

### **Work Package 5 – Deliverable 3**

#### **CRoLEV Impact assessment and recommendations to policy makers**

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## CRoLEV

### EUROPEAN VALUES CONDITIONALITY

**EU better regulation and better rights protection with a focus on European values and their conditionality.**

#### IMPACT ASSESSMENT, RECOMMENDATIONS AND SYNOPSIS

**Towards a more systematic European values impact assessment in EU law and policy making.**

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## Introduction: political and legal context

According to Article 2 of the Treaty on European Union (TEU), the Union is founded on the European values of “respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities”. Two main mechanisms are responsible for enforcing these values in the Member States, namely the infringement procedure under Article 258 of the Treaty on the Functioning of the European Union (TFEU) and the sometimes called, ‘nuclear’ option under Article 7 TEU.<sup>1</sup> Yet, despite the importance and constitutional character of Article 2 TEU, the Union seems to be persistently in a ‘state of crisis’, in promoting these values externally but also in protecting and maintaining them internally within the Union’s borders.<sup>2</sup>

In an effort to find new, alternatives ways of enforcing the foundational values, the Union has opted for more innovative instruments. In particular, in the recent years the Union has turned into designing secondary legislation with the aim of more effectively enforcing the European Values, through the protection of the Union’s budget. This is partly attributed to the fact that when there are backslidings of European values in the Member States, EU funds may also be used in ways that violate the Union’s own values. Two examples of these tools are currently in place, the Regulation on the general regime of conditionality for the protection of the Union budget (2020/2092) (the Conditionality Regulation)<sup>3</sup> and the Regulations on the common provisions (2021/1060).<sup>4</sup>

The Conditionality Regulation grants the Commission discretion to withhold payments to Member States for the violations of the rule of law. Despite the pressure from the European Parliament to activate the Conditionality Mechanism, the Commission has not used it to this day. Even after the Court of Justice of the EU (CJEU) deemed the mechanism legal, the Commission has refrained from using it, perhaps fearing that its use might have adverse consequence (e.g., being used domestically by populist parties that will continue to portray the EU as the enemy of the people, thus reinforcing Euroscepticism).<sup>5</sup> The Common Provisions Regulation on the other hand, requires the Member States to ensure that no funds deriving from the EU’s strategies/programmes are used in a manner that is incompatible with the EU Charter of Fundamental Rights (EU Charter) or the United Nations

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<sup>1</sup> Dimitry Kochenov, ‘Busting the myths nuclear: A commentary on Article 7 TEU’ EUI Working Papers Law 2017/10 <[https://cadmus.eui.eu/bitstream/handle/1814/46345/LAW\\_2017\\_10.pdf](https://cadmus.eui.eu/bitstream/handle/1814/46345/LAW_2017_10.pdf)>.

<sup>2</sup> Marcou and Kalaitzaki, ‘Rule of Law and European Values: Beyond the state-of-the-art analysis’ (CRoLEV, 21 August 2022) <<https://crolev.eu/wp-content/uploads/2022/10/CRoLEV-Deliverable-D.3.1-31-August-2022-FINAL.docx.pdf>>

<sup>3</sup> Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget (hereinafter the Conditionality Regulation)

<sup>4</sup> Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions (hereinafter the Common Provisions Regulation)

<sup>5</sup> Marcou and Kalaitzaki, ‘Rule of Law and European Values: Beyond the state-of-the-art analysis’ (CRoLEV, 21 August 2022) <<https://crolev.eu/wp-content/uploads/2022/10/CRoLEV-Deliverable-D.3.1-31-August-2022-FINAL.docx.pdf>>

Convention on the Rights of Persons with Disabilities (UNCRPD or CPRD).<sup>6</sup> However, until recently, no sufficient safeguards were in place for monitoring the fundamental rights compliance of expenditures, comparable to those of the Common Provisions Regulation (CPR),<sup>7</sup> whether in relation to setting up national monitoring mechanisms or involving statutory national bodies with a human rights or equality remit in such mechanisms.

According to Article 8 of the CPR, the Member States must establish Monitoring Committees through Partnership Agreements, that include regional, local, urban and other public authorities, relevant bodies representing civil society, and bodies responsible for the promotion of fundamental rights.<sup>8</sup> The Monitoring Committee will, *inter alia*, be entrusted with the tasks of examining the progress in programme implementation and in achieving the milestones and targets as well as the fulfilment of enabling conditions and their application throughout the programming period.<sup>9</sup> Managing authorities are also responsible to ensure that any operations selected that fall within the scope of an enabling condition cohere with the corresponding strategies and planning documents established for the fulfilment of that enabling condition (Article 73 (2)(b)). Monitoring Committees are responsible for examining the fulfilment of enabling conditions and their application throughout the programming period (Article 40(1)(h)).

