

# **Coronavirus COVID-19 outbreak in the EU**

## **Fundamental Rights Implications**

**Country:** Cyprus

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**Date:** 24 March 2020

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## 1. Measures taken by government/public authorities

### 1.1. Update 24 March 2020

No state of emergency was declared by 24 March. On 23 March a set of new measures were declared, which came into force on 24 March 2020 at 6pm.<sup>1</sup> The measures were stated to expire on 13 April 2020 at 6pm. The new measures impose a ban on movement for everybody except in specified cases. Strict observance with the measures will be monitored by the police and the army and failure to comply will carry a penalty of €150. A grace period of a few days would apply before fines start to be imposed, until people become aware and accustomed to the measures.

Under the new measures all movements are prohibited except persons going to work, for the transport of goods for businesses allowed to operate, visiting the doctor or the pharmacy, for banking purposes that cannot be done online, people visiting others who are not able to take care of themselves or confined at home, people who want to go out for physical activities or walk their pets provided they remain in their neighborhood, in groups of no more than two people. Parks, playgrounds, open areas for sports, picnic areas, open markets, bazaars and street vendors will be closed to the public until April 13. No-one is allowed to attend places of religious worship, such as churches, mosques and other places of prayer. Building sites are closed with the exception of social utility projects that will obtain a special permit from the Minister of Transport. The Easter tradition of ‘Lambradjia’, a campfire in neighbourhoods that traditionally attracted youth, is prohibited and any such preparations will be removed by police.<sup>2</sup> Close relatives attending wedding, funerals or baptisms will not be restricted either, providing they don’t exceed a group of 10 people. Divorced parents are permitted to move in order to meet their children and persons with disabilities are permitted to move in order to access treatment.<sup>3</sup> Person moving outside their homes are obliged to carry their IDs. People moving to and from their place of work must carry a certificate from their employers. All others who need to move must carry a completed specimen explaining the reason they are moving or, alternatively, inform the authorities via SMS. Thirty minutes after the SMS system went on air, it crashed under the weight of the tens of thousands of SMS seeking permits to leave home.<sup>4</sup>

All private business must close their operations except:

- Food and drink sellers (supermarkets, grocery stores, butchers, fishmongers, bakeries, pastry shops, wine cellars), pharmacies, gas stations, establishments that provide food and drink services provided they do so by delivery (restaurants, coffee shops, bars), establishments providing drive through services, kiosks and mini markets.
- Health services (clinical labs).
- Car wash businesses, provided they apply all announced prevention measures.
- Businesses and workshops for disabled and orthopedic merchandise.
- Businesses and workshops of medical and industrial gases and machinery.
- Opticians and their workshops.

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<sup>1</sup> In-Cyprus (2020) ‘[Coronavirus: Full text of address of President Anastasiades announcing the lockdown](#)’, 22 March 2020.

<sup>2</sup> Cyprus, Ministry of Health (2020), [Decree No. 9 of 2020 issued under the Quarantine Law](#) Cap. 260 Para. 6(c) and 6(d) for the determination of measures to prevent the spreading of coronavirus COVID-19, [*Περί Λοιμοκαθάρσεως (Καθορισμός Μέτρων για Παρεμπόδιση της Εξάπλωσης του Κορωνοϊού COVID-19 Διάταγμα Αρ. 9 του 2020)*]

<sup>3</sup> Dialogos (2020), ‘[Νέο διάταγμα εξαιρεί διαζευγμένους και ΑμεΑ, αναστέλλει λειτουργία επιχειρήσεων πώλησης οχημάτων](#)’, 24 March 2020.

<sup>4</sup> Offsite (2020), ‘[Είμαστε απίστευτοι! Σε 30 λεπτά δεκάδες χιλιάδες sms για άδεια](#)’, 24 March 2020.

- Businesses selling hearing aids.
- Car and motorbike workshops.
- Businesses selling tires.
- Businesses selling and repairing bicycles.
- Dry cleaners.
- Courier services.
- Businesses selling pet food or vet medicine.
- Telecommunication providers (for bill payments, renewal of credit, repairs and replacements of mobile devices).
- Businesses selling pesticides, fertilisers and other agricultural equipment.
- Funeral offices.
- Flower shops and plant nurseries

All retail businesses that are allowed to remain open should abide by all measures announced to prevent the spread of Covid-19, including ensuring that no crowding takes place inside stores (one person per 8 m<sup>2</sup>).

