

Submission Template

The right to interpretation and translation and the right to information in criminal proceedings in the EU

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QUESTIONS

As envisaged in the section on Research Methodology, please note that some questions require consultation with organisations and/or practitioners working in relevant fields covered by the research to cross-check findings from the desk research with respect to the way in which the examined rights are applied in practice (such as judges, lawyers, interpreters and translators or civil society organisations active in the field of legal assistance in criminal proceedings).

Article I. SECTION A: The right to interpretation and translation in criminal proceedings

1.	RIGHT TO INTERPRETATION ¹	Brief Description
1.1		<p>Please provide answers to the following for each stage of proceedings as indicated below:</p> <p>a) Who has the responsibility for determining the need of interpretation at each stage of the proceedings?</p> <p>b) How it works in practice for the various stages of the proceedings to ascertain whether suspected or accused persons speak and understand the language of the proceedings?</p> <p>c) Who bears the cost of interpretation at each stage?</p> <p>d) What is the timeframe (deadline) for providing interpretation at each stage of the proceedings?</p> <p>.Please cross-check findings from the desk research by consulting relevant organisations and/or practitioners.</p>
1.1.1	<ul style="list-style-type: none"> • police questioning; 	<p>a) The police or the investigator of the case² who are in charge of investigating the offence at hand are also in charge of determining whether there is a need to provide interpretation.³ The investigator is either a police officer conducting an investigation in relation to the commission of a criminal offence, or any person appointed by the Council of Ministers or the Attorney General to conduct interviews in relation to the commission of any criminal offence.</p>

¹ See in particular Articles 2 and 4 and related recitals of Directive 2010/64/EU.

² Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 2. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

³ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 4(5). Available at www.cylaw.org/nomoi/enop/non-ind/O_155/index.html.

b) In practice, the police officer or investigator appointed will speak to the suspect/accused persons in Greek to check whether they understand.⁴ If they find that these persons do not understand, then efforts will be made to identify their mother tongue through their nationality and based on languages spoken in the region of their habitual residence. If no interpreter can be found for their mother tongue, then efforts will be made to find an interpreter that speaks a language understood by the suspect/accused which may not be their mother tongue.⁵

c) The cost of interpretation is borne by the state.⁶ The Attorney General's office reports that in private criminal cases the cost is borne by the plaintiff,⁷ although this is not foreseen in any law and may in fact contravene the law transposing the Interpretation and Translation Directive, which does not specify that the state bears the cost only if the criminal prosecution is public.

d) There is no time frame foreseen in legislation or policy; the law provides only that interpretation must be provided "without delay".⁸ The Attorney General's office informs that interpretation is provided immediately after arrest, except in cases where the suspect/accused person is a non-national and the offence at stake is "very serious", in which case interpretation is provided from the point of the arrest.⁹ However, the law on the rights of persons arrested and detained foresees a rather different procedure: All persons must upon being arrested, be informed by the arresting police officer in a language understood to them the reasons for their arrest and their rights. In case the arresting police officer does not speak any language understood by the suspect/accused, then as soon as the accused/suspect is admitted to the police station, the arresting police officer must inform the person in charge of the investigation so that the latter can make all necessary arrangements without delay in order for an interpreter to come and inform the suspect/accused of his or her rights in a language understood to him or her.¹⁰ The law does not foresee different procedures for offences which are "serious" or less than serious.

⁴ Cyprus, representative of the police.

⁵ Cyprus, lawyer.

⁶ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, article 7. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁷ Cyprus, Letter from the Office of the Attorney General, Reference C.E. 4.2.32.1.5.1, 4 May 2015.

⁸ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, article 4(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁹ Cyprus, representative of the Office of the Attorney General.

¹⁰ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) N.163(I)/2005 as amended, Articles 3(1) and 7(2). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

<p>1.1.2</p>	<ul style="list-style-type: none"> • court hearings; 	<p>a) The Courts exercising criminal jurisdiction; in the case of execution of a European Arrest Warrant the judicial authority responsible for such execution, i.e. the district judge in the area where the wanted person is or is believed to be situated.¹¹ In the event that the wanted person’s residence is unknown then a judge of the Nicosia District Court, or if the wanted person’s whereabouts are known then a district judge in the area where the wanted person resides or where the wanted person was arrested.¹²</p> <p>b) The judge will ask the accused persons if they understand the language of the procedure. The accused persons’ lawyers as well as the public prosecutor may also inform the court as to whether the accused person understands or not the language of the procedure, but the Court will have the final say as to whether interpretation is necessary or not.¹³ In fact for all procedures inside the courtroom, the Courts in Cyprus invariably provide interpretation to all persons who are not Greek speakers.¹⁴</p> <p>c) The cost of interpretation is borne by the state.¹⁵ The Attorney General’s office reports that in private criminal cases the cost is borne by the plaintiff,¹⁶ although this is not foreseen in any law and may in fact contravene the law transposing the Interpretation and Translation Directive. The Court’s Registrar disputed this information and stated that the Court bears the cost of interpretation irrespective of whether the criminal case is a private or a public prosecution.</p> <p>d) There is no time frame foreseen in legislation or policy; the law provides only that interpretation must be provided “without delay”.¹⁷ In practice, the interpretation is provided upon commencement of the hearing procedure.</p>
<p>1.1.3</p>	<ul style="list-style-type: none"> • any necessary interim hearings; 	<p>a) The same procedure applies in all types of hearings, whether interim or main. The decision as to whether interpretation is necessary is made by the criminal court trying the case. In the case of execution of a European Arrest Warrant, the decision is made by the judicial authority responsible for the warrant’s execution, i.e. the district judge in the area where the wanted person is or is believed to be situated.¹⁸ In the event that the wanted person’s residence is unknown then a judge of the</p>

¹¹ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία) N. 18(I)/2014, 19 February 2014, articles 4(5) and 2. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹² Cyprus, Law on the European Arrest Warrant and the procedures for the surrender of wanted persons between member states of the European Union (Ο περί Ευρωπαϊκού Εντάλματος Σύλληψης και των Διαδικασιών Παράδοσης Εκζητουμένων Μεταξύ των Κρατών Μελών της Ευρωπαϊκής Ένωσης Νόμος) N. 133(I)/2004 as amended, Article 11. Available at www.cylaw.org/nomoi/enop/non-ind/2004_1_133/full.html.

¹³ Cyprus, representative of the Office of the Attorney General.

¹⁴ Cyprus, lawyers and a representative of the Registrar of the Nicosia District Criminal Court.

¹⁵ Law providing for the right to interpretation and translation during criminal procedure (Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά τη νποινική διαδικασία) N. 18(I)/2014, 19 February 2014, article 7. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹⁶ Cyprus, representative of the Office of the Attorney General.

¹⁷ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία) N. 18(I)/2014, 19 February 2014, article 4(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹⁸ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία) N. 18(I)/2014, 19 February 2014, articles 4(5) and 2. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

		<p>Nicosia District Court, or if the wanted person's whereabouts are known a district judge in the area where the wanted person resides or where she or he was arrested.¹⁹</p>
		<p>b) The judge will ask the accused persons if they understand the language of the procedure. The accused person's lawyer as well as the public prosecutor may also inform the court as to whether the accused person understands or not the language of the procedure, but the Court will have the final say as to whether interpretation is necessary or not.²⁰In practice, the Court will ensure that interpretation is provided in all cases, as the right to interpretation has been safeguarded by the Constitution long before the Interpretation and Translation Directive was transposed.</p>
		<p>c) The cost of interpretation is borne by the state.²¹ The Attorney General's office reports that in private criminal cases the cost is borne by the plaintiff,²² although this is not foreseen in any law and may in fact contravene the law transposing the Interpretation and Translation Directive. The Court's Registrar disputed this information and stated that the Court bears the cost of interpretation irrespective of whether the criminal case is a private or a public prosecution.²³</p>
		<p>d) There is no time frame foreseen in legislation or policy; the law provides only that interpretation must be provided "without delay".²⁴ In practice, the interpretation is always provided upon commencement of the hearing procedure, but does not extend to any time before or after the court hearing.²⁵</p>

¹⁹Cyprus, Law on the European Arrest Warrant and the procedures for the surrender of wanted persons between member states of the European Union (*Ο περί Ευρωπαϊκού Εντάλματος Σύλληψης και των Διαδικασιών Παράδοσης Εκζητουμένων Μεταξύ των Κρατών Μελών της Ευρωπαϊκής Ένωσης Νόμος*) N. 133(I)/2004 as amended, Article 11. Available at www.cylaw.org/nomoi/enop/non-ind/2004_1_133/full.html.

²⁰Cyprus, representative of the Office of the Attorney General.

²¹Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, article 7. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

²²Cyprus, representative of the Office of the Attorney General.

²³ Cyprus, representative of the Registrar of Nicosia District Criminal Court.

²⁴Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, article 4(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

²⁵ Cyprus, lawyers.

<p>1.1.4</p>	<ul style="list-style-type: none"> Any communication between suspects and accused persons and their legal counsel in direct connection with any questioning or hearing during the proceedings? 	<p>a) The police or the investigator of the case²⁶ who are in charge of investigating the offence at hand are also in charge of determining whether there is a need to provide interpretation.²⁷</p> <p>b) In practice, the police officer or investigator appointed will speak to the suspect/accused persons in Greek to check whether they understand. If they find that these persons do not understand, then efforts will be made to identify their mother tongue through their nationality and based on languages spoken in the region of their habitual residence. If no interpreter can be found for their mother tongue, then efforts will be made to find an interpreter that speaks a language understood by the suspect/accused which may not be their mother tongue. Legal practitioners confer that the police always finds suitable interpreters, either in the accused/suspected persons' mother tongue or in a language they understand. However the interpretation is used only in order to explain to the accused/suspected persons their rights and to record their testimony and not to the communication between the accused/suspected persons and their lawyers.²⁸</p> <p>c) The cost of interpretation is borne by the state.²⁹ The Attorney General's office reports that in private criminal cases the cost is borne by the plaintiff,³⁰ although this is not foreseen in any law and may in fact contravene the law transposing the Interpretation and Translation Directive.</p> <p>d) There is no time frame foreseen in legislation or policy; national law merely provides that interpretation must be provided "without delay".³¹ The Attorney General's office reports that interpretation is provided immediately after arrest,³² therefore all communications between a suspect/accused and his or her lawyer fall within the scope of the law but communications with one's lawyer prior to the arrest are not covered by the right to interpretation.</p>
<p>1.2</p>	<p>How do authorities ensure interpretation into rare/lesser known languages where no certified interpreters exist?</p>	<p>If no interpreter can be found to provide interpretation in the mother tongue of the suspect/accused person, the competent authority will endeavour to find an interpreter to interpret in a language understood by the suspect/accused. In practice, the competent authority will attempt to ascertain what language the accused /suspected persons understand by just speaking to them. For the purposes of court hearings, lawyers are expected to detect the language spoken by their clients and inform the</p>

²⁶ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 2. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

²⁷ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 4(5). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

²⁸ Cyprus, lawyers.

²⁹ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, article 7. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

³⁰ Cyprus, representative of the Office of the Attorney General.

³¹ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, article 4(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

³² Cyprus, representative of the Office of the Attorney General.

