



European network of legal experts in gender equality and non-discrimination

FLASH REPORT

Country:	Cyprus
Title:	Impact of COVID-19 measures on groups vulnerable to discrimination
Date:	15 June 2020
Expert:	Demetriou, Corina
<u>Context</u>	
Issue at stake:	Measures taken in the context of COVID-19 have affected vulnerable groups in a particularly negative way
Grounds of discrimination:	Racial or ethnic origin, Disability
Field of application:	Education, Employment, Goods and services, Health
Source:	Policy development
Applicable law:	N/A

Content

Policy development: *Indirect discrimination on the ground of ethnic origin:* The very first measure adopted by the government in response to COVID-19, even before any incidents were identified, was to close four checkpoints along the ceasefire line separating south (the Republic of Cyprus) from north (the Turkish occupied 'Turkish Republic of Northern Cyprus').¹ The checkpoints had been opened by the Turkish army in 2003 as a measure to assist collaboration between the Greek and Turkish communities and had remained open for 17 years until 28 February 2020. The closure generated a negative reaction from peace activists in both communities,² from the main opposition party AKEL³ and from the UN Peace Keeping Force in Cyprus,⁴ who described the closure as a unilateral measure of no scientific value that undermined trust between the two ethnic communities. With the checkpoints closed, Turkish Cypriots working or attending schools or universities could not access their place of work/education, whilst other Turkish Cypriots who were receiving medical treatment in hospitals in the south could not access health care.

Indirect discrimination on the ground of disability: The government took no measures targeting persons with disabilities and produced no awareness material on protection and restriction measures in an accessible format. The exact number of persons with disabilities infected with COVID-19 is not known but KYSOA, the confederation of disability organisations reported that six blind telephone operators working at public hospitals were infected. Given the fact that persons with disabilities have an increased reliance on others in order to access the built environment and get to work, without easy access to protection

¹ Cyprus, Council of Ministers (2020), [Series of measures decided by the Ministerial Council for addressing the coronavirus epidemic](#) (Σειρά μέτρων αποφάσισε το Υπουργικό Συμβούλιο για αντιμετώπιση της επιδημίας του κορωνοϊού), 28 February 2020.

² Physician's Weekly (2020), [Cyprus to shut checkpoints for first time since 2003 over coronavirus](#), 28 February 2020.

³ AKEL (2020), [End the unilateral suspension of the operation of the checkpoints and install the necessary control mechanisms](#), Press release, 2 March 2020.

⁴ UNFICYP (2020), [Statement on closure of crossing points along the buffer zone](#), 5 March 2020.

measures, they are at higher risk of contracting COVID-19; yet they are not considered as a 'vulnerable category' and were not permitted or supported to stay home.⁵ Many persons with disabilities work at the so called 'front line' servicing the public and facing an increased risk of contracting the virus and falling severely ill because of pre-existing aggravating health issues. Through a long-standing quota system, blind persons find employment as telephone operators in the public sector and most are placed in public hospitals. Since 2010 a quota is in place for persons with other types of disabilities in the public sector too, which offered employment to persons with disabilities in the public sector, often in positions serving the public. With few exceptions, all services supporting the right of persons with disability to independent living were suspended and no measures were taken to inform them and to protect those living in institutions or homes in the community.⁶ Fines were also imposed on persons with intellectual disability on the streets even though no easy-to-read material was made available.⁷ Treatment of other conditions unrelated to the coronavirus were suspended and repeated announcements are discouraging persons from visiting private or public clinics, calling on the public to make telephone contact with their doctors in order to receive instructions. Persons with thalassemia have reported that their scheduled appointments for blood infusion were repeatedly postponed, because the blood bank had very low blood reserves. The low blood flow was the result of blood donors suspending their regular visits to blood centres, in spite of hospital announcements that blood centres had been moved out of hospitals and that blood donations were entirely safe.⁸

Children with disabilities and their right to return to school: On 20 May, the eve of the scheduled return to school, the Ministry of Education announced that students attending special units or having special needs which require attendance by assistants or escorts should not go to school on 21 May, pointing out that they would only be allowed to school following a medical opinion from their personal doctor about their state of health. The opinion would then be assessed by a special committee that would decide on whether they would be allowed to school and what measures ought to be taken for their protection. The Ministry circular warned that the same measure would apply for the future re-opening of special education schools. The decision led to several negative reactions including street protests by parents of children with disabilities and was criticised by the Commissioner for Administration⁹ and by academics¹⁰ for being discriminatory and unlawful. On 29 May the Ministry announced that 323 children of special education without any COVID-19 symptoms could return to school,¹¹ however concerns remained about the remaining children with disabilities who were met with preconditions as regards obligatory testing and documents to be submitted in order to be allowed to return to school.

Key points of analysis: Whilst in some cases the differential treatment resulted from lack of planning or efficiency or prioritising the economy, in other cases it was clearly the result of using the pandemic as a justification to pursue policies resulting in discrimination. The pandemic is a reasonable justification for suspending rights but only to the extent that the measures are reasonable and proportionate, and, in many cases, this was clearly not the case.

Internet link source: Inserted as hyperlinks in the footnotes.

⁵ Consultation with head of the Cyprus Confederation of Disability Organisations KYSOA, 11 May 2020.

⁶ Consultation with head of the Cyprus Confederation of Disability Organisations KYSOA, 11 May 2020.

⁷ Dialogos (2020), ['Επέβαλαν πρόστιμο 300 ευρώ σε άτομο με νοητική αναπηρία!](#), 31 March 2020.

⁸ Dialogos (2020), ['Μείωση αποθεμάτων αίματος – Σε δύσκολη θέση οι θαλασσαιμικοί!](#), 20 March 2020.

⁹ Kathimerini (2020), ['Επίτροπος Διοικήσεως: Παραβίαση των δικαιωμάτων των παιδιών ΑμεΑ'](#), 21 May 2020.

¹⁰ Symenidou, S. (2020), ['Για άλλη μια φορά τα παιδιά με αναπηρία εκτός σχολείου...'](#), 21 May 2020.

¹¹ Ministry of Education, Culture and Sports (2020), [Απόφαση της Ειδικής Επιτροπής για άμεση φοίτηση παιδιών στις Ειδικές Μονάδες ή στις γενικές τάξεις](#), 29 May 2020.