The closure of the places of worship comes after various human rights groups and health professionals have been calling for tougher measures after milder restrictions had failed to reign in people who gathered in parks and other public areas in large numbers. In particular, human rights groups and health professionals have criticised the Government for allowing churches to operate, violating the decree for “social distancing” and the gatherings of more than 75 persons, as well as engaging in ceremonies which spread the virus, such as kissing saints’ icons hanged on the church walls, kissing the hand of the priest and sharing Holy Communion via the same spoon. At the end of the ceremony the priest is obliged to drink all the remainder of the Holy Communion. The Limassol Bishop Athanasios sparked a social media outrage on 24 March after he changed the time of church services to avoid violating a ban that came into force at 6pm. According to an announcement by the bishopric, the 6pm service was to be held at 4pm “in the presence of the faithful who want to participate.” Religious people also defied calls to refrain from going to church and receiving Holy Communion, which is traditionally given using the same spoon.<sup>5</sup>

Information about the new restrictions was disseminated through conventional media, such as radio and television, as well as through internet media and social media, with regular announcements. English language media are constantly transmitting the new measures in English. In refugee camps, the new measures were announced via a loudspeaker.<sup>6</sup>

No measures were taken to disseminate either the protection measures or the restrictions in sign language, in braille or in an easy-to-read format for persons with disabilities. No measures were taken to alleviate the problems created by the crisis for persons with disabilities.<sup>7</sup> A number of municipalities and other organised groups have set up informal solidarity networks offering to bring shopping and otherwise care for other needs of elderly and other vulnerable persons in their vicinity.

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<sup>5</sup> Psyllides, G. (2020) ‘[Coronavirus: Limassol bishop tries to sidestep Tuesday’s lockdown, changes mass time](#)’, *Cyprus Mail*, 24 March 2020.

<sup>6</sup> Telephone communication with NGO Kofinou we care, 24 March 2020.

<sup>7</sup> Telephone communication with the confederation of disability organisations KYSOA, 24 March 2020.

On 19 March a new decree places under public duty all registered doctors and nurses, public and private, to prevent the danger of collapse of the health system.<sup>8</sup> New measures are being announced by the hour, as the number of incidents rises and the country is already counting three deaths as at 24 March.

As of 20<sup>th</sup> March, supermarkets and pharmacies are open on Saturdays and Sundays from 6am until 10am exclusively for persons aged 60+, persons with disabilities and other vulnerable persons.<sup>9</sup>

## 1.2. Closure of the checkpoints along the ceasefire line

The first governmental reaction to the coronavirus was on 28<sup>th</sup> February with a set of measures consisting of:

- General cautions to the public to avoid crowded spaces and self-isolate;
- Announcements about possible future measures to be adopted if need be; and
- The closure of four checkpoints along the ceasefire line separating south (the Republic of Cyprus) from north (the Turkish occupied “Turkish Republic of Northern Cyprus”).<sup>10</sup>

The checkpoints had been opened by the Turkish army in 2003 as a measure to assist collaboration between the Greek and Turkish communities and had remained open for seventeen years until 28 February 2020. The closure generated a negative reaction from peace activists in both communities,<sup>11</sup> from the main opposition party AKEL<sup>12</sup> and from the UN Peace Keeping Force in Cyprus,<sup>13</sup> all of whom urged the government to choose collaboration with the Turkish Cypriot community so as to jointly face the challenge rather than resort to unilateral measures that undermine trust and ignite tensions. NGOs and the main opposition party argued that there was no scientific premise for the closure of the checkpoints, since there were no coronavirus incidents in the north and particularly given the fact that the external borders of the country remained open, without any checks or health screens being carried out on visitors at the airports. A spontaneous protest was held on one of the sealed checkpoints on the day following the announcement during which the demonstrators clashed with police who tried to block their way through the checkpoint, leading to an arrest and to other protesters being charged with rioting.<sup>14</sup> Despite police statements that they would be charging more people with rioting and unlawful assembly, protests were repeated the following weekend with peace activists from both sides demanding the opening of the checkpoints

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<sup>8</sup> Cyprus, Ministry of Health (2020), Decree issued under the Quarantine Law Cap. 260 Para. 6(c) and 6(d), ([Περί Λοιμοκαθάρσεως \(Καθορισμός Μέτρων για Παρεμπόδιση της Εξάπλωσης του Κορωνοϊού COVID-19 Διάταγμα \(Αρ. 7\) του 2020](#)), ΚΔΠ 107/2020, Ε.Ε. Παρ.ΙΙΙ(1), Αρ. 5222, Σελ. 397, 19/3/2020

<sup>9</sup> Reporter (2020), ‘[Νέο διάταγμα το οποίο αφορά κυρίως τη λειτουργία των φαρμακείων και των υπεραγορών αλλά και την απαγόρευση επισκέψεων σε όσους βρίσκονται σε καραντίνα ή περιορισμό, εξέδωσε ο υπουργός Υγείας, Κωνσταντίνος Ιωάννου](#)’, 20 March 2020.