	<p>Please cross-check findings from the desk research by consulting relevant organisations and/or practitioners.</p>	<p>court in order to have an interpreter ready.³³ The Court summons interpreters from a list which it compiles and maintains but if none of the interpreters listed there can interpret in the language spoken by the accused or suspected person, then the Court will contact the government's Press and Information office which maintains a larger database with all or most of the interpreters available in the country.³⁴ As a last resort, double interpretation may be used, i.e. one interpreter interprets from the lesser known language to a better known one such as English and another interpreter interprets from English to Greek.</p> <p>The police will provide an interpreter for the purpose of taking the accused/suspected person's statement but not for facilitating communication between accused/suspected persons and their lawyers,³⁵ even though the right to interpretation in communications with their lawyers is foreseen in the law.³⁶ A list of interpreters is maintained at the central police headquarters, accessible to all police officers through the police's portal. This database currently lists interpreters for 37 different languages, but if the police still cannot locate an interpreter to interpret in an language understood by the accused/suspected person, then they will contact wither the government's Press and Information Office or the Courts in order to locate interpreters.³⁷</p> <p>In cases where the immigration police are involved, information regarding languages understood by the accused may be derived from qualifications which the suspect/accused has presented in order to find work in Cyprus or to enrol in a college in Cyprus. For instance, if the documents which the accused had presented to the immigration authorities when applying for a visa included a certification or a declaration of knowledge of English, then the accused/suspect will be presumed to understand English.³⁸</p>
<p>1.3</p>	<p>Please describe procedures in place, if any, to ensure that suspects or accused persons have the right to challenge the</p>	<p>The right to orally contest a decision of the competent authority not to provide interpretation is provided in the law, although no particular procedure is foreseen for such challenge.³⁹ The authority which is competent to examine such contestation is the</p>

³³ Cyprus, lawyers.

³⁴ Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

³⁵ Cyprus, lawyer..

³⁶ 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 12(4). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

³⁷ Cyprus, representative of the police.

³⁸ Cyprus, lawyer.

³⁹ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 6(1). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

<p>decision that no interpretation is needed? Please cross-check findings from the desk research by consulting relevant organisations and/or practitioners.</p>	<p>same competent authority that rejected the request for interpretation, which is under a duty to record in the minutes of the procedure both the oral challenge as well as its own justified decision on it.⁴⁰</p> <p>The right to challenge a decision not to provide interpretation does not affect the deadlines applicable for the execution of a European Arrest Warrant,⁴¹ in other words the procedure of execution of European Arrest Warrants will continue irrespective of whether the accused/suspected persons have challenged decisions not to provide them with interpretation.</p> <p>According to the Attorney General’s office,⁴² as far as the court procedure is concerned, there is no possibility for interpretation to be denied to an accused or suspect requesting for it, as that would amount to a violation of the Constitution, which provides for the right to an interpreter,⁴³ and to a breach of the right to a fair trial, foreseen in the Constitution⁴⁴ and in a number of international instruments ratified by Cyprus, such as the ECHR. In the unlikely event that a district court refuses to provide interpretation, the accused/suspect may apply to the Supreme Court for a mandamus order ordering the district court to provide interpretation.⁴⁵ Lawyers consulted confirmed that the right to interpretation during court hearings is invariably respected by judges.⁴⁶ The constitutional right to interpretation covers only court proceedings and does not extend to police investigations or communications with one’s lawyer, but other legislation provides for the right to interpretation in communicating with one’s lawyer.⁴⁷ A refusal to provide interpretation at the stage of the police investigation can be challenged through judicial review of an administrative act under the Constitution.⁴⁸ However, no legal aid is provided for these procedures⁴⁹ and information about these procedures is not included in the information documents supplied to the suspects/accused. A number of administrative procedures are also in place in order to challenge acts or omissions of the police in general, such as</p>
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⁴⁰ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 6(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁴¹ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 6(4). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁴² Cyprus, representative of the Office of the Attorney General.

⁴³ Cyprus, Constitution of the Republic of Cyprus (*Σύνταγμα της Κυπριακής Δημοκρατίας*), 16 August 1960, Article 12(5)(e). Available at www.cylaw.org/nomoi/enop/non-ind/syntagma/index.html.

⁴⁴ Cyprus, Constitution of the Republic of Cyprus (*Σύνταγμα της Κυπριακής Δημοκρατίας*), 16 August 1960, Articles 12(5) and 30. Available at www.cylaw.org/nomoi/enop/non-ind/syntagma/index.html.

⁴⁵ Cyprus, Constitution of the Republic of Cyprus (*Σύνταγμα της Κυπριακής Δημοκρατίας*), 16 August 1960, Article 155. Available at www.cylaw.org/nomoi/enop/non-ind/syntagma/index.html.

⁴⁶ Cyprus, lawyers.

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 12(4). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

⁴⁸ Cyprus, Constitution of the Republic of Cyprus (*Σύνταγμα της Κυπριακής Δημοκρατίας*), 16 August 1960, Article 146. Available at www.cylaw.org/nomoi/enop/non-ind/syntagma/index.html.

⁴⁹ Cyprus, Law on legal aid (*Ο περί Νομικής Αρωγής Νόμος*) N.165(I)/2002, Article 3. Available at www.cylaw.org/nomoi/enop/non-ind/2002_1_165/index.html.

		<p>complaints to the Ombudsman⁵⁰ or to the Independent Authority for investigating Complaints against the Police⁵¹but these procedures take several months if not years to complete and cannot provide any instant benefit to an accused or suspected person in detention or awaiting trial.</p> <p>In practice, at the stage of police investigation interpretation is provided in order to facilitate the taking of a statement from the accused/suspected persons, but not for communication between the accused/suspected persons and their lawyers. Although the right to interpretation as regards these communications is foreseen in the law,⁵²the request for such interpretation has probably never been put to the police, as most lawyers are not aware of the rights conferred by the Interpretation and Translation Directive.⁵³</p>
1.4	With regard to remote interpretation via communication technologies :	
	a) Can communication technologies for the purpose of remote interpretation be used? If so, at what stage(s) of the proceedings?	<p>Yes the law allows the use of remote interpretation technologies, unless the physical presence of an interpreter is necessary to secure the right to a fair trial.⁵⁴The law does not provide an exhaustive list of criteria as to the factors deemed necessary in order to secure the right to a fair trial, but states that it is necessary to ensure in particular that the quality of the interpretation is such so that accused or wanted persons understand the case against them and can prepare their defence. However this provision does not preclude the other prerequisites for a fair trial which are foreseen in article 6(3) of the European Convention on Human Rights, which are copied almost verbatim into the Cypriot Constitution.⁵⁵There is no express provision as to the stages at which technologies may be used, but in the absence of exclusion it may be presumed that this applies to all stages</p>

⁵⁰ Cyprus, Law on Commissioner for Administration (*Ο Περί Επιτρόπου Διοίκησης Νόμος*) N.3/1991. Available at www.cylaw.org/nomoi/enop/non-ind/1991_1_3/index.html.

⁵¹ Cyprus, Law on the police (Independent authority for the investigation of allegations and complaints) [*Ο περί Αστυνομίας (Ανεξάρτητη Αρχή Διερεύνησης Ισχυρισμών και Παραπόνων) Νόμος*] N. 9(I)/2006. Available at www.cylaw.org/nomoi/enop/non-ind/2006_1_9/index.html.

⁵² 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 12(4). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

⁵³ Consultation with lawyer 1 and 2.

⁵⁴ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 4(6). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁵⁵ Cyprus, Constitution of the Republic of Cyprus (*Σύνταγμα της Κυπριακής Δημοκρατίας*), 16 August 1960, Article 12(5). Available at www.cylaw.org/nomoi/enop/non-ind/syntagma/index.html.

		where interpretation must be provided, i.e. during police investigation, during communication with their lawyer and during all types of court hearings. In practice, no such technologies are used either during the police investigation ⁵⁶ or in court. ⁵⁷		
	b) Which technologies are used, if any (videoconference, telephone, internet, etc.)	No technologies are used in Cyprus for the purposes of interpretation. The only communication technology available is teleconferencing, which is used by the Court in order to conduct examination and cross examination of witnesses who are abroad and cannot appear in person. It has not been used so far for the purposes of an interpretation. ⁵⁸		
	c) Do competent authorities rely on the tools developed in the context of European e-Justice (e.g. information on courts with videoconferencing equipment provided on the European E-justice Portal)? Please cross-check findings from the desk research by consulting relevant organisations and/or practitioners.	No, these tools are not being used. ⁵⁹		
	TRAINING⁶⁰	Yes	No	Brief Description
1.5	Are providers of judicial training requested to pay special attention to the particularities of communicating with the assistance of an interpreter so as		No	No training is provided to judges on the particularities of communicating through an interpreter. According to the Courts' Registrar, no such training is necessary. ⁶¹

⁵⁶ Cyprus, representative of the police.

⁵⁷ Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

⁵⁸ Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

⁵⁹ Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

⁶⁰ See in particular Article 6 and relevant recitals of Directive 2010/64/EU.

⁶¹ Cyprus, representative of the Nicosia District Criminal Court.

	to ensure efficient and effective communication? If yes, briefly provide details.			
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2.	RIGHT TO TRANSLATION OF DOCUMENTS ⁶²	Brief Description
2.1	<p>Please provide answers to the following for each stage of proceedings as indicated below:</p> <p>a) Which documents (according to national law or established practice) are considered essential to translate in order to safeguard the fairness of the proceedings?</p> <p>b) Who bears the cost of translation at each stage?</p> <p>c) What is the timeframe (deadline) for the translation of documents at each stage of the proceedings?</p> <p>Please cross-check findings from the desk-research by consulting relevant organisations and/or practitioners.</p>	
2.1.1	<ul style="list-style-type: none"> • police questioning; 	<p>a) The documents considered by national law as essential to translate are the arrest warrant, the detention order, the indictment and any other document deemed essential by the competent authority at the given time acting either on its own initiative or upon a justified request from the suspect/accused or his or her lawyer,⁶³ provided these are necessary for comprehension by the accused persons of the case against them.⁶⁴The ‘competent authority at the given time’ varies according to the stage of the procedure. At the stage of police questioning, the competent authority is the police or the person appointed by the Council of Ministers or the Attorney General to act as investigator in the particular case.⁶⁵</p> <p>National legislation on the rights of persons arrested and detained provides that a document setting out the rights of arrested/detained persons <i>in a language understood by arrested persons</i> (emphasis added) must be handed to them</p>

⁶² See in particular Articles 3 and 4 and relevant recitals of Directive 2010/64/EU.

⁶³ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁶⁴ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά τη νποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(3). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁶⁵ Cyprus, Law on Criminal Procedure (*Ο περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 4. Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

immediately after arrest. This document must set out the reasons for the arrest and the criminal act which the arrested persons are accused of, the right to a lawyer, access to legal aid, the right to translation and interpretation, the right to remain silent, the right to access to documents relating to the court case against them, the right to inform consular authorities and other persons, the right to emergency medical care, the maximum period of detention and the right to challenge their arrest and detention.⁶⁶

An elaborate document of rights has been drafted, for use by the police in order to inform persons arrested of their rights, in line with the above legislative provision.⁶⁷ In practice, however, the police hands to persons arrested a document of rights that is significantly shorter (one page) and contains only basic information about the right to legal representation and other basic rights. The longer document is not yet used because it still in the process of being translated into languages other than Greek, but the police will engage an interpreter to explain its contents to the accused or suspected persons. The short document of rights is available in several languages.⁶⁸

In spite of the legislative provision, in practice the police does not supply translation of any documents, although the interpreter invited by the police to assist with the taking of the statement by the accused or suspected person will also provide an oral summary of essential documents. Oral translation of documents is usually done by the accused or suspected person's lawyer.⁶⁹

b) According to national law, the state bears the cost of translation at every stage, provided the documents fall within the scope of national law,⁷⁰ i.e. they are deemed 'essential',⁷¹ they are necessary to ensure the accused has a fair trial⁷² and they contribute to the comprehension by the accused or suspect of the case against him or her.⁷³

⁶⁶ 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 7(1A). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

⁶⁷ Cyprus, Electronic message from the Ministry of Justice and Public Order, 8 May 2015.

