



Global Initiative to
**End All Corporal Punishment
of Children**

CYPRUS – COUNTRY REPORT

Summary of necessary legal reform to achieve full prohibition

Corporal punishment is prohibited in all settings, including the home.

DETAILED COUNTRY REPORT

Current legality of corporal punishment

Home

Corporal punishment was made unlawful in the home in 1994, in the Violence in the Family (Prevention and Protection of Victims) Law (1994) which prohibits “any unlawful act or controlling behaviour which results in direct actual physical, sexual or psychological injury to any member of the family” (article 3) and was interpreted as prohibiting all corporal punishment in childrearing. The provision was reiterated in the new Act on Violence in the Family adopted in 2000. However, the Children Law (1956) provides for “the right of any parent, teacher or other person having the lawful control or charge of the child to administer punishment to him” (article 54). This provision was expected to be repealed following review but as at January 2011 it appears to be still in force. In June 2009 a new draft Law for the Welfare, Care and Protection of Children, intended to replace the Children Law and to harmonise domestic legislation with the Convention on the Rights of the Child, was expected to be submitted to the House of Representatives in 2010, but we have no further information.

Schools

Corporal punishment has been unlawful in schools since 1967 but we have no details of prohibiting legislation.

Penal system

Corporal punishment is unlawful as a **sentence for crime** under the Criminal Code and the Constitution (1960).

Corporal punishment is unlawful as a **disciplinary measure** in penal institutions under the Rights of Detainees Law (2005), but we have yet to confirm that prohibition is explicit. In 2009 a new draft juvenile justice law was being prepared but we have no further information.

Alternative care

Corporal punishment is unlawful in alternative care settings. The prohibition of corporal punishment within the family (see above) applies to all persons with parental authority over children.

Prevalence research

None identified in the last ten years.

For research published more than ten years ago, see the research pages at www.endcorporalpunishment.org.

Recommendations by human rights treaty bodies

Committee on the Rights of the Child

(6 June 2003, CRC/C/15/Add.205, Concluding observations on second report, para. 46)

“The Committee recommends that the State party, in keeping with the findings of the Study, adopt adequate measures and policies to contribute to changing attitudes, including the prohibition of corporal punishment in the family supported by well targeted awareness campaigns on inter alia alternative ways of disciplining children. Furthermore it encourages the State party to adopt measures and ensure sufficient human and financial resources to ensure the implementation of the Law for the prevention of domestic violence. The Committee invites the State party to include specific information in its next periodic report on follow-up to cases of abuse reported to the social welfare services, as well as information on the announced second research on the extent of child abuse in Cyprus.”

Human Rights Committee

(6 August 1998, CCPR/C/79/Add.88, Concluding observations on third report, para. 16)

“The Committee is concerned that the age criminal responsibility is still fixed at seven years, and that marriageable age is defined as the onset of puberty. The Committee further reaffirms its position that corporal punishment is prohibited under the Covenant.”

European Committee of Social Rights

(2006, Conclusions 2006, vol. 1, pages 152-153)

“As regards corporal punishment of children, the report refers to the Violence in the Family (Prevention and Protection of Victims) Law 2000 which defines violence as any action, omission or behaviour which causes physical, sexual or psychological damage. Further the report states that the UN Convention on the Rights of the Child, which has superior force to domestic law prohibits all forms of corporal punishment of children in all settings. However the Committee notes that in Cyprus’s response to the UN Secretary General’s Study on violence against children (submitted August 2005) according to the Children Law (Cap.352) the parent, teacher or other person having lawful control or care of a child have a right to administer punishment to him. Although the response states that the law is under review and the new legislation will explicitly prohibit corporal punishment and will include no defenses whatsoever. The Committee asks for further information on the situation i.e. the inter relationship between the legislation and the UN Convention on the Rights of the Child, as well as information on the repeal of the defence. Meanwhile it reserves its position on the situation.”

European Committee of Social Rights

(30 September 2004, Conclusions 2004 Vol. 1, page 102)

“The Committee asks whether corporal punishment outside the family is also explicitly prohibited by the existing legislation....

“Conclusion

“Pending receipt of the information requested, the Committee concludes that the situation in Cyprus is in conformity with Article 7.10 of the Revised Charter.”

Universal Periodic Review

Cyprus was examined under the Universal Periodic Review process in 2009. Full prohibition of corporal punishment was achieved in 1994.

Report prepared by the Global Initiative to End All Corporal Punishment of Children
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