<sup>10</sup> Cyprus, Council of Ministers (2020), [Series of measures decided by the Ministerial Council for addressing the coronavirus epidemic \(Σειρά μέτρων αποφάσισε το Υπουργικό Συμβούλιο για αντιμετώπιση της επιδημίας του κορωνοϊού\)](#), 28 February 2020.

<sup>11</sup> Physician’s Weekly (2020), [Cyprus to shut checkpoints for first time since 2003 over coronavirus, 28 February 2020.](#)

<sup>12</sup> AKEL (2020), ‘[End the unilateral suspension of the operation of the checkpoints and install the necessary control mechanisms](#)’, Press release, 2 March 2020.

<sup>13</sup> UNFICYP (2020), ‘[Statement on closure of crossing points along the buffer zone](#)’, 5 March 2020.

<sup>14</sup> Cyprus Mail, ‘[Remand after scuffles at Ledra street closure protest \(update 5\)](#)’, 1 March 2020.

where the police sprayed the protesters with teargas.<sup>15</sup> The political confrontation continued for several days between the government and the opposition regarding the closure of the checkpoints.<sup>16</sup>

The public debate and protests about the closure of the checkpoints ceased on 7 March 2020 as soon as the first confirmed coronavirus incident was reported; he was the head of the cardiology clinic of the central public hospital of Nicosia who had just arrived from a trip to U.K. on 3 March without having been screened at the airport.

### 1.3. Border measures

The measures at external borders changed several times in the past two weeks. Initial measures were confined to taking the temperature of persons entering the country through external borders or crossing those checkpoints which remained open. After information that several infected persons entered the country without any symptoms, the measures changed to more intensive health screens, however this did not stop the arrival of more infected persons, especially Cypriots returning from UK.

On 9 March the Ministry of Health issued fresh instructions with different instructions to people who arrived from different regions: Person who arrived from the Chinese district of Hubei, Iran and the Republic of Korea should be placed in isolation and under medical monitoring, persons who arrived from other Chinese districts, central and southern Italy, Japan, Hong Kong, Germany, Spain and certain regions of Greece should place themselves in isolation with a duty to report symptoms, persons from Switzerland, UK, the Netherlands, Sweden, Belgium, Singapore and parts of Greece should only isolate themselves if they develop symptoms.<sup>17</sup>

On 14<sup>th</sup> March the President of the Republic announced new measures at the borders. According to the new instructions all borders were sealed to everyone except Cypriot citizens, persons lawfully residing in the Republic, persons on diplomatic missions inside Cyprus, specific and isolated cases of EU nationals or third country nationals subject to a special permit and EU nationals or third country nationals attending educational establishments in Cyprus.<sup>18</sup>

By 17<sup>th</sup> March new border control measures were announced, to become operative as of 21 March. Flights from Greece, UK and 26 more countries would be suspended as of 3am on 21 March for a period of 14 days, except those delivering cargo. Up until 21 March, persons residing abroad could return to Cyprus if they had a medical certificate proving that they were free from coronavirus. The measure was highly criticized, as in most countries the medical certificate was impossible to obtain. From 21 March and for a period of 14 days, all passenger flights from Bahrein, Belarus, Latvia, Belgium, Bulgaria, Egypt, Estonia, Germany, Hungary, Ireland, Israel, Jordan, Lebanon, Lithuania, Malta, the Netherlands, Norway, Poland, Qatar, Romania, Russia Serbia, Slovakia, Sweden, Switzerland, Ukraine, UK and Greece into Cyprus are prohibited. The only persons exempted from the above restrictions are those who had travelled abroad for medical reasons or for professional or service reasons and persons who are permitted to enter on the basis of the Vienna Convention. Instead of a medical certificate, persons falling under these exceptions must show a certificate from the diplomatic missions of the Republic which are issued upon presentation of evidence confirming that they meet the prerequisites, such as departure flight ticket, medical certificate from the center

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<sup>15</sup> DW (2020), '[Cyprus: Protesters, police clash at closed checkpoint](#)', 7 March 2020,

<sup>16</sup> Philenews (2020), '[Αντιπαράθεση κυβέρνησης - ΑΚΕΛ για κλείσιμο οδοφραγμάτων](#)', 7 March 2020.

<sup>17</sup> Offsite (2020), '[Κορωνοϊός: Νέες οδηγίες σε ταξιδιώτες από Υπ. Υγείας](#)', 9 March 2020.