⁶⁸ Cyprus, lawyer.

⁶⁹ Cyprus, lawyers.

⁷⁰ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 7. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁷¹ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Articles 5(1) and 5(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁷² Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(1). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁷³ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(3). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

		<p>c) No particular time frame is foreseen. National legislation requires that translation is provided “within a reasonable time”.⁷⁴ The document of rights handed to arrested persons must be provided immediately after arrest, but if this document is not available in a language understood by the arrested person at the time of the arrest, then it must be supplied “without unjustified delay”.⁷⁵ In practice, the short version of the document of rights is supplied to the accused/suspected person shortly after arrest. Likewise, shortly after arrest, the police will usually summon an interpreter to facilitate the procedure of the taking of a statement; this interpreter will also explain to the accused/suspected person the contents of essential documents, upon the accused/suspected person’s request.⁷⁶</p>
2.1.2	<ul style="list-style-type: none"> • court hearings; 	<p>a) The documents considered by national law as essential to translate are the arrest warrant, the detention order, the indictment, all judicial decisions and orders issued within the procedure, any other document deemed essential by the competent authority at the given time acting either on its own initiative or upon a justified request from the suspected/accused persons or their lawyers.⁷⁷ The ‘competent authority at the given time’ varies according to the stage of the procedure. At the judicial phase, the competent authority is the Court exercising criminal jurisdiction.⁷⁸ For the purposes of executing European Arrest Warrants, the competent authority is the one mandated with the execution of the warrant: the district judge in the area where the wanted person is or is believed to be situated⁷⁹ and where the wanted person’s residence is unknown then a judge of the Nicosia District Court, or if the wanted person’s whereabouts are known then a district judge in the area where the wanted person resides or where the wanted person was arrested.⁸⁰</p>

⁷⁴ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Articles 5(1) and 5(4). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁷⁵ 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 7(1)(c). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

⁷⁶ Cyprus, lawyers.

⁷⁷ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁷⁸ Cyprus, Law on Criminal Procedure (*Ο περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 2(c). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

⁷⁹ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, articles 4(5) and 2. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁸⁰ Cyprus, Law on the European Arrest Warrant and the procedures for the surrender of wanted persons between member states of the European Union (*Ο περί Ευρωπαϊκού Εντάλματος Σύλληψης και των Διαδικασιών Παράδοσης Εκζητούμενων Μεταξύ των Κρατών Μελών της Ευρωπαϊκής Ένωσης Νόμος*) N. 133(I)/2004 as amended, Article 11. Available at www.cylaw.org/nomoi/enop/non-ind/2004_1_133/full.html.

		<p>According to the Attorney General’s office, the documents essential to translate include the entire evidential material that will be used against the accused in Court, for instance testimonies, arrest warrants, search warrants, etc.⁸¹</p> <p>In practice, the court does not provide any translations. Essential documents are usually explained to accused/suspected persons by their lawyers, most of whom are not aware of the rights conferred by the Interpretation and Translation Directive and do not claim their clients’ right to a translation. The court interpreter will also provide an oral translation of documents when requested by or on behalf of the accused or suspected persons.⁸²</p> <p>b) National law provides that the state bears the cost of translation at every stage, provided the documents fall within the scope of national law,⁸³ i.e. they are deemed ‘essential’,⁸⁴ they are necessary to ensure the accused has a fair trial⁸⁵ and they contribute to the comprehension by the accused or suspect of the case against him or her.⁸⁶</p> <p>c) No particular time frame is foreseen. National legislation requires that translation is provided “within a reasonable time”.⁸⁷</p>
	<ul style="list-style-type: none"> • any necessary interim hearings; 	<p>a) The rights applicable to the main hearing of the case also apply to interim hearings. These are: the arrest warrant, the detention order, the indictment, all judicial decisions and orders issued within the procedure, any other document deemed essential by the Court either on its own initiative or upon a justified request from the suspected/accused persons or their lawyers.⁸⁸</p>

⁸¹ Cyprus, representative of the Office of the Attorney General.

⁸² Cyprus, representative of the Office of the Attorney General.

⁸³ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 7. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁸⁴ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Articles 5(1) and 5(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁸⁵ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(1). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁸⁶ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(3). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁸⁷ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Articles 5(1) and 5(4). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁸⁸ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

2.1.3		<p>b) National law provides that the state bears the cost of translation at every stage, provided the documents fall within the scope of national law,⁸⁹ i.e. they are deemed ‘essential’,⁹⁰ they are necessary to ensure the accused has a fair trial⁹¹ and they contribute to the comprehension by the accused or suspect of the case against him or her.⁹²</p> <p>c) No particular time frame is foreseen. National legislation requires that translation is provided “within a reasonable time”.⁹³</p>
2.1.4	<ul style="list-style-type: none"> • Any communication in direct connection with any questioning or hearing during the proceedings? 	<p>a) There is no explicit right for translation of documents facilitating communication between suspects/accused persons and their lawyers. Communication between suspects and accused persons and their legal counsel may be covered by the right to translation if they fit the law’s definition of ‘essential documents’, these being: the arrest warrant, the detention order, the indictment, any judicial decision and order within the procedure, any other document deemed essential by the competent authority acting either on its own initiative or upon a justified request from the suspect/accused or his or her lawyer.⁹⁴ In practice these documents are not translated; their content is orally explained to the accused or suspected persons by their lawyers in English. The interpreter hired by the police to facilitate the taking of a statement and the interpreter hired by the Court to interpret during Court hearings may also provide oral translations when requested.⁹⁵</p>

⁸⁹ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 7. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁹⁰ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Articles 5(1) and 5(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁹¹ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(1). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁹² Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(3). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁹³ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Articles 5(1) and 5(4). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁹⁴ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁹⁵ Cyprus, lawyers.

		<p>b) According to national law, the state bears the cost of translation provided the documents fall within the scope of national law,⁹⁶ i.e. they are deemed ‘essential’,⁹⁷ they are necessary to ensure the accused has a fair trial⁹⁸ and they contribute to the comprehension by the accused or suspected persons of the case against them.⁹⁹</p> <p>c) No particular time frame is foreseen. National legislation requires that translation is provided “within a reasonable time”.¹⁰⁰</p>
2.2	<p>How do the competent authorities ascertain whether oral translation or oral summary of essential documents may be provided instead of a written translation? Please cross-check findings from the desk research by consulting relevant organisations and/or practitioners.</p>	<p>No particular procedure is foreseen in order to determine whether oral translation or oral summary of documents may be provided instead of written documents. The decision to provide information orally rather than in writing is made by the competent authority at the particular time, being the police or the appointed investigator during the phase of the police investigation, or the Court during the judicial procedure. The only precondition for this determination is that the oral translation or oral summary must not prejudice the right to a fair trial.¹⁰¹ There is no policy or guidelines as to how this decision is to be made, which is left to the discretion of the authority exercising competency at the particular phase of the procedure.</p> <p>In practice, no written translation of any documents is provided. Outside the court rooms, lawyers will translate the essential documents for their clients orally. Inside the courtroom. Oral translation of written documents is provided by the Court’s interpreter.¹⁰²</p>

⁹⁶ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 7. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁹⁷ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Articles 5(1) and 5(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁹⁸ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(1). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

⁹⁹ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(3). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹⁰⁰ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Articles 5(1) and 5(4). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹⁰¹ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(5). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹⁰² Cyprus, lawyer.

<p>2.3</p>	<p>Please describe procedures in place, if any, to ensure that suspects or accused persons have the right to challenge the decision that no translation is needed? Please cross-check findings from the desk research by consulting relevant organisations and/or practitioners.</p>	<p>National law provides for the right to orally challenge a decision of the competent authority not to provide translation although no particular procedure is foreseen for such challenge.¹⁰³ The authority which is competent to examine such challenge is the same competent authority that rejected the request for translation.¹⁰⁴ The right to challenge a decision not to provide translation does not affect the deadlines applicable for the execution of a European Arrest Warrant,¹⁰⁵ in other words the execution of European Arrest Warrants will continue irrespective of whether or not the accused/suspected persons have challenged decisions not to provide them with translation.</p> <p>Depending on the circumstances, a refusal to provide translation may, in addition to violating the law transposing the Interpretation and Translation Directive, violate the constitutional right to a fair trial.¹⁰⁶ In Cyprus, constitutional rights are actionable per se¹⁰⁷ but additional procedures are also foreseen in the Constitution. In the case of a district court refusing translation, the accused/suspect may apply to the Supreme Court for a mandamus order ordering the district court to provide the translation.¹⁰⁸ The refusal of the police to provide translation of essential documents at the stage of the investigation can be challenged through judicial review of an administrative act under the Constitution.¹⁰⁹ However, no legal aid is provided for these procedures¹¹⁰ and information about them is not included in the information documents supplied to the suspects/accused.</p>
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¹⁰³ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 6(1). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹⁰⁴ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 6(2). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹⁰⁵ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 6(4). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹⁰⁶ Cyprus, Constitution of the Republic of Cyprus (*Σύνταγμα της Κυπριακής Δημοκρατίας*), 16 August 1960, Articles 12(5) and 30. Available at www.cylaw.org/nomoi/enop/non-ind/syntagma/index.html.

¹⁰⁷ Cyprus, Supreme Court, *Yiallourou v. Evgenios Nicolaou (Τάκη Γιάλλουρουν Ευγένιου Νικολάου)* No. 9331, 08 May 2001. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_1/2001/1-200105-9931.htm&qstring=%E3%E9%E1%EB%EB%EF%F5%F1%EF%20and%20%E5%F5%E3%E5%ED%20and%20%ED%E9%EA%EF%EB%E1%EF%20.

¹⁰⁸ Cyprus, Constitution of the Republic of Cyprus (*Σύνταγμα της Κυπριακής Δημοκρατίας*), 16 August 1960, Article 155. Available at www.cylaw.org/nomoi/enop/non-ind/syntagma/index.html.

¹⁰⁹ Cyprus, Constitution of the Republic of Cyprus (*Σύνταγμα της Κυπριακής Δημοκρατίας*), 16 August 1960, Article 146. Available at www.cylaw.org/nomoi/enop/non-ind/syntagma/index.html.

¹¹⁰ Cyprus, Law on legal aid (*Ο περί Νομικής Αρωγής Νόμος*) N.165(I)/2002, Article 3. Available at www.cylaw.org/nomoi/enop/non-ind/2002_1_165/index.html.

		Yes	No	Brief Description
2.4	Do all documents that the suspected or accused person has to sign during the proceedings have to be translated?	Yes		<p>There is no express provision in national legislation for translation of all documents that a suspected or accused person is asked to sign, however this can be implied from the general right to translation of all documents which are essential in order for this person to have a fair trial.¹¹¹</p> <p>In practice, accused or suspected persons are asked to sign their statement in their mother tongue or in another language they understand; this will subsequently be translated into Greek but the accused or suspect will not be required to sign the Greek translation of their statement. Other documents, such as the waiver of the right to interpretation or translation or the declaration that a particular lawyer's services are no longer required may be signed in Greek, following an oral summary provided by the interpreter or the accused's lawyer, as the case may be.¹¹² Although it is a generally accepted and respected principle that no person should be required to endorse the contents of a document he or she does not comprehend, in practice there are 'grey areas' where suspected or accused persons speak a little Greek and police officers ask them to sign a document in Greek which they do not understand, on the false promise that this will secure their release.¹¹³ There have been cases reported where persons in police custody were asked to sign a withdrawal of their asylum application in Greek.¹¹⁴</p> <p>Examples of documents which an accused or suspected person may be asked to sign while in police custody are attached to the long document of rights which has been prepared for handing to persons in police custody, but has not been translated yet: a form stating that the signatory no longer wishes to receive the services of a particular lawyer, confirmation of receipt of the document of rights and statement as to whether the accused or suspected person wishes to be examined by a doctor or not.</p>
2.5	Is it possible to waive the right to translation of documents and if so, what form can it have and	Yes		In line with article 3(8) of the Interpretation and Translation Directive, national law provides for the right of accused/suspect/wanted persons to waive their right to oral or written translation or to an oral summary of a document provided:

¹¹¹ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹¹² Cyprus, lawyer.

