωγής νόμος του 2002](#)).

¹⁸⁵ Cyprus, The Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment (Optional Protocol) (Ratification) Law of 2009 (N. 2(III)/2009) [['Ο περί της Σύμβασης κατά των Βασανιστηρίων και άλλων Μορφών Σκληρής, Απάνθρωπης ή Εξευτελιστικής Μεταχείρισης ή Τιμωρίας \(Προαιρετικό Πρωτόκολλο\) \(Κυρωτικός\) Νόμος του 2009 \(N. 2\(III\)/2009\)'](#)]

¹⁸⁶ Cyprus, Law on prisons of 1996 ([Ο περί Φυλακών Νόμος του 1996](#)) N. 62(I)/1996, Article 25.

¹⁸⁷ Cyprus, Law on the police (Independent Authority for Investigation of Allegations and Complaints)[[Ο περί Αστυνομίας \(Ανεξάρτητη Αρχή Διερεύνησης Ισχυρισμών και Παραπόνων\) Νόμος του 2006](#)] N. 9(I)/2006, available at www.cylaw.org/nomoi/enop/non-ind/2006_1_9/full.html

Police.¹⁸⁸ By end of March, the parliamentary discussion on the bill was concluded and the proposal for the criminalization of false complaints was headed for adoption by the plenary, reportedly endorsed by all political parties.

e. NPM assessment

‘The content of telephone calls or letters is checked if the Director considers it necessary for security reasons or for any other reasonable cause, with the exception of letters sent or received by the detainee to/from his/her lawyer, the Attorney General, the Commissioner for Administration and Human Rights’ Protection, the Prison Council, the Council of Europe’s Committee for the Prevention of Torture and Other Forms of Torture, the Council of Europe’s Committee for the Prevention of Torture and Other Forms of Inhuman or Degrading Treatment or Punishment and the European Court of Human Rights. In each ward there is a complaint box in which every prisoner may, if he wishes, submit a complaint to the Commissioner, which, according to the above, is not subject to inspection and is confidential, since only my Office has the right to receive such letters. However, as I found from my visits to some Wards, this box is placed in a location covered by security cameras and therefore is likely to be unsecured and/or subject to censorship. It is also possible that the presence of the camera may act as a deterrent to a detainee wishing to make a complaint and/or inform my Office of any issue that may be of concern to him/her. In addition, in two wards it was found that the box was in a condition which did not allow any complaint to be placed on it. Therefore, in all Wards, the complaint boxes should be in a condition that allows them to be used for their intended purpose, that there are no factors that prevent their use by prisoners, such as direct exposure to security cameras, and that correspondence placed in the boxes is not checked by prison staff but is only accessible to the Officers of my Office. It is understood that in any case, detainees should know in advance their right to submit a complaint to my Office, as well as the confidentiality that should characterize such complaints.’¹⁸⁹

Telephone consultation with NPM

The NPM reported that they receive complaints from persons in detention through their lawyers and they contact the prison authorities in order to mediate to find solutions to the problems complained of. Complaints are investigated immediately especially if they are serious ones and they also hear the position of the prison authorities. For instance a complaint that a prisoner was not given his medication on time, was promptly resolved when the NPM contacted the prison authorities. The NPM was unaware of whether detainees make use of any other complaints mechanisms, such as complaints to the Prison Council and was unable to say whether or not such other complaints mechanisms provide an effective remedy. According to the NPM most of the complaints are groundless and they are often raised by the prisoners’ lawyers in order to obtain a benefit in the legal process.’¹⁹⁰

¹⁸⁸ Nomoplatform (2024), ‘[Επιτροπή Ελέγχου: Ένταξη ΣΥΟΠ στην Αστυνομία και νομοσχέδιο για ψευδείς καταγγελίες εναντίον αστυνομικών](#)’ (Audit Committee: Integration of SYOP into the Police and the False Allegations Against Police Officers Bill), 12 May 2024.

¹⁸⁹ Cyprus, Commissioner for administration and protection of human rights as national mechanism for the prevention of torture and other forms of inhumane and humiliating treatment of punishment (2022), ‘[Επισκέψεις που διενεργήθηκαν στις κεντρικές φυλακές κατά την περίοδο 2020-2022](#)’ (Visits conducted to the central prison during the period 2020-2022), 15 November 2022.

¹⁹⁰ FRANET telephone consultation with designated officer from the Ombuds institution, in its mandate is NPM, 5 April 2024.

Part II: National case-law

There were no court decisions issued during the reporting period relating to detention conditions in criminal detention places.