<sup>18</sup> Euronews (2020), '[COVID-19: Κλείνει τα σύνορα η Κύπρος - Διάγγελμα Αναστασιάδη](#)', 14 March 2020.

where they were treated etc. All persons travelling to Cyprus are placed under 14 days quarantine in places to be assigned by the government.<sup>19</sup>

The measures prohibiting Cypriots from entering Cyprus have sparked public debates about their legality and compliance with fundamental rights. The travel bans in particular have divided lawyers and concerned citizens whether the measures were lawful, proportionate and constitutional. Media reports suggest that Cypriot students studying abroad have placed a complaint to the EU Commission.<sup>20</sup> The public disagreement pivoted on the following matters:

- Whether the Government is entitled under the Constitution, either by invoking a state of emergency<sup>21</sup> or using the powers granted by the law preventing the spread of infectious diseases, or even extending further the usage of the ‘doctrine of necessity’ to ban the right of Cypriot citizens to abode. The constitution explicitly forbids the banning of entry for Cypriot Citizens,<sup>22</sup> relevant provision in the constitution is not included as one that can be suspended when the Government declares a state of emergency. Many legal practitioners and scholars suggest that the measure is unconstitutional;<sup>23</sup> others suggest that many of the measures are unenforceable, whilst some suggest that they are constitutional and line with the ‘doctrine of necessity’.<sup>24</sup> The legality of the doctrine and its effect on fundamental rights is a matter of an ongoing disagreement in Cypriot debates on jurisprudence.<sup>25</sup>
- The requirement for any person travelling to obtain of a doctor’s certificate that the person travelling does not have the virus is neither a protective measure, nor is it disproportionate. impossible measure that is virtually impossible under the current circumstances, without risking to be contaminated in any such clinics abroad. In any case, in the three most affected European countries where many Cypriots live, work or are studying (Greece, Italy and the UK), no person is allowed to be tested unless they have symptoms.
- The third argument is that the Government’s decision to ban entry was not proportional, given that that they failed to take the necessary and analogous drastic measures in potentially infected areas or risk areas, such as banning the gatherings such as gatherings and the sharing of Holy Communion in Churches.

There are currently 22,000 Cypriot students studying abroad. Also, it is estimated that there are over 350,000 holders of Cypriot citizenship who are permanent residents abroad. Many of the Cypriot citizens who have dual nationality and are residents abroad, mainly the UK, Greece, Australia, Canada and some African countries are elderly persons. The authorities are concerned about the

<sup>19</sup> Offsite (2020), ‘[Κλείνουν τα αεροδρόμια - Σφραγίζεται η Κύπρος](#)’, 17 March 2020.

<sup>20</sup> Politis (2020) ‘[Πολίτες καταγγέλλουν την Κυβέρνηση στην Κομισιόν για τον μη επαναπατρισμό Κυπρίων](#)’,

ΠΟΛΙΤΗΣ NEWS, 19 March 2020.

<sup>21</sup> Cyprus, [Constitution of the Republic of Cyprus](#) (Σύνταγμα της Κυπριακής Δημοκρατίας) Art. 183.

<sup>22</sup> Cyprus, [Constitution of the Republic of Cyprus](#) (Σύνταγμα της Κυπριακής Δημοκρατίας) Art. 14.

<sup>23</sup> Lohias, D. (2020) ‘[Πέραν Πάσης Λογικής Αμφιβολίας Αντισυνταγματικά Τα Μέτρα](#)’, *Δικαιοσύνη*, 17 March 2020; ‘[Απαγόρευση εισόδου στη Δημοκρατία: Αντισυνταγματικό το μέτρο της Κυβέρνησης](#)’, *Δικαιοσύνη*, 17 March 2020.

<sup>24</sup> Emilianides, A. (2020) ‘[Ο μηδενικός νόμος της Κύπρου, Δικαιοσύνη](#)’, *Δικαιοσύνη*, 17 March 2020;

‘[Παραβιάζει το Σύνταγμα η απαίτηση για προσκόμιση ιατρικού πιστοποιητικού στο αεροδρόμιο](#);’

*Δικαιοσύνη*, 17 March 2020; Elletheriou, A. (2020) ‘[Η εγκυρότητα του μέτρου απαγόρευσης Κυπρίων στη Δημοκρατία ενόψει COVID -19](#)’ *Δικαιοσύνη*, 17 March 2020.