¹¹³ Cyprus, lawyer.

¹¹⁴ Cyprus, lawyer.

	under which conditions can it be accepted?			<ul style="list-style-type: none"> - The competent authority at the given time is satisfied that these persons have consulted their lawyers and/or they have otherwise received full knowledge of the consequences of such waiver; and - Their waiver was unequivocal and given voluntarily.¹¹⁵ <p>In practice, the waiver may come in the form of a specimen that the accused is asked to sign but it can also be oral.¹¹⁶</p>
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3.	RIGHTS CONCERNING BOTH INTERPRETATION AND TRANSLATION¹¹⁷			
3.1	With regard to use of registers of interpreters and translators in EU Member States:	Yes	No	Brief Description
	a) Do national databases or registers exist for legal translators and interpreters?	Yes		<p>There is no database for translators of written documents, since written translations are as a matter of standard practice not provided.</p> <p>Both the police and the Courts maintain registers with the names and contact details of interpreters. These registers are not exhaustive of all qualified interpreters at the national level, nor do the competent authorities ensure that all professionals listed in the register are summoned following an order of numeric or other priority. The lists are compiled in non-transparent ways¹¹⁸ and the decision as to which interpreter to call is based on vague and subjective criteria, such as which interpreter is known to be good,¹¹⁹ which is known to be readily available and always on call, etc.¹²⁰</p>
	b) Do translators and interpreters have to be listed in		No	The profession of interpreters and translators is not regulated and one does not need to be listed in any register in order to provide services in the field. For practical purposes, both the Courts and the police maintain their

¹¹⁵ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 5(6). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹¹⁶ Cyprus, lawyer.

¹¹⁷ See in particular Article 5 and relevant recitals of Directive 2010/64/EU.

¹¹⁸ Cyprus, representative of the police.

¹¹⁹ Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

¹²⁰ Cyprus, lawyer.

<p>databases/registers for their services to be used? In other words, is membership/registration mandatory?</p>			<p>own registers of interpreters but may also resort to the register of interpreters maintained by the government's Press and Information Office. The Court will call on interpreters from their register because they know them to be reliable and efficient but they may also call on interpreters who are not listed on any register. The Court it also employs its own full time interpreters for the Turkish language, one of the two official languages of the Republic.¹²¹</p> <p>Police regulations require all police officers to use interpreters from their own register, which is available to them through the police portal and which has been approved by the Chief of Police. The register is reviewed at the end of each year or at any other time when necessary, but the approval of the Chief of Police is necessary in order to add the names of further interpreters to the register.¹²² If police officers investigating a case cannot locate in the register an interpreter for a particular language, they may contact an interpreter whose name is not included in the Register once they secure a permit from their Police Director or Assistant Police Director. In such a case, a special form must be completed, supported by minutes where the reasons for calling the particular interpreter are listed and if the interpreter is a third country national, the form must also be supported by documents evidencing that his or her stay in Cyprus is lawful (an identity card or valid passport, a residence permit etc).¹²³</p>
<p>c) Who has access to these databases?</p>	<p>Brief Description: The register maintained by the police is available on a police portal for the use of any police officer who requires the services of an interpreter, but it is not available to the public.¹²⁴ For the purposes of interpretation during police investigations, it is the police who are tasked with finding an interpreter, so access to this register by lawyers or their clients is not crucial.¹²⁵ The register of interpreters of the Court can be made available to lawyers whose clients are in police detention, upon request.¹²⁶</p>		
<p>d) Which professional qualifications are needed by:</p> <ul style="list-style-type: none"> • translators and • interpreters 	<p>Brief Description:</p> <p>In order to be listed in either of the two registers a degree in interpretation is required. To be included in the register of the Courts, the quality of the services of an interpreter must have been tested and found satisfactory. No tests or exams are carried out; assessments are informally made by the judges based on their experience during the trial.¹²⁷ In a report published in 2014,</p>		

¹²¹ Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

¹²² Cyprus, representative of the police.

¹²³ Cyprus, Police Regulation N. 5/48, para. 2(2); representative of the police.

¹²⁴ Cyprus, representative of the police.

¹²⁵ Cyprus, lawyer.

¹²⁶ Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

¹²⁷ Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

	<p>in order to be registered in the database?</p>	<p>the Ombudsman criticized the non-transparent and discretionary manner in which court interpreters are selected, and the absence of any criteria to secure quality of translation and equality of opportunity amongst interested applicants. The Ombudsman was particularly critical of the fact that no academic qualification is required for inclusion in the list of court interpreters nor is there a public procedure of inviting applicants.¹²⁸</p> <p>To be listed in the policy registry the approval of the Chief of Police is required but there are no parameters on how the discretion of the Chief of Police is to be exercised. A valid residence permit is a necessary prerequisite for third country nationals offering interpretation services to the police. The only check performed by the police on their registry of interpreters is intended to ensure that those third country nationals listed as interpreters continue to hold a valid residence visa; if not their name is deleted from the Registry.¹²⁹</p> <p>None of the two competent authorities maintain lists of translators, since written translations are not regularly required; in Cyprus, the tasks of a translator are often performed by interpreters who usually possess both qualifications.</p>	
	<p>e) Are there any requirements in place to ensure the independence of interpreters and translators? If yes, provide a brief overview (for both translators and interpreters).</p>	<p>Yes</p>	<p>Apart from a duty of confidentiality contained in national law, as detailed in the following paragraph, there are no requirements or procedures to ensure the independence of interpreters or translators. An interpreter's independence is usually tested in practice and persons found to lack independence are removed from the registry. There are no criteria in order to test the interpreters' independence and there is no testing done on a case-by-case basis. Instead, interpreters will be removed from the list if accidentally found to be biased or to have an interest in the case or otherwise conduct themselves in an inappropriate manner.¹³⁰ There have been cases where interpreters were found both by the Courts and the police to engage in practices during interpretation which were inappropriate and they were immediately replaced.¹³¹ Lawyers also report that in some cases the interpreters used in procedures involving asylum seekers were found to be connected to the embassy of the country of origin of the asylum seeker.¹³²</p> <p>National law provides that interpreters and translator are under a duty not to reveal any information that they acquire knowledge of in the course of exercising their duties, except information heard as testimony and/or</p>

¹²⁸ Cyprus, Ombudsman, Report of the Commissioner for Administration regarding the selection procedure fo Court interpreters (Έκθεση Επιτρόπου Διοικήσεως και Ανθρωπίνων Δικαιωμάτων αναφορικά με τη διαδικασία επιλογής διερμηνέων στα δικαστήρια) File N. 1730/2014, 11 November 2014. Available at [http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/77EA0DF0F8DB3509C2257DA100376B61/\\$file/1730.2014-11112014.doc?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/77EA0DF0F8DB3509C2257DA100376B61/$file/1730.2014-11112014.doc?OpenElement).

¹²⁹ Cyprus, Police Regulation N. 5/48, para. 5(1); representative of the police.

¹³⁰ Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

¹³¹ Cyprus, lawyer.

¹³² Cyprus, lawyer.

				<p>any other information becoming public in the course of a public court hearing. Breach of this duty may lead to imprisonment of up to three months and/or a fine not exceeding €1,700.¹³³</p> <p>Although hardly a guarantee of independence, police regulations require that, in order to be listed in the police registry, interpreters must not have a criminal record.¹³⁴</p>
	f) Is access to existing databases provided through the European e-Justice portal ? How is this register available to legal counsel and relevant authorities?		No	<p>None of the registers of interpreters used in Cyprus are available through the e-Justice portal.</p> <p>The register of the police is not made available to legal counsel¹³⁵ but may be made available to the Courts upon request.¹³⁶In general, since it is the police or the courts that are tasked with summoning an interpreter, access to the registry by legal counsel is not of crucial significance.¹³⁷</p>
	g) Are criminal justice institutions required to use interpreters and translators listed in these registers?		No	<p>As stated under (b) above, the police and the Courts will generally use interpreters from their own registers although they are not bound to use only those. There are no restrictions for either the Courts or the police in using suitably qualified interpreters not listed in their registers although, in the case of the police, internal procedures require that the decision to use an interpreter who is not listed on the register is justified.¹³⁸</p>
3.2	With regard to other mechanisms/procedures:	Yes	No	Brief Description
	a) Are there other mechanisms or procedures in place to ensure the quality and independence of interpretation and translation during the course of the proceedings? Are there any quality checks? Who is		No	<p>There is no mechanism foreseen in national law, policy or practice to monitor the quality and independence of interpretation of translation.</p> <p>During the court hearing, the judge may ask the interpreters to testify on oath that they are duly qualified and that have good knowledge of the language that they are about to interpret in, but this can hardly be seen as a guarantee of quality and independence. If the interpretation is from English-Greek and vice versa, it is likely that the judge will be able to check the accuracy of the interpretation and make comments and corrections if necessary.¹³⁹ This is not possible with all languages though.</p>

¹³³ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 9. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹³⁴ Cyprus, Police Regulation N. 5/48, para. 5(1); representative of the police.

¹³⁵ Cyprus, lawyer.

¹³⁶ Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

¹³⁷ Cyprus, lawyer.

¹³⁸ Cyprus, Police Regulation N. 5/48, para. 2(2); representative of the police.

¹³⁹ Cyprus, representative of the Nicosia District Criminal Court.

	responsible for carrying them out?			
	b) Is there any procedure in place to ensure that suspects or accused persons have the possibility, when interpretation and translation has been provided, to complain about the quality and independence of the interpretation and translation?	Yes		<p>National legislation provides for the right of accused or suspected persons to orally challenge the adequacy of a translation or an interpretation in order to safeguard the conducting of a fair trial. The competent authority must instantly decide on the claim and record in the minutes of the procedure both the claim and its own reasoned decision. In the event that the competent authority accepts the claim of the accused or suspected person, then it must take all necessary measures for providing translation or interpretation in accordance with the law.¹⁴⁰</p> <p>In practice, no special procedure is foreseen in order for accused or suspected persons to complain about the quality and independence of interpretation or translation, although this may happen unofficially particularly where quality is concerned.</p> <p>During police investigations, the accused or suspected persons can complain to the investigating officer about the quality of the interpretation. The police officer in charge may or may not replace the interpreter, based on whether or not they deem that the complaint has substance or not. If the complaint is directed against an interpreter whom the police know from previous collaborations to be good, it is likely that the interpreter will not be replaced. Complaints of lack of independence are more difficult to substantiate, but if they can be proven (e.g. the interpreter is an employee of the embassy of the country that has requested the extradition of the accused or suspected person) then the police are very likely to replace the interpreter immediately.¹⁴¹</p> <p>During court hearings, the accused may complain to the judge orally and directly that the quality of the interpretation is unsatisfactory, in which case the judge will instantly instruct the Registrar to replace the interpreter with another. As in the case of police investigation, complaints about lack of independence are more difficult to substantiate, but if the accused can show before the judge that the complaint has substance, then the judge will ask for the interpreter's instant replacement.¹⁴²</p>
	c) Are there any mechanisms in place that allow for the	Yes		Procedures for replacement of interpreters whose performance is found unsatisfactory are informal but effective: the judge or the police investigator will ask the interpreter to leave the room and instruct that

¹⁴⁰ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Articles 6(1)(b), 6(2) and 6(3). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹⁴¹ Cyprus, lawyer.

