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NEWS REPORT

Country:	Cyprus
Title:	Report of the Commissioner for Administration and Human Rights on a complaint lodged by a Permanent Sergeant of the National Army of the Republic of Cyprus for the dismissal of her request to be discharged from the duty to execute 24 hour shift
Date:	10 December 2015
Expert:	Lia Georgiades
<u>Context</u>	
Issue at stake:	Parental responsibility of unmarried/divorced parents in the National Army
Ground of discrimination:	Sex
Source:	National equality body
Field:	Other
Applicable law:	Convention on the Rights of the Child as implemented by Law No. 243/1990; Equal Treatment for Men and Women as Regards Access to Employment and Vocational Training Law (Law No 205(I)/2002)

Content

Development: A complaint was lodged with the Commissioner for Administration and Human Rights (Ombudsman) by a single mother, a Permanent Sergeant of the National Army of the Republic of Cyprus, with full parental responsibility of her child under the age of 13.

Based on an Order of the National Army, single parents with full parental responsibility of their children are discharged from the obligation to do a 24 hours shift until their children reach the age of 12. The complainant stated that she had no close relative to take care of her child while working a 24 hour shift.

After the hearing of the case before the Chief of the National Army, even though her case did not fall under the provisions of the Order, directions were given to provide her with a short extension because her child exceeded the age of 12. She was allowed to work morning shifts until the end of the school year 2015 and thus was exempt from the obligation of the 24 hour shift.

Furthermore, the relevant Army authority informed the Ombudsman that based on the Legal/Regulatory framework and the National Army Orders governing the service of permanent army personnel there is no obligation on their behalf to proceed and provide any further extension.

According to the findings of the Ombudsman, under the same Order which her complaint was examined, if the complainant was a widowed single parent, she would be entitled to the exception until her child reached the age of 18.

The Ombudsman called for the National Army to comply with their obligations deriving from the provisions of the Convention of the Right of the Child and treat all single parents equally.

The complaint was examined in the light of the Equal Treatment for Men and Women as Regards Access to Employment and Vocational Training Law as single parenting affects mostly women.

Key points of analysis: The Ombudsman concluded that there is no justification in the Order to discriminate unmarried/divorced single parents and widowed single parents, since their duties for balancing their professional and personal life does not change according to the reason which made them single parents. Furthermore, all children have the same rights despite the reason why they belong to a single parent family.

Internet link source:

Case No. 12/2015, published 21 July 2015, report available only in Greek available at: http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/page37_gr/page37_gr?OpenDocument, accessed 26 October 2015.