<sup>25</sup> Trimikliniotis, N. (2018) ‘[The Proliferation of Cypriot States of Exception: The Erosion of Fundamental Rights as Collateral Damage of the Cyprus Problem](#)’, *Cyprus Review*, Vol. 18, 30, no. 2, Fall 2018; Mitas, s. (2017) ‘The Case of Ibrahim’, *Cyprus Review*, Vol. 18, 30, no. 1, spring 2018

strain on the health system which has a limited capacity, should a large number of these citizens decide to return during this period.<sup>26</sup>

After reports that persons placed in quarantine were seen outside the premises assigned to them and were also visited by journalists, new measures were announced by the government. According to new announcements, the hotels which were taken over by the government to be used for quarantine purposes are to be guarded by the army.<sup>27</sup> Until 24 March this measure was not put into effect, however, and in fact there were media reports that persons left the quarantine shortly after arrival because of connections with cabinet ministers.<sup>28</sup>

#### 1.4. Educational establishments

On 10<sup>th</sup> March the Council of Ministers announced the shutting down of all schools and kindergartens initially of the capital Nicosia. In the days that followed the kindergartens, schools and universities of all other districts were shut down too. The Ministry of Education instructed teachers at all levels to introduce measures for teaching through on line platforms, starting from mapping the connectivity and equipment landscape of those families they could reach. The first stage of the measures involved the completion of questionnaires through telephone consultation with parents so as to investigate how many homes are equipped with devices and are connected to Wi-Fi. Teachers have reported problems reaching families of migrant and refugees who do not speak Greek, families whose parents are not computer literate and could not support their children in joining the endeavor and a great number of families whose only equipment is one mobile phone for the entire family.<sup>29</sup> NGOs serving migrant communities reported that very few children of migrant or refugee background will be able to benefit from the on-line platform for e-education.<sup>30</sup>

On 24<sup>th</sup> March the Education Ministry announced that it has completed the design of a system to provide distant teaching and pedagogical support to all public schools. The press release states that over 110,000 teachers and students have been integrated and have access to the distant learning system, urging those parents who were not contacted, to get in touch with their school to obtain the information. Within 48 hours the system will be put into operation and almost 100,000 students will be able to access distant learning daily programs, adding that private organisations have expressed an interest to contribute so as to cover the gaps in connectivity and equipment in some homes. The press release states that the government will support all children and families so that no-one is excluded from the endeavor. The announcement added that TV channels offered to broadcast special TV programs for children of younger ages.<sup>31</sup> The announcement did not clarify the measures to be adopted, if any, for children who are digitally disadvantaged nor did it specify the number of the children who experience connectivity or equipment gaps.

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<sup>26</sup> Telephone interview with member of the Internal Affairs Parliamentary Committee, 20 March 2020.

<sup>27</sup> Offsite (2020), '[Η ΕΦ ανέλαβε την φύλαξη ατόμων που βρίσκονται σε καραντίνα](#)', 20 March, 2020.

<sup>28</sup> Dialogos (2020), '[Ρουσφέτι και στην καραντίνα: Φυγάδευσαν ζευγάρι από την πίσω πόρτα](#)', 22 March, 2020.

<sup>29</sup> AKIDA (2020), Open letter and questions to the Ministry of Education, Culture, Sports and Youth ([AKIDA: Ανοικτή επιστολή και ερωτήματα στον ΥΠΠΑΝ. Αναμένουμε ξεκάθαρες απαντήσεις](#)) 29 March 2020; Politis (2020), Tele-teaching days ([Ημέρες τηλεδιδασκαλιών](#)), 30 March 2020.

<sup>30</sup> Telephone consultation with the NGO Kofinou we Care, 20 March 2020.

<sup>31</sup> Cyprus, [Ministry of Education, Culture, sports and youth](#) (2020), The Minister issued a statement regarding distant learning, Press release, 24 March 2020.

## 1.5. Meetings of over 75 persons are banned

On 11 March, the Health Minister's Decree announced a ban on public gathering of more than 75 persons, whilst many businesses were ordered to close.<sup>32</sup> The ban of events and other mass gatherings of more than 75 people indoors was issued in 11 March 2020 and was to remain until March 31, 2020. It was superseded on 24 March when stricter measures were imposed, as set out above. The restriction measures which had been initially imposed included the following:

- Prohibition of concentrations and residence in the same single indoor, private or public use, for more than 75 persons in total until 31 March 2020. The prohibition did not apply to cases involving concentrations of more than 75 persons falling within the established and routine performance of professional duties and activities such as offices, companies, industry as long as the basic rules of hygiene are respected. The prohibition did not apply to cases of short-haul traffic within or from the site in question, such as shopping malls, supermarkets and other places where visitors will move and will not remain for long periods concentrated in the area.
- Cancellation of mass events, gatherings, parades, concerts in public places.
- Holding football matches and other matches without the presence of spectators.

Failure to comply with the orders carried a penal liability.<sup>33</sup> From Monday afternoon to Tuesday morning 24 March the police did 2,246 checks for adherence to government decrees and found seven violations.<sup>34</sup>

In spite of the order, the Orthodox churches remained open and continues to hold masses, offering Holy Communion. Following public outcry about the possible mass spread of coronavirus, the Archbishop announced that the church would allow inside the church only ten persons at a time and that holy communion could be delivered to private homes upon request. However, two orthodox bishops announced that they would defy the measures, calling people to attend mass and receive the Holy Communion in church.<sup>35</sup> Restriction measures escalated in the days that followed and at the time of writing the intention of the orthodox church to comply with the new measures was still unclear.