¹⁴² Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

	replacement of the appointed interpreter or a new translation when the quality of the interpretation or the independence of the interpreter is considered insufficient? If yes, briefly provide information.			<p>another interpreter from the registry be contacted. In most cases, a new interpreter is located who can appear immediately, so as to resume proceedings without delay.¹⁴³</p> <p>As stated above, written translation of documents is not regularly provided. Whenever documents need to be translated to an accused or suspected person, this is done orally by the interpreter.</p>
3.3	Are there special procedures designed to take into account the special needs of vulnerable suspects or vulnerable accused persons which affect their ability to communicate effectively? ¹⁴⁴ If yes, briefly provide information on those mechanisms considering the following vulnerable groups:	Yes		National legislation provides for various rights to assistance, but no mechanism for implementing these rights is foreseen. See below.
	a) suspect or accused persons with physical impairment or disability;	Yes		National law provides that the right to interpretation includes “appropriate assistance” such as the use of sign language for those suspected or accused persons with a hearing or a speech problem. ¹⁴⁵ The law offers no additional examples of what other “appropriate assistance” is entailed in the right to interpretation. However, the law on persons with disability safeguards the right of persons with disability to access to information and communication with special means where this is deemed necessary, especially for certain groups of persons with sensory disabilities. ¹⁴⁶

¹⁴³ Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

¹⁴⁴ See in particular recital 27 of Directive 2010/64/EU.

¹⁴⁵ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 4(4)(b). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

¹⁴⁶ Cyprus, Law on persons with disability (*Ο Περί Ατόμων με Αναπηρίες Νόμος*) N. 127(I)/2000, Article 4(2)(e). Available at www.cylaw.org/nomoi/enop/ind/2000_1_127/section-sc411bb449-1e01-2658-c836-ab4779d4c66e.html.

				<p>The law on the rights of persons arrested and detained provides that where a person arrested is apparently unable, due to an intellectual or a physical disability, to exercise rights of communication without assistance, then such person is entitled to assistance from a state medical officer or a state social worker in order to exercise such rights. Such persons are additionally entitled to have a relative contacted and informed by the police in a language which the relative understands, regarding their arrest and detention.¹⁴⁷ Note that these rights apply only as regards the right of an arrested person to communication.</p>
	b) suspect or accused persons with intellectual impairment or disability;			<p>The same provision as in (a) above applies to persons arrested and detained who have an apparent intellectual disability, i.e. they are entitled to assistance from a state medical officer or a state social worker in order to exercise their rights of communication. As in the case of physical disability, persons with an intellectual disability are also entitled to have a relative contacted and informed by the police in a language which the relative understands, regarding their arrest and detention.¹⁴⁸ Additionally, the questioning of persons with an intellectual disability by the police must take place in the presence of their lawyers.¹⁴⁹</p> <p>National law further provides that, in the event that foreigners are arrested who are apparently unable, due to an intellectual disability, to understand or be informed of their rights of communication with their consular or diplomatic mission, with the Ombudsman's office or with the NHRI, such communication will be effected by a police officer.¹⁵⁰</p>
	c) i) children who are suspects/defendants, and/or ii) holders of parental responsibility (please distinguish between the two).			<p>c) i) National law provides that whenever children are arrested, their parents or guardians must be informed of the arrest and of the reasons for it in a language understood by them immediately or as soon as possible after the arrest. The police must additionally inform the arrested children's parents or guardians of the place where the children are detained and the period for which the police intends to detain the child. Depending on the circumstances, the police may also inform the state's social services where this is deemed necessary</p>

¹⁴⁷ 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, Articles 3(4) and 4. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁴⁸ 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, Articles 3(4) and 4. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁴⁹ 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 10. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁵⁰ 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 5. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

			<p>for the child's interests.¹⁵¹The questioning of persons under 18 by the police must take place in the presence of their lawyers.¹⁵²The law does not foresee any duty to inform children of their rights in a child-friendly manner and language.</p> <p>There is no provision in any legislation affording special rights to adults who are holders of parental responsibility.</p>
3.4	Is there any recording procedure to note that interpretation and translation have occurred and in which form? ¹⁵³ If yes, briefly provide information on how this procedure is organised in practice.	Yes	<p>National law provides for the keeping of a record in order to document that</p> <ul style="list-style-type: none"> - a police investigation or court hearing was conducted through the assistance of an interpreter; - interpretation was provided during the execution of a European Arrest Warrant; - an oral translation or an oral summary of essential documents was supplied to the accused/suspected person - The accused/suspected persons waived their right to a translation or a summary. <p>At the stage of the police investigation, the above record is kept in the file of the case; in the case of a court hearing, the information is recorded in the minutes of the procedure.¹⁵⁴</p>

¹⁵¹ 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 6. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁵² 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 10. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁵³ See in particular Article 7 and relevant recitals of Directive 2010/64/EU.

¹⁵⁴ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 8. Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

SECTION B: RIGHT TO INFORMATION IN CRIMINAL PROCEEDINGS

1.	PROVISION OF INFORMATION ON THE PROCEDURAL RIGHTS ¹⁵⁵	Brief Description
1.1		<p>Please provide answers to the following for each stage of proceedings as indicated below:</p> <p>a) What information is provided?</p> <p>b) How is it provided (e.g. orally or in writing)?</p> <p>c) What is the timeframe (deadline) for providing interpretation at each stage of the proceedings?</p> <p>Please cross-check findings from the desk research by consulting relevant organisations and/or practitioners.</p>
	<ul style="list-style-type: none"> • police questioning; 	<p>a) Persons arrested must be informed of the reasons for their arrest and detention, the act for which they are accused, their right to access a lawyer, any right to legal aid and the preconditions for such legal aid, the right to translation and interpretation, the right to remain silent, the place where they will be detained and their rights as regards communication with third parties.¹⁵⁶</p> <p>The document of rights which the police is under a duty to provide to all persons arrested additionally foresees for the right to access prosecution material, the right to inform consular authorities, the right to emergency health care, the maximum time for which accused persons may be deprived of their liberty until they appear in court, the right to challenge the legality of their arrest and detention and the right to have their detention reviewed and to be temporarily released.¹⁵⁷</p> <p>National law also provides for the right of persons arrested and detained to be given personally or through their lawyers access to essential documents which are relevant to their case and which are in the possession of the prosecution and are necessary for the effective challenge of the legality of the arrested person's arrest and detention. "Essential documents" are: the arrest warrant, the detention order and the affidavit based on which the arrest warrant and detention order were issued.¹⁵⁸ If the prosecution</p>

¹⁵⁵ See in particular Article 3 and relevant recitals of Directive 2012/13/EU.

¹⁵⁶ Cyprus, Law on the rights of persons arrested and detained (Ο περί των Δικαιωμάτων Προσώπων που Συλλαμβάνονται και Τελούν υπό Κράτηση Νόμος) Ν.163(Ι)/2005 as amended, Articles 3(1) and 3(2). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁵⁷ Cyprus, Law on the rights of persons arrested and detained (Ο περί των Δικαιωμάτων Προσώπων που Συλλαμβάνονται και Τελούν υπό Κράτηση Νόμος) Ν.163(Ι)/2005 as amended, Article 7(1A)(b). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁵⁸ Cyprus, Law on Criminal Procedure (Ο Περί Ποινικής Δικονομίας Νόμος) Cap.155, Article 7(1). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

comes to be in possession of new material which it intends to use in the procedure, the accused must again be given access to this new material.¹⁵⁹ The derogation of article 7(4) of the Directive on the Right to Information is copied verbatim into national law.¹⁶⁰

The scope of the law providing for the right to information does not extend to persons not placed under arrest, who are merely invited for questioning.

The criminal procedure law provides that criminal investigators may request any persons they believe to be aware of facts concerning an offence under investigation to attend any place and at any time in order give a statement. The investigators record the statement and then present it to the person to read and sign. If the person refuses to sign it, the investigator will sign it instead, marking the reason for the person's refusal if this is known. A statement that is proven to have been signed voluntarily by the person can be presented in court for the purpose of a criminal procedure.¹⁶¹ It may be inferred from this provision that the statement can be presented in Court only where the investigator can prove that the person signed the statement in full understanding of its contents, either because the statement was recorded in a language understood by this person or because interpretation was provided.

b) The information provided in (a) above, first paragraph, need only be provided orally in a language understood to persons arrested and detained.¹⁶² However the police is also under a duty to provide a document of rights in a language understood to the persons arrested and detained, setting out the right to access a lawyer, any right to legal aid and the preconditions for such legal aid, the right to translation and interpretation, the right to remain silent, the right to access prosecution documents, the right to inform their consular authorities and other persons, their right to access emergency medical care, the maximum period in detention before appearing in court and the right to challenge the legality of their arrest and detention. If this document is not available in a language understood to persons arrested and detained, its contents are orally explained to them and the document must be supplied to them in a language they understand without unjustified delay.¹⁶³

¹⁵⁹ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(2). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

¹⁶⁰ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(4). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

¹⁶¹ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος* Κεφ 155), Cap 155, Article 5. Available at www.cylaw.org/nomoi/enop/non-ind/0_155/full.html.

¹⁶² 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 3(1). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁶³ 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 7. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

	<p>The document of rights setting out the above rights is currently only available in Greek, although its translation into 16 languages is currently under way.¹⁶⁴</p> <p>In practice, the police do not provide written translation for the arrest warrant, the detention order or the affidavit based on which the arrest warrant and detention order were issued. The police interpreter and/or the accused persons' lawyers supply the persons accused or suspected with an oral summary of these documents. For Greek speakers, the police may provide copies of essential documents in the national language upon request.¹⁶⁵</p> <p>c) Investigators are under a duty not to commence the investigation before the accused/suspect persons are supplied with information about their rights.¹⁶⁶ In practice, an old document of rights setting out some of the rights foreseen in the law is handed to all persons arrested as soon as they are transported into the police station and shortly after their arrest. The contents of the new longer version of the document of rights are explained to them orally by the interpreter who is summoned to the police station in order to assist with the taking of the statement of the person arrested.¹⁶⁷</p>
<ul style="list-style-type: none"> • court hearings; 	<p>a) No additional information is provided to an accused person at the stage of the court hearing, except for the access to documents. According to national law, the documents considered essential to safeguard the fairness of the proceedings are those necessary for the effective challenge of the legality of the arrest and detention, i.e. copies of the arrest warrant, the detention order and the affidavit based on which the arrest warrant and detention order were issued.¹⁶⁸ If the judge orders the accused's appearance before the Court for a summary trial or for referral to the Assize Court,¹⁶⁹ then the accused can apply in writing to the prosecution for free access to the testimonies and documents collected during the investigation of the case, in order to secure a fair trial and the preparation of the accused's defence. If the prosecution comes to be in possession of new material which it intends to use in the procedure, the accused must again be given access to this new material.¹⁷⁰ The derogation of article 7(4) of the Directive on the Right to Information is copied verbatim into national</p>

¹⁶⁴ Cyprus, representative of the police.

¹⁶⁵ Cyprus, lawyer.

¹⁶⁶ 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 9. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁶⁷ Cyprus, police officer and lawyer.

