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Nicosia, June 12th, 2020

Office of the UN High Commissioner for Human Rights
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Subject: Letter and Questionnaire from several mandate holders of the Special procedure – Protecting human rights during and after the COVID-19

Madame/Sir

I refer to a letter dated 22/5/2020 regarding the above subject matter, which was forwarded to me, as well as the General Directors of several competent Ministries, by the Permanent Mission of the Government of Cyprus at the United Nations Office in Geneva.

I have studied the various questions posed by the *Special Procedures Mandate Holders* of the UN and I consider that they can be best answered by the competent – depending on the nature of each question – implicated public authorities of the executive government.

Further to that, though, I would like to inform them that, in the framework of our competences, we have done a number of interventions which aimed to protect the human rights of specific groups of the Cypriot society, in the context of the COVID-19 pandemic.

The said interventions (Statements or Reports) covered the following thematic subjects:

- 1) On 26/3/2020, acting as Cyprus's *National Preventive Mechanism*, we issued a Statement, (addressed to the Ministry of Justice and Public Order, the Ministry of Health and the Ministry of Labour, Welfare and Social Insurance), regarding the measures that should be taken to prevent the spread of COVID-19 pandemic in places where people are deprived of their liberty. The statement contained a list of relevant guidelines and recommendations drafted by CPT in view of the COVID-19 pandemic. (It should be noted that our intervention was positively received by the Government, which, on the 30/3/2020 announced a number of measures

to be taken in penitentiary institutions in an attempt to combat the spread of COVID-19 - including: the early release of number of detainees from the Nicosia Central Prison, the placement of a number of detainees under the Open Prison Scheme, and the arrangement for some detainees to serve the remainder of their sentence at home, under electronic monitoring (bracelet)]

- 2) On April 3rd, 2020, acting as the Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention on the Rights of Persons with Disabilities (PwDs), we issued a Statement in relation to the specific circumstances and needs of PwDs in situations of risk, such as in the period of the COVID-19. In our intervention we called the State authorities to take all necessary measures in close cooperation with PwD's representative organizations, to ensure the protection and safety of persons with disabilities, and especially their right for access to transparent and accessible information regarding the pandemic and the protective measures that need to be taken.
- 3) On 23/4/2020 acting as NHRI and NPM we issued a Report regarding the measures taken to prevent the spread of the coronavirus COVID-19 at the 2 Reception and Accommodation Centers of Asylum seekers in Cyprus, with specific recommendations on how to improve the situation. The Report was forwarded to the Ministers of: Interior, Justice and Public Order, Health and Labour, Welfare and Social Insurance.
- 4) On 8/5/2020, acting as an Equality Body, we made an intervention regarding the protection of women's maternity rights, during the COVID-19 protection measures. The Report was drafted after we received complaints that (public and private) hospitals had decided, in view of the pandemic, to prohibit fathers from being present during the childbirth of their children. We pointed out that implementation of such practice, in an absolute way, is not in line with the relevant World Health Organizations' (WHO) guidelines, and the non-discrimination rule in relation to the obligation. We recommended that hospitals review the controversial practice and consider allowing fathers who test negative on COVID-19, to be present during the birth of their children.
- 5) On 21/5/2020, acting as an Independent Mechanism for the Promotion, Protection and Monitoring of the UN Convention for the Rights of PwDs and Equality Body, we published a Report regarding decision of the Ministry of Education not to allow children with disabilities, to return to school, after the reopening of primary and secondary schools on 21/5/2020. The Ministry of Education argued that it had taken the controversial decision because "*special or enhanced protective measures*" needed to be taken before students with disabilities were to return to schools. We concluded that the controversial decision was discriminatory and was in violation of both the state obligations arising from the UN Convention on the Rights of PwDs and the national Laws protecting PwDs from discrimination. The Report

was submitted to the Minister of Education, with the recommendation to immediately re-examine the controversial decision.

I hope that the above information will be of assistance to the UN's *Special Procedures Mandate Holders* in preparing their thematic Report on the impact of COVID-19 on the enjoyment of human rights, and I remain at their disposal for any further information.



Maria Stylianou - Lottides
Commissioner for Administration and
Protection of Human Rights (Ombudsman)
Γ.Κακ./

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