## 1.6. Public services

On 17<sup>th</sup> March the Ministry of Finance announced a set of measures concerning the operation of public service and the wider public sector, providing for flexible working schedule under conditions, work from home where possible, a special partly paid leave of absence only one of the two parents who have children aged under 15 years for up to four weeks for the time being, leave for persons belonging to vulnerable categories, such as persons aged over 60 years of age, persons with specific

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<sup>32</sup> Cyprus, Decree for Determination of measures to prevent the spread of COVID-19 coronavirus of 2020, no. 1 (*Διάταγμα 900/2020 δυνάμει του περί Λοιμοκαθάρσεων Νόμος, Κεφ. 260*), No. 5213, 341, 90/2020, Cyprus Gazette, 341, 11 March 2020.

<sup>33</sup> Middleton, C. (2020) *'Οι ποινικές διαστάσεις συμπεριφορών σχετικά με τον COVID-19'*, *Justice-Innovation*, 13 March 2020.

<sup>34</sup> Hadjiannou, B. (2020) *'Coronavirus: Police carry out 2246 checks, seven booked'*, *In-Cyprus*, 23 March 2020.

<sup>35</sup> Holly Bishopric of Morphou (2020), *'Μητροπολίτης Λεμεσού Αθανάσιος: Οι εκκλησίες θα παραμείνουν ανοικτές'*, 15 March 2020; Holly Bishopric of Morphou (2020), *'Ιερά Μητρόπολις Μόρφου: Χιλιάδες πιστοί προσεύχονται στον άγιο Νικηφόρο τον Λεπρό'*, 14 March 2020; Politis (2020), *'Έτοιμοι να παραβιάσουν τον νόμο οι μητροπολίτες Λεμεσού και Μόρφου'*, 16 March 2020.

chronic illnesses, pregnant women irrespective of age.<sup>36</sup> Orders were issued for some enterprises to close down completely and for others to scale down their operations so as to avoid dismissals.<sup>37</sup> One trade union reported that employees were pressured into taking their annual or sick leaves and that some enterprises were dismissing employees in spite of the order.<sup>38</sup>

## 2. Impact of the outbreak on certain communities

There is no information about xenophobic or racist incidents. There is no information regarding xenophobic or racist incidents rising since the beginning of the Coronavirus Covid-19 outbreak. The only organisation recording racial incidents is the police whose record is updated with considerable delay and appears to suffer from underreporting. The last available record is for the year 2018.<sup>39</sup> There have been no NGO or media reports about incidents, which is to be expected given the fact that physical movements in the past weeks were reduced to the minimum. Migrant support NGOs have not received any complaints about acts of discrimination as a result of the coronavirus outbreak. The arrival of a boat with Syrian refugees, which was pushed back by the Greek Cypriot marine police and eventually landed in the Turkish Cypriot side was met with considerable online hate speech in social media, accentuated by the negative coverage afforded to it by the state TV Channel.

### 2.1. Impact on the Turkish Cypriot community

The closure of the checkpoints has made the crossing of Turkish Cypriots into the Republic of Cyprus difficult and time consuming, affecting Turkish Cypriots' access to their schools and universities, to hospitals, government services and to their jobs. Shortly after the closure of the four checkpoints by the Republic of Cyprus, the leadership of the Turkish Cypriot community closed two more checkpoints in retaliation, leaving only two checkpoints open which are usually congested with traffic.<sup>40</sup>

### 2.2. Impact on asylum seekers and refugees

At the Kofinou Reception Centre for Asylum Seekers and Refugees, the only reception centre in the country accommodating refugees and asylum seekers, information leaflets were handed out to the residents alongside with antiseptics and masks. Announcements are being made through loudspeakers every few hours, urging the residents to stay inside their homes. NGOs report that there are practical difficulties with these instructions as the 'homes' are tiny units without their own toilets, kitchens or laundry facilities. The residents are permitted to leave and return to the camp only if this is absolutely necessary but the camp has closed its doors to all NGOs and other organisations offering support to the residents. The only personnel now working on site are the guards who are confined inside their office just outside the centre. Catering continues to be delivered regularly however most residents are reluctant to receive it, fearing the spread of coronavirus through the plastic containers. There is one bus performing transfers of residents from the camp to the nearest city which allows only eight persons to board at a time. The children residing at the camp cannot benefit from the on

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<sup>36</sup> Ministry of Finance (2020), 'Instructions in relation to the operation of public service and the wider public sector under the extraordinary circumstances created for the prevention of the spreading of the coronavirus in Cyprus', Circular No. 1608, 17 March 2020.