¹⁶⁸ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(1). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

¹⁶⁹ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 44. Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

¹⁷⁰ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(2). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

		<p>law.¹⁷¹In spite of the legislative provision for the free access to testimonies and documents,¹⁷² the court will charge a fee for documents provided,¹⁷³ which currently stands at €1 per page.¹⁷⁴</p> <p>b) Copies of the requested documents are provided in their original language, which is normally Greek.¹⁷⁵</p> <p>c) No particular timeframe is provided. The refusal of the prosecution to supply any accused persons with documents requested does not automatically suspend the proceedings; this is left to the court's discretion. The law provides that in the event that the prosecution does not grant an accused person access to any part of the testimonies and documents taken during the investigation of the case, the accused person may at the first hearing of the case request the court to look into the reasons for this refusal and issue any order the court deems fit.¹⁷⁶</p>
	<ul style="list-style-type: none"> any necessary interim hearings; 	<p>a) The same procedure is foreseen for all types of hearings, whether main or interim. The accused person is entitled to receive from the prosecution the following documents which are necessary for the effective challenge of the legality of the arrest and detention: copies of the arrest warrant, the detention order and the affidavit based on which the arrest warrant and detention order were issued.¹⁷⁷If the judge orders the accused person's appearance before the Court for a summary trial or for referral to the Assize Court,¹⁷⁸ then the accused can apply in writing to the prosecution for free access to the testimonies and documents collected during the investigation of the case, in order to secure a fair trial and the preparation of the accused's defence. If the prosecution comes to be in possession of new material which it intends to use in the procedure, the accused must again be given access to this new material.¹⁷⁹ The derogation of article 7(4) of the Directive on the Right to Information applies.¹⁸⁰</p>

¹⁷¹ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(4). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

¹⁷² Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(2). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

¹⁷³ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(3). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

¹⁷⁴ Cyprus, representative of the Registrar of the Nicosia District Criminal Court.

¹⁷⁵ Cyprus, representative of the Registrar of the Nicosia District Criminal Court and lawyers.

¹⁷⁶ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(5). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

¹⁷⁷ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(1). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

¹⁷⁸ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 44. Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

¹⁷⁹ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(2). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

¹⁸⁰ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(4). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

	<p>b) Copies of the requested documents are provided in their original language, which is normally Greek.¹⁸¹</p> <p>c) No particular timeframe is provided. The refusal of the prosecution to supply any accused persons with documents requested does not automatically suspend the proceedings; this is left to the court's discretion. The law provides that in the event that the prosecution does not grant an accused person access to any part of the testimonies and documents taken during the investigation of the case, the accused person may at the first hearing of the case request the court to look into the reasons for this refusal and issue any order the court deems fit.¹⁸²</p>
<ul style="list-style-type: none"> • Any communication between suspects and accused persons and their legal counsel in direct connection with any questioning or hearing during the proceedings? 	<p>(a) National legislation does not foresee any right to information for the purposes of the communication between suspected or accused persons and their lawyers. The only rights granted to facilitate communication between arrested persons and their lawyers are the following:</p> <ul style="list-style-type: none"> - Accused or suspected persons have the right to communicate with their lawyers without any other person present;¹⁸³ - If the persons arrested are under 18 or have an intellectual disability, the police questioning takes place in the presence of their lawyers.¹⁸⁴ Children aged under 18 have the additional right of having their parents or guardians attend the interviews with their lawyers.¹⁸⁵ - Persons detained have the right to confidential interviews with their lawyers in the detention centre at any day and time, at a private space not visible or audible to any police officer and to have confidential exchanges with their lawyers;¹⁸⁶ - If the persons detained cannot communicate with their lawyers because of a language problem then the police must make available to the persons detained an interpreter to facilitate communication with their lawyers.¹⁸⁷

¹⁸¹ Cyprus, representative of the Registrar of the Nicosia District Criminal Court and lawyers.

¹⁸² Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(5). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

¹⁸³ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κράτηση Νόμος*) N.163(I)/2005 as amended, Article 3(2)(a). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁸⁴ 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 10. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁸⁵ 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 12(3). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁸⁶ 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 12. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁸⁷ 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 12. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

		b) N/a
		c) N/a
1.2	Do authorities provide information about any other procedural rights (apart from those established in Article 3 of the Directive)? If yes, briefly provide information.	<p>Yes, in addition to the rights of Article 3 of the Directive, the police is under a duty to inform persons arrested of the following:</p> <ul style="list-style-type: none"> - The place where the arrested persons will be detained;¹⁸⁸ - The right to call a lawyer of their choice without any other person being present; - The right to call a relative or other person of their choice in the presence of a police officer; - For persons under 18, the right to call their parents or guardians to inform them about their arrest and the place where they are detained.¹⁸⁹ <p>The document of rights which the police must hand to persons arrested must include information about the following additional rights:¹⁹⁰</p> <ul style="list-style-type: none"> - The right to access prosecution material that is essential for challenging arrest and detention (arrest warrant, detention order, copy of the application and the sworn statement on the basis of which the warrant was issued);¹⁹¹ - The right to inform consular authorities and other persons; - Access to emergency medical care; - The maximum period of detention allowed by law before appearing in court;

¹⁸⁸ 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 3(1). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁸⁹ 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 3(2). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁹⁰ 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 7(1A)(b). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁹¹ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(1). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

		<ul style="list-style-type: none"> - The right to challenge the legality of the arrest and detention.
2.	LETTER OF RIGHTS¹⁹²	Brief Description
2.1	<p>What rights does the letter of rights provide information about? What information is included in the letter of rights when children are arrested or detained?</p>	<p>For persons arrested under a European Arrest Warrant, the letter of rights provides for the following rights:</p> <ul style="list-style-type: none"> - The maximum period they can be detained before presented in Court is 24 hours from the point of the arrest; - The right to be informed of the contents of the European Arrest Warrant on the basis of which they were arrested, in a language understood to them, although sometimes this information will be provided only in summary form and /or orally; - The right to speak confidentially to a lawyer; - The right to assistance from the police to contact a lawyer; - The right to free interpretation in communicating with their lawyers; - The right to confidentiality in all communications with their lawyers; - The right to consent or not consent to be surrendered to the member state that has requested their arrest. Their consent will accelerate the procedure but the decision to consent cannot be revoked subsequently. - Persons who do not consent to their surrender have the right to a hearing before the Court. <p>For persons arrested under a national arrest warrant the letter of rights provides:</p> <ul style="list-style-type: none"> - The right to be informed in a language they understand the reasons for their arrest or detention and the act which they are alleged or accused of having committed; - The right to speak to lawyer confidentially; - The right to receive assistance from the police in contacting a lawyer; - For persons who have difficulties in exercising their right to communication due to an intellectual or physical disability, the right to assistance in order to exercise such right from a state social worker or a medical worker whose services must be made available immediately or as soon as possible after their arrest; - The right to be supplied with a list of all registered lawyers and their contact details; - The right to confidential interviews with their lawyers any day and time in a private space which is not visible or audible to any member of the police and to exchange oral or written confidential instructions; - For persons under 18 or persons who do not fully understand their rights as a result of an intellectual disability, the right to have a lawyer present during police questioning; - For persons under 18, the right to have their parents or guardians present during interviews with their lawyers; - The right to apply to Court for legal aid;

¹⁹² See in particular Article 4 and relevant recitals of Directive 2012/13/EU.

- The right to free interpretation to assist in communications with their lawyers, who is under a duty of confidentiality as regard the content of that communication;
- The right to free translation of all essential documents (arrest warrant and or detention order, the indictment, any court decision or order within the procedure or any other document deemed essential by the competent authority acting wither on its own initiative or following a justified request from the arrested persons or their lawyers). In some cases, an oral interpretation or an oral summary may be provided instead of a written translation;
- If the arresting police officer does not speak a language understood to the arresting persons to inform them of their rights upon arrest, information must be supplied as soon as possible and in any case before questioning starts;
- The right to interpretation with a doctor in case medical care needs to be provided, if the doctor asks for it;
- The right to remain silent;
- The right to access essential documents (arrest warrant, detention order, the application and the sworn statement on the basis of which the arrest warrant) was issued in order to challenge the legality of the arrest or the detention. In the event that the case is referred to the Court, the right the access statements and testimonies acquired during the investigation of the case;
- The right to inform a person, such as a member of their family or their employers, of their arrest. This right may be restricted temporarily);
- The right to contact their consular authority or embassy;
- For persons under 18 the right to contact their parents or guardians and to inform them of their arrest and the place of their detention;
- The right to communication may be restricted for up to 12 hours from arrest if there is reasonable suspicion that the exercise of this right may lead to the destruction or hiding of evidence relating to the case, prevent the arrest or detention of another person or lead to another person's escape, lead to the commission of another offence or to the death or bodily injury of any person, or damage the interests of the Republic or the constitutional or public order or interfere with the delivery of justice;
- For persons who cannot exercise the right to communication without assistance due to a physical or intellectual disability, the right to exercise this right with the assistance or in the presence of a state social worker or medical worker, who must be placed at their disposal as soon as possible after arrest or within 12 hours.
- For persons who due to an intellectual disability do not understand or cannot be informed of their rights to communication, their right to have a relative contacted in a language understood to the relative, regarding their arrest and the place where they are detained;
- The right of foreigners to contact their consular or diplomatic authority as soon as practicable after the arrest in the presence of the police and in the event that there is no consular or diplomatic mission of their country in Cyprus then the office of the Ombudsman.
- The right of persons who due to an intellectual disability do not understand or cannot be informed of their rights to communication, the right to have their consular or diplomatic mission or the Ombudsman informed by the police.
- The right to emergency medical treatment by a doctor of their choice (in which case the cost is borne by the persons arrested themselves) or by a state doctor;