<sup>37</sup> Ministry of Finance (2020), 'Instructions in relation to the operation of public service and the wider public sector under the extraordinary circumstances created for the prevention of the spreading of the coronavirus in Cyprus', Circular No. 1608, 17 March 2020.

<sup>38</sup> Offsite (2020), '[Αυθαίρετο τερματισμό απασχόλησης καταγγέλλει η ΔΕΟΚ](#)', 19 March 2020.

<sup>39</sup> Please see the relevant page of the police website at [www.police.gov.cy/police/police.nsf/All/9191E8AC4D1F2C8EC22583D900383D47?OpenDocument](http://www.police.gov.cy/police/police.nsf/All/9191E8AC4D1F2C8EC22583D900383D47?OpenDocument)

<sup>40</sup> Financial Mirror (2020), '[COVID-19: Turkish Cypriots close checkpoints](#)', 12 March 2020.

line platforms which are gradually organized by educationalists throughout the country for the children to continue their education from their homes.<sup>41</sup>

The Parliamentary Committee on Internal Affairs received unconfirmed allegations that a military camp would be evacuated, in order to be converted into a closed camp for asylum seekers, as a preventive measure for the spreading of coronavirus; the Parliamentary Committee is investigating this allegation.<sup>42</sup>

The Kokkinotrimithia camp, where all new arrivals are referred to as a first stop for health checks and submission of asylum applications, has since the outbreak of the virus shut its gates and was converted into a closed structure resembling a detention centre rather than a reception facility. The population at the camp currently exceeds by far the capacity of the camp and is expected to become even more congested, as asylum seekers residing in hotels in the community were given a deadline to vacate those premises and move to this camp too. The camp's capacity is around 400 persons; there are currently 700 persons and 800 more will be moving in the camp in the forthcoming few days. The requirement of the governmental decree for one person per eight square meters is not complied as there are six to eight persons sleeping in a single tent.<sup>43</sup>

### 2.3. Pushback of Syrians in Territorial waters

On 20 March 2020 the Greek-Cypriot Sea Patrol pushed back a boat with approximately 175 Syrians including 30 women and 69 children, the first recorded incident of its kind, so as not to reach the shores in the territory under the control of the Republic of Cyprus. Eventually, they managed to reach the shores and were accepted in occupied territory in the unrecognised Turkish Republic of Northern Cyprus.<sup>44</sup> The children began to get sick from the cold and the rain and started vomiting. Due to a storm, the boat capsized and all persons on board managed to swim to shore, where they lit fires to dry. There they were received by the Turkish Cypriot authorities and taken to a closed basketball court, where they were given food and dry clothing. Their future is currently uncertain; Turkey has sealed its borders and refuses to accept them, the Turkish Cypriot authorities cannot give them a status and the Republic of Cyprus refuses to admit them or examine asylum applications from them. It is reported that many of the people on board have relatives in the Republic of Cyprus and seek to reunite with them.

In criticising the new Government policy, human rights experts and journalists expressed concern over the risk of undermining international protection in the course of implementing emergency measures as a result of Covid-19.<sup>45</sup> Commentaries suggest that pushbacks are illegal in international law and ECHR law,<sup>46</sup> with references the statement the UN High Commissioner for Refugees,

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<sup>41</sup> Telephone consultation with the NGO Kofinou we Care, 19 March 2020.

<sup>42</sup> Telephone consultation with member of the Parliamentary Committee on Internal Affairs, 20 March 2020.

<sup>43</sup> Telephone consultation with UNHCR Cyprus office, 22 March 2020.

<sup>44</sup> Zenonos, V. (2020) [‘Στα κατεγόμενα οι 115 πρόσφυγες- Πρώτη φορά εφαρμόζει πολιτική απώθησης η ΚΔ’](#), *Phileltheros*, 21 March 2020; LGC News(2020), [‘175 Syrian Refugees Rescued as Boat Sinks’](#), 20 March 2020.

<sup>45</sup> Zenonos, V. (2020) [‘Στα κατεγόμενα οι 115 πρόσφυγες- Πρώτη φορά εφαρμόζει πολιτική απώθησης η ΚΔ’](#), *Phileltheros*, 21 March 2020; LGC News (2020), [‘175 Syrian Refugees Rescued as Boat Sinks’](#), 20 March 2020.

<sup>46</sup> Rights in Times of Crisis (2020) [‘New Cyprus Government Policy of Pushback of Refugees: An Illegal and inhumane act under International Law and the ECHR’](#), *Rights in Times of Crisis*, 24 March 2020.

Filippo Grandi, who has called on states to take responsibility for non-victimization of refugees in the wake of COVID-19.<sup>47</sup>

#### 2.4. Impact of measures on victims of domestic violence

The NGO SPAVO which supports victims of domestic violence reported an increase of 30% in the number of calls to their helpline in the period following the outbreak.<sup>48</sup>

The press release of the NGO reported that from 9 March 2020 when the first case of coronavirus was confirmed in Cyprus until 17 March the system of recording calls to the helpline recorded an increase of 30%, reaching 750. During this period, the NGO received five new applications for admission into shelters and four new requests for individual consultations, which mark a sharp increase. The NGO states that the home restriction of women with their abuser under crisis conditions such as these, their isolation from social and working life and their exclusion from social support offer fertile ground for the perpetrator to consolidate control over the victim. The quarantine in private sector enterprises which usually attract women reinforces the feeling of economic insecurity through the lowering of salaries and fear of dismissal, which is an additional factor for consolidation of the control which the perpetrator exercises over the victim. Economic insecurity is often a reason for victims to return to their abusers, leading to situations of increased violence. The shutting down of schools forces women to stay at home to carry out the work traditionally charged to them by the social construction of gender which forces these women into social isolation and inability to seek help. The children who now do not go to school because of the quarantine measures are more likely to be exposed to domestic violence incidents as they are also restricted at home with the abuser without access to help from teachers and school psychologists. At times of crisis, perpetrators take advantage of the under-staffing of social services, the new priorities of society and the suspension of the support structure that would otherwise help the victim.

#### 2.5. The situation of prisoners and detainees

The Minister of Justice informed the council of leaders of political parties that measures will be taken to avoid congestion at detention centres and at the central prison to avoid the spread of the virus. The measures include the granting of presidential pardon, the suspension of police prosecutions and court hearings to avoid transfer of accused persons to and from the courts.<sup>49</sup>

#### 2.6. Persons suffering from other conditions

Treatment of other conditions unrelated to the coronavirus are suspended and repeated announcements are discouraging persons from visiting private or public clinics, calling on the public to make telephone contact with their doctors in order to receive instructions.<sup>50</sup> Three out of five main public hospitals were shut to the public as an increasing number of health professionals are reported to have been infected by coronavirus.

Persons with thalassemia, which is a common condition in Cyprus, have reported that their scheduled appointments for blood infusion were repeatedly postponed, because the blood bank had very low

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<sup>47</sup> UNHCR (2020), '[Statement of the UN High Commissioner for Refugees Filippo Grandi](#)', 19 March 2019.

<sup>48</sup> Cyprus, Association for prevention and handling of domestic violence (2020), 'Home isolation due to Covid-19 creates fertile ground for deterioration of domestic violence' ([Ο περιορισμός λόγω covid-19 δημιουργεί έφορο έδαφος για επιδείνωση της ενδοοικογενειακής βίας](#)), Press release, 17 March 2020.

<sup>49</sup> Telephone consultation with member of the Parliamentary Committee on Internal Affairs, 20 March 2020.

<sup>50</sup> Cyprus, Ministry of Health (2020), 'Operation of public hospitals on the basis of the decree of the Minister of Health' ([Λειτουργία Δημόσιων νοσηλευτηρίων στη βάση Διατάγματος του Υπουργού Υγείας](#)), Press release, 20 March 2020.

blood reserves. The low blood flow was the result of blood donors suspending their regular visits to blood centres, in spite of hospital announcements that blood centers had been moved out of hospitals and that blood donations were entirely safe.<sup>51</sup>

### 3. Impact on privacy and spread of disinformation

The only person infected with the virus whose identity became public was the first confirmed incidence of coronavirus in Cyprus, who is a public doctor that was infected in UK and returned to Cyprus without knowing he had been infected. The doctor himself announced that he had been infected, through his social media account, as a gesture of responsibility towards his patients. Although there were some on line expressions of hatred against the doctor and against persons in quarantine, there were no reports of extensive infringements of privacy or harassment. Also, there were no reports of serious spread of disinformation.

On 24 March 2020, the Data Protection Commissioner told the press that the publication of the names of patients is unlawful unless there are public interest reasons rendering this necessary such as the tracing of contacts. She added that persons who have unjustifiably leaked personal data of patients will be held responsible.<sup>52</sup> The Commissioner made no reference to the doctors' leaking the medical history of patients who die of the virus.

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<sup>51</sup> Dialogos (2020), 'Decrease in blood stocks – Thalassemia patients in a difficult position' ([Μείωση αποθεμάτων αίματος – Σε δύσκολη θέση οι θαλασσαιμικοί](#)), 20 March 2020.

<sup>52</sup> Offsite (2020), 'No to the publication of the names of those who are infected with the coronavirus' ([Όχι στη δημοσιοποίηση ονομάτων όσων νοσούν με κορωνοϊό](#)), 24 March 2020.