		<ul style="list-style-type: none"> - The right to be medically examined or treated in a private space not visible or audible by the police unless the police has reason to believe that the bodily integrity of the doctor is at risk in which case the medical examination will take place in a place visible (but not audible) to a police officer of the same sex as the detained person; - For persons under 18, the right to have their parents or guardians attend every medical examination or treatment; - The right to interpretation in the communication between detained persons and the doctors, provided the doctors request for it; - The right to be presented before a judge within 24 hours from arrest, where a hearing will be heard to decide on the continuation of their detention or their release; - The right to be visited daily by a relative or another person of their choice and in the case of persons under 18 by their persons for a maximum of one hour each time in a private space within the detention centre in the presence of a police officer; - In the case of foreigners, the right to be visited daily for maximum one hour by members of their consular or diplomatic mission in Cyprus and in the event where there is no such consular or diplomatic mission of their country in Cyprus the right extends to international or national human rights organisations - The right to exchange letters with their lawyers which will not be opened or read by the police except in exceptional circumstances where the police has cause to believe that the envelope contains in illegal object in which case the letter is opened in the presence of the detainee; - The right to exchange letters with the European Court of Human Rights, the Attorney General, the Ombudsman and any international or national human right organisation with competence to investigate allegations for human rights violations without having these letters opened by the police; - The right to exchange letter with relatives, friends or other persons on the condition that these will be checked by the police in the presence of the detainee and be confiscated if they are found to enclose an illegal object or if they place the security of the detention centre or other detainees at risk or the content is otherwise criminal or is likely to obstruct the investigation of offences; - The right not to be subjected to torture or inhumane or degrading treatment; - The right to dignified treatment; - The right to occupy a cell of a reasonable size with essential facilities and conditions of hygiene, sufficient light and ventilation and suitable recreational equipment; - For detainees under 18, the right to occupy cells separately from other detainees; - The right to occupy cells separately from detainees of the opposite sex; - Women detainees have the right to treatment that does not directly or indirectly amount to sexual harassment or moral degradation; - Women detainees have the right to breastfeed and to reside with their babies in their cells at their own cost; - Women detainees are entitled to goods of personal hygiene or they are entitled to be supplied with such goods of their own choice at their own expense; - Women detainees who are pregnant are entitled to arrangements so as for their pregnancy not to be adversely affected;
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		<ul style="list-style-type: none"> - The right to have the document of rights and the rules of the detention centre posted in every cell in Greek, Turkish and English - The right to sue for compensation for any violation of their rights; - Rights are not deemed to have been waived by virtue of the fact that they have not been exercised at a given time. <p>Until recently, the above letter of rights was available only in Greek. According to the police, for non-Greek speaking persons in detention, its contents are orally translated by the interpreter engaged by the police to assist with the taking of the statement. Since June 2015, the letter of rights of persons arrested with a national arrest warrant was translated into 11 languages including English; the letter of rights of persons arrested with a European arrest warrant was translated into 8 languages including English.¹⁹³</p> <p>There is no separate letter of rights used when children are arrested.</p>
2.2	At what stage of the proceedings is the letter of rights provided? Please cross-check findings from the desk research by consulting relevant organisations and/or practitioners.	The law provides that it must be provided as soon as possible after the arrest. ¹⁹⁴ Lawyers consulted state that the above described document is not provided at all and that the police are using a shorter and older version. ¹⁹⁵ This may be changing from June 2015 onwards, however, as the police has finally received from the government's Press and Information Office the letter of rights translated into several languages
2.3	Is the letter of rights drafted in simple and accessible language? How do competent authorities verify whether the language is simple and accessible enough for the suspects or accused persons and/or that the suspects or	Old one was OK. Police claim they inform persons in English and when they go to police stations they will call interpreter to take testimonies. The new document of rights which the police will start using from June 2015 is relatively simple and accessible, depending on the level of education of the reader. There are no procedures in place to verify if the language is indeed sufficiently simple and whether its contents have in fact been understood by the suspect/accused person.

¹⁹³ Cyprus, representative of the police.

¹⁹⁴ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) Ν.163(Ι)/2005 as amended, Article 7(1A)(α). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁹⁵ Cyprus, lawyers.

	accused persons understand the language? Please cross-check findings from the desk research by consulting relevant organisations and/or practitioners.	
3.	RIGHT TO INFORMATION ABOUT THE ACCUSATION¹⁹⁶	Brief Description
3.1	What information is provided to the suspects or accused persons regarding what they have been accused of and how is it provided (e.g. orally or in writing)	At the point of the arrest, persons arrested are orally informed in a language understood to them of the reason for their arrest and the offence which they are alleged or accused to have committed. ¹⁹⁷ This information does not normally entail a great deal of detail and will not extend beyond a few words to describe the act they are accused of and the date and place of the commission of the act. ¹⁹⁸ Subsequently and once the prosecution documents are drawn up, accused persons will be handed of a copy of the indictment which sets out the charges against them in greater detail. In case the arrest is made with an arrest warrant issued by the Court, then the arrest warrant, which must be shown to the person arrested, will also mention briefly the act for which the person is being arrested. ¹⁹⁹
3.2	At which stage of the proceedings is the information provided? Please cross-check findings from the desk research by consulting relevant organisations and/or practitioners.	If the arresting police officer speaks a language that is understood by the persons arrested, then the information about the reason for their arrest will be provided upon the arrest or as soon as possible after the arrest. If the arresting officer does not speak any language understood by the arrested persons, then they will be taken into the police station whereupon the arresting police officer will inform the police director so as to make arrangements for the accused persons to be informed of the reason of their arrest and their rights and, if necessary, an interpreter will be summoned to explain to persons arrested the reasons for

¹⁹⁶ See in particular Article 6 and relevant recitals of Directive 2012/13/EU.

¹⁹⁷ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) Ν.163(Ι)/2005 as amended, Articles 3(1) and 7(2). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

¹⁹⁸ Cyprus, lawyer.

¹⁹⁹ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 19(2). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

		<p>their arrest and the act they are being accused of as soon as possible and in any case before questioning begins.²⁰⁰ This provision is normally implemented without problems.²⁰¹</p> <p>If the person is not arrested, then the police investigator will ask the person to visit the police station for questioning. During the questioning, the investigator records the statement and then presents it to the person to read and sign. If the person refuses to sign it, the investigator will sign it instead, marking the reason for the person's refusal if this is known. A statement that is proven to have been signed voluntarily by the person can be presented in court for the purpose of a criminal procedure.²⁰² It is therefore up to the investigator to ensure that the person giving the statement understands its contents in order to secure his or her signature on the statement. In practice, it is extremely rare that a person is charged with a criminal offence and is not arrested.²⁰³</p>
3.3	How are suspects or accused persons informed when, in the course of the criminal proceedings, the details of the accusation change?	Criminal procedure rules require that arrested persons are informed immediately of any change in the information supplied to them that significantly alters their position as suspects. ²⁰⁴
4.	RIGHT OF ACCESS TO CASE MATERIALS²⁰⁵	Brief Description
4.1	What material evidence can be accessed by suspected or accused persons (e.g. documents, photographs, audio, video, summaries...)?	National law does not describe in great detail the type of material that accused persons can have access to. Criminal procedure rules provide for access to “essential materials” which it defines as the arrest warrant, the application and the affidavit on the basis of which the court orders were issued. ²⁰⁶ These materials clearly do not include photographs or videos or audio material. Accused persons are also entitled access to “testimonies and documents” acquired during the investigation of the case as well as to “new material” acquired by the prosecution which will be used in Court. ²⁰⁷ Although the law is silent on whether

²⁰⁰ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) N.163(I)/2005 as amended, Articles 7(2) and 7(3). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²⁰¹ Cyprus, lawyer.

²⁰² Cyprus, Law on criminal procedure Cap 155 (*Ο Περί Ποινικής Δικονομίας Νόμος*), Article 5. Available at www.cylaw.org/nomoi/enop/non-ind/0_155/full.html.

²⁰³ Cyprus, lawyers.

²⁰⁴ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 13. Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

²⁰⁵ See in particular Article 7 and relevant recitals of Directive 2012/13/EU.

²⁰⁶ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(1). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

²⁰⁷ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 7(2). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

		photographs, video or audio material are included in the definition of ‘testimonies and documents’, it may be inferred that to the extent that photographs, audio, video and other material can be also be presented in court as testimony, ²⁰⁸ the right to access testimonies cannot be interpreted as excluding those.
4.2	At what stage of the proceedings is access to case materials granted? Please cross-check findings from the desk research by consulting relevant organisations and/or practitioners.	The law requires that essential materials are supplied to the accused persons or their lawyers “promptly”. ²⁰⁹ Although no interpretation of this term is provided in law or in case law, it may be interpreted to mean that the documents must be supplied on time to enable the accused persons to prepare their defence and/or to challenge the legality of their arrest and detention. Given that the first appearance before the court in order to obtain a detention order is within 24 hours from arrest, it is possible to conclude that the documents needed for accused persons to challenge their detention must be supplied early in these 24 hours. In practice, the arrest warrant and the documents on which the arrest was issued are supplied to the accused persons’ lawyers as soon as they arrive at the police station where their clients are detained. ²¹⁰
4.3	Under what circumstances is access to material refused? Who takes the decision of refusal?	Provided the right to fair trial is not adversely affected, access to part of the testimonies and documents acquired in the process of the investigation may be refused if such access is likely to put at risk the life or fundamental rights of another person or in the case that such refusal is considered absolutely necessary for the protection of important public interest or where access is likely to interfere with the conducting of an investigation or is likely to seriously damage national security. ²¹¹ The refusal decision is taken by the competent authority at the time, being the police or the investigator at the stage of police questioning or the Courts at the stage of the hearing. Where the refusal decision is taken by the police or the investigator, this is subject to judicial review. ²¹² Where this decision is made by the courts, it is subject to reversal by a higher court. ²¹³

²⁰⁸ Cyprus, Law on evidence (Ο περί αποδείξεως νόμος) Article 36A. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html; Cyprus, Law on witness protection of 2001 (Ο περί Προστασίας Μαρτύρων Νόμος του 2001) N. 95(I)/2001, Articles 4-10. Available at http://www.cylaw.org/nomoi/enop/non-ind/2001_1_95/index.html.

²⁰⁹ Cyprus, Law on Criminal Procedure (Ο Περί Ποινικής Δικονομίας Νόμος) Cap.155, Article 7(2). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

²¹⁰ Cyprus, lawyer.

²¹¹ Cyprus, Law on Criminal Procedure (Ο Περί Ποινικής Δικονομίας Νόμος) Cap.155, Article 7(4). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

²¹² Cyprus, Constitution of the Republic of Cyprus (Σύνταγμα της Κυπριακής Δημοκρατίας), 16 August 1960, Article 146. Available at www.cylaw.org/nomoi/enop/non-ind/syntagma/index.html.

²¹³ Cyprus, Courts of justice Law of 1960 until (No. 3) of 1998 (Οι περί Δικαστηρίων Νόμοι του 1960 έως (Αρ.3) του 1998), Article 25. Available at www.cylaw.org/nomoi/enop/non-ind/1960_1_14/full.html.

5.	CROSS-CUTTING ISSUES: LANGUAGES, COMPLAINT MECHANISMS, RECORDING & SPECIAL MEASURES²¹⁴	Brief Description
5.1	In which languages can information be provided for the following?	
	a) information on procedural rights	Information on procedural rights is provided through the document of rights [see (b) below].
	b) letter of rights	<p>There are two documents of rights currently being used by the police:</p> <ul style="list-style-type: none"> - The older shorter version which was available in Greek, English, French, Bulgarian, Iranian, Chinese, Polish, Russian, Turkish, Romanian, Arabic, Sinhalese and Vietnamese.²¹⁵ - A new document of rights was prepared, following the legislative amendments of 2014 purporting to transpose the Directive on the Right to Information. In June 2015, this document became available in 13 languages: Greek, Arabic, Bulgarian, Russian, English, Iranian, Romanian, Turkish, French, Latvian, Polish, Georgian, and Sinhalese. The letter of rights for persons arrested on the basis of a European Arrest Warrant is available in ten languages: Greek, German, Romanian, English, Bulgarian, Dutch, French, Latvian, Italian and Polish.²¹⁶
	c) information about the accusation	There is no exhaustive list of languages in which information about the accusation may be provided. The police's registry of interpreters who may be summoned to explain the accusation to persons accused is regularly updated and the option of using interpreters beyond the registry is also available. Double interpretation may be used in cases where the police cannot locate a single n interpreter who can interpret in the language of the accused person.

²¹⁴ See in particular Articles 3 - 8 and relevant recitals of Directive 2012/13/EU.

²¹⁵ Cyprus, representative of the police.

²¹⁶ Cyprus, representative of the police.

	d) case materials	In spite of the relevant legislative provision, case materials are not translated and are only made available in the national language (Greek).		
		Yes	No	Brief Description
5.2	Is there any procedure to ensure that suspects or accused persons have the right to challenge the failure or refusal to provide information on the following? If yes, briefly describe the procedure where relevant.	Yes		
	a) information on procedural rights	Yes		<p>The duty to provide information on procedural rights, which essentially rests with the police, is to be implemented by the supply of both oral information and of a document or rights. A breach of this duty entitles the suspected or accused person to file a lawsuit for compensation against the state and against the member of the police or the prison staff or the director of the detention centre and claim fair compensation irrespective of whether or not the breach of this duty has caused any nominal or monetary damage or loss.²¹⁷</p> <p>Police officers who are found to be in breach of any of their duty to provide information to persons arrested or detained or who violate any of the other rights of detainees are guilty of criminal and disciplinary offences.²¹⁸ However, unless the suspected or accused person commences a private criminal case against such police officer, which can at any time be interrupted by the Attorney General, the discretion as to whether a public prosecution is to be initiated rests with the Attorney General.²¹⁹ Complaints against police officers in breach of their duties may also be filed with the Ombudsman²²⁰ and with to the Independent Authority for investigating Complaints against</p>

²¹⁷ Cyprus, Law on the rights of persons arrested and detained (Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος) N.163(I)/2005 as amended, Article 36. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²¹⁸ Cyprus, Law on the rights of persons arrested and detained (Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος) N.163(I)/2005 as amended, Articles 32, 33 and 34. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²¹⁹ Cyprus, The Constitution of the Republic of Cyprus (Το Σύνταγμα της Κυπριακής Δημοκρατίας), Article 113(2). Available at www.cylaw.org/nomoi/enop/non-ind/syntagma/full.html.

²²⁰ Cyprus, Law on Commissioner for Administration (Ο Περί Επιτρόπου Διοίκησης Νόμος) N.3/1991. Available at www.cylaw.org/nomoi/enop/non-ind/1991_1_3/index.html.

			the Police, ²²¹ however none of these two bodies has the mandate or human capacity to intervene swiftly in order to suspend the criminal proceedings until the accused is informed of his or her procedural rights or to prevent a maladministration of justice.
	b) letter of rights		Same provisions as in (a) above apply to the letter of rights, which also must include information on procedural rights. ²²² A breach of the duty to supply the letter of rights gives rise to a claim for compensation and creates criminal offences for the police officers involved.
	c) information about the accusation	Yes	The right to inform arrested persons of the reasons for their arrest is found both in legislation transposing the Directive on the Right to Information ²²³ as well as in the Constitution. ²²⁴ The failure to provide this information is therefore actionable both in the way described in (a) above (claim to compensation, criminal prosecution against police) and under the principle established by the Supreme Court in the case of <i>Yiallourou</i> ²²⁵ where the Court established that constitutional provisions are actionable per se and can give rise to compensation.
	d) access to case materials	Yes	Criminal procedure rules provide that the refusal of the authorities to provide access to any part of the testimonies or documents collected during the investigation of the case entitles the accused person to request the Court during the first hearing session to examine the reasons for such refusal. ²²⁶ If the Court finds that the refusal to provide access was contrary to the law and is not covered by the derogation contained in Directive Article 7(4), as transposed into national law, ²²⁷ it will order the prosecution to provide the material requested by the accused or

²²¹ Cyprus, Law on the police (Independent authority for the investigation of allegations and complaints) [Ο περί Αστυνομίας (Ανεξάρτητη Αρχή Διερεύνησης Ισχυρισμών και Παραπόνων) Νόμος] Ν. 9(Ι)/2006. Available at www.cylaw.org/nomoi/enop/non-ind/2006_1_9/index.html.

²²² Cyprus, Law on the rights of persons arrested and detained (Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος) Ν.163(Ι)/2005 as amended, Article 7(1A)(b). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²²³ Cyprus, Law on the rights of persons arrested and detained (Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος) Ν.163(Ι)/2005 as amended, Article 3(1). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²²⁴ Cyprus, The Constitution of the Republic of Cyprus (Το Σύνταγμα της Κυπριακής Δημοκρατίας), Article 11(4). Available at www.cylaw.org/nomoi/enop/non-ind/syntagma/full.html.

²²⁵ Cyprus, Supreme Court, *Yiallourou v. Evgenios Nicolaou (Τάκη Γιάλλουρου Ευγένιου Νικολάου)* No. 9331, 08 May 2001. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_1/2001/1-200105-9931.htm&qstring=%E3%E9%E1%EB%EB%EF%F5%F1%EF*%20and%20%E5%F5%E3%E5%ED*%20and%20%ED%E9%EA%EF%EB%E1%EF*.

²²⁶ Cyprus, Law on Criminal Procedure (Ο Περί Ποινικής Δικονομίας Νόμος) Cap.155, Article 7(5). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

²²⁷ Cyprus, Law on Criminal Procedure (Ο Περί Ποινικής Δικονομίας Νόμος) Cap.155, Article 7(4). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

				suspected person and adjourn the case until the material is supplied. If the refusal decision is made by the Court itself, such decision is subject to reversal by a higher court.
5.3	Is any official record kept to note the provision of information about the following? If yes, briefly describe where relevant.	Yes		
	a) information on procedural rights			National law regulating the rights of persons arrested and in detention provides that every time information is provided to an arrested person under this law, this must be recorded in the relevant investigation file, marking also the date and time of providing such information. ²²⁸ The investigation file must also be informed every time an arrested person demands to exercise any of the rights foreseen in the law, with date and time of the exercise of the right. The file must also be updated every time a right was not exercised, noting also the reasons for such non-exercise. ²²⁹ The waiver of any of the rights foreseen under this law must also be recorded in the investigation file and the arrested persons will be asked to sign this waiver; in case they refuse, the waiver will be signed by the investigator. ²³⁰ The law covers the right of persons arrested to be informed immediately after their arrest in a language understood to them the reasons of their arrest and detention and the act which they are accused of, the right of access to a lawyer and to legal aid, the right to interpretation and translation, the right to remain silent and the place of their intended detention. The law does not require that the accused acknowledges in writing receipt of the letter of rights.
	b) letter of rights			Same procedure as in (a) applies. The provision or non-provision of the letter of rights must also be recorded but the signature of the accused is not required in such record. ²³¹

²²⁸ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) N.163(I)/2005 as amended, Article 11(1). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²²⁹ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) N.163(I)/2005 as amended, Article 11(2). Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²³⁰ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) N.163(I)/2005 as amended, Article 11. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²³¹ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) N.163(I)/2005 as amended, Article 11. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

	c) information about the accusation			Same procedure as in (a) applies. The provision or non-provision of information regarding the accusation must also be recorded but the signature of the accused is not required in such record. ²³²
	d) access to case materials			Apart from the duty of the criminal court judge to keep minutes of all judicial proceedings, ²³³ there is no duty to record access to case materials. However, given that the request for access must be submitted in writing and the receiver must sign a receipt for the copies of the documents supplied, these documents already constitute a record of the access to materials. The same system applies to pre-trial investigation: the written request for and the supply of the material are in itself a record.
5.4	Are there special procedures designed to take into account the special needs of vulnerable suspects or vulnerable accused persons (e.g. because of any physical impairments which affect their ability to communicate effectively (persons with hearing, sight or speech impediments), intellectual disabilities or in case of children and the holder of parental responsibility) in relation to:	Yes		Special procedures for persons with disabilities, physical or mental, are foreseen only in their right to contact a lawyer and a relative or another person of their choice and during police questioning, where persons with intellectual disability can have their lawyer present. ²³⁴ Similar provisions apply for persons aged under 18 who are entitled to have their parents or guardians attend their interviews with their lawyers and who must be questioned by the police only in the presence of their lawyer. ²³⁵ Other than these procedural safeguards, no special arrangements are foreseen to take into account the special characteristics of vulnerable suspects, which are deemed to have been addressed through bringing other parties into the picture (social workers, doctors, lawyers, parents, guardians).

²³² Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) Ν.163(Ι)/2005 as amended, Article 11. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²³³ Cyprus, Law on Criminal Procedure (*Ο Περί Ποινικής Δικονομίας Νόμος*) Cap.155, Article 173(1). Available at www.cylaw.org/nomoi/enop/non-ind/0_155/index.html.

²³⁴ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) Ν.163(Ι)/2005 as amended, Articles 3(4), 4 and 10. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²³⁵ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) Ν.163(Ι)/2005 as amended, Article 10. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

<p>a) suspect or accused persons with physical impairment or disability; b) suspect or accused persons intellectual impairment or disability; c) suspect or accused children who are suspects/defendants and/or the holder of parental responsibility.</p> <p>If yes, briefly provide information on those mechanisms in relation to each of the listed vulnerable groups. Is this information in simple and accessible language?</p>			
<ul style="list-style-type: none"> information on procedural rights 	<p>a)</p>	<p>Yes</p>	<p>The law provides for the right to interpretation through “appropriate assistance” such as the use of sign language for those suspected or accused persons with a hearing or a speech problem.²³⁶No other special arrangements or procedures apply for persons with physical disability</p>
	<p>b)</p>	<p>No</p>	<p>No special arrangements or procedures apply for persons with intellectual disability as regards their right to information on procedure rights. They are entitled to assistance from a state medical officer or a state social worker in order to exercise their rights of communication but no assistance in exercising their right to information themselves.</p>

²³⁶ Cyprus, Law providing for the right to interpretation and translation during criminal procedure (*Νόμος που προνοεί για το δικαίωμα σε διερμηνεία και μετάφραση κατά την ποινική διαδικασία*) N. 18(I)/2014, 19 February 2014, Article 4(4)(b). Available at www.cylaw.org/nomoi/arith/2014_1_18.pdf.

				They are also entitled to have a relative contacted and informed by the police regarding their arrest and detention. ²³⁷ The questioning of persons with an intellectual disability by the police must take place in the presence of their lawyers. ²³⁸ Foreigners with an intellectual disability have the additional right to contact, through the police, their consular or diplomatic mission, with the Ombudsman’s office or with the NHRI. ²³⁹
	c)			When children are arrested, their parents or guardians have the right to be informed of the arrest and of the reasons for it in a language understood by them immediately or as soon as possible after the arrest. The police must additionally inform the arrested children’s parents or guardians of the place where the children are detained and the period for which the police intends to detain the child. Depending on the circumstances, the police may also inform the state’s social services where this is deemed necessary for the child’s interests. ²⁴⁰ The questioning of persons under 18 by the police must take place in the presence of their lawyers. ²⁴¹ The law does not foresee any duty to inform children of their rights in a child-friendly manner and language, nor is there any child friendly information material available.
• letter of rights	a)		No	As above, no special procedures or arrangements are foreseen for persons with physical disability.
	b)		No	As above, no special procedures or arrangements are foreseen for persons with an intellectual disability.
	c)		No	No special procedures apply for children or their parents or guardians. The information provided is the same as that foreseen for adults.
• information about the accusation	a)		No	No special procedures or arrangements are foreseen for persons with physical disability as regards this right.

²³⁷ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) N.163(I)/2005 as amended, Articles 3(4) and 4. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²³⁸ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) N.163(I)/2005 as amended, Article 10. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²³⁹ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) N.163(I)/2005 as amended, Article 5. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²⁴⁰ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) N.163(I)/2005 as amended, Article 6. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

²⁴¹ Cyprus, Law on the rights of persons arrested and detained (*Ο περί των δικαιωμάτων των προσώπων που συλλαμβάνονται και τελούν υπό κρατηση Νόμος*) N.163(I)/2005 as amended, Article 10. Available at www.cylaw.org/nomoi/enop/non-ind/2005_1_163/full.html.

		b)	No	As above, no special procedures or arrangements are foreseen for persons with an intellectual disability.
		c)	No	No special procedures apply for children or their parents or guardians. The information provided is the same as that foreseen for adults.
	<ul style="list-style-type: none"> access to case materials 	a)	No	No special procedures or arrangements are foreseen for persons with physical disability as regards access to case materials.
		b)	No	No special procedures or arrangements are foreseen for persons with an intellectual disability.
		c)	No	No special procedures apply for children or their parents or guardians. The procedure for accessing case materials is the same as that foreseen for adults.