In order to understand further how the Common Provisions Regulation works and the type of obligations it creates for the Member States, the Fundamental Rights Agency (FRA) initiated a regional project on “Supporting National Human Rights Institutions in monitoring fundamental rights and the fundamental aspects of the rule of law”, funded by the EEA and Norway Grants and invited National Human Rights Institutions (NHRIs) of the EU to participate.<sup>10</sup> CRoLEV’s Senior Researcher, Dr Katerina Kalaitzaki was appointed by the Cypriot NHRI (Commissioner for the Administration and the protection of Human Rights) as an expert in the field, to carry out research and draft reports. Together with CRoLEV’s project manager, Dr Andreas Marcou, two reports on the EU funds conditionality were written to shed more light on the obligations created by the Common Provisions Regulation nationally

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<sup>6</sup> European Union Agency for Fundamental Rights, ‘Fundamental Rights Report – 2022’ (Luxembourg, 2022) <[https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2022-fundamental-rights-report-2022\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2022-fundamental-rights-report-2022_en.pdf)> p. 19.

<sup>7</sup> Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy.

<sup>8</sup> Article 38 CPR.

<sup>9</sup> Article 40, CPR.

<sup>10</sup> More information on the Regional Project can be found here: <https://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/All/B32B715CE0F44438C2258A7000378B93?OpenDocument>

and how the assessment of the compatibility of EU funded programmes with the EU Charter must be conducted.

The first relevant report entitled ‘The role of national bodies with a human rights remit in ensuring fundamental rights compliance of EU funds’ is assessing the role of the Commissioner for the Administration and the Protection of Human Rights within the context of the Common Provisions Regulation throughout all the phases of the funding cycle.<sup>11</sup> In particular, during the Drafting & Preparation of the Partnership Agreement and Preparation of the Programmes (Phases I and II), the implementation of the Programmes (Phase III) and the Evaluation of the Programmes (Phase IV). As discussed in the report, the role and involvement of the Commissioner throughout the (co-)funding cycle and the various stages of the funding procedure described has not always been extensive. For much of the procedure, in particular the first stages, the Commissioner’s role was limited, mostly focusing on providing advice and guidance to the Managing Authority in taking decisions on the compatibility of the co-funded programmes with the provisions of the EU Charter. Executive/political stakeholders seem to be making decisions on the first phases. This approach maintains an independent and impartial stance which is a critical success factor for the effective and credible operation of NHRIs. In its advisory capacity, the Commissioner can advise the state authorities dealing with the implementation of the programmes, stressing the importance of cooperative work with governmental bodies and other state stakeholders. It must also be noted that through its role in the Monitoring Committee, the Commissioner can further develop existing networks for improving and developing access to information on redress mechanisms, while an opportunity is granted for further enhancement and protection of fundamental rights, also through the awareness raising and training seminars planned.<sup>12</sup>

The second relevant report entitled ‘Using EU Funds while Upholding and Advancing Fundamental Rights: A Guide to Applying the New Obligatory Charter Conditionality’<sup>13</sup> is providing an analytical and practical guidance on how managing authorities, public authorities, the National Human Rights Institution (NHRI), Civil Society Organisations (CSOs) and other relevant actors can help in promoting the EU Charter and in ensuring the compliance of all funding stages (all four phases of the funding cycle mentioned above) with the Charter. A checklist is also provided for assessing whether or not, and to what extent, provisions of the EU Charter are limited and/or interfered with and whether such

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<sup>11</sup> Katerina Kalaitzaki and Andreas Marcou, The role of national bodies with a human rights remit in ensuring fundamental rights compliance of EU funds (Cyprus)’ Commissioner for the Administration and the Protection of Human Rights (June 2023) <<https://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/All/48E04EF5DADD38C8C2258A71002AD816?OpenDocument>>

<sup>12</sup> Ibid, page 23.

<sup>13</sup> Katerina Kalaitzaki and Andreas Marcou, ‘Using EU Funds while Upholding and Advancing Fundamental Rights: A Guide to Applying the New Obligatory Charter Conditionality’ Commissioner for the Administration and the Protection of Human Rights (March 2024) <<https://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/All/2392E782FFAD1A42C2258B55003F016A?OpenDocument>>

limitations can be justified. If consistently followed, the guidance provides for a ‘first layer’ of protection from the managing authorities themselves, increasing the overall compliance with the EU Charter of fundamental rights.

The two new Regulations, providing for alternative ways of enforcing EU foundational values, seek to ensure that EU Funds are not misapplied and are instead used in ways that support and promote Charter rights and the rule of law. Moving forward, the Union may need to seek for more mechanisms that will ensure effective enforcement of European values when these are misused outside the context of the EU funds. Through the research done at CRoLEV, several gaps and drawbacks of the application of the rule of law and European values have been identified (in Cyprus and abroad). These gaps assist us to make the appropriate recommendations on to how these gaps can be filled nationally but also on the European level to ensure effective protection and promotion of our foundational values.

As described above, the usefulness of the Fundamental Rights Impact Assessment (FRIA) has been best shown in the management of EU funds so far. More generally, however, impact assessments enable better law-making and its more transparent, efficient, democratic, participatory and inclusive implementation at the supranational and national level in the EU. **As such, every impact assessment in EU law and policy should be designed to ensure respect for fundamental rights and freedoms as well as values on which the Union is founded.**<sup>14</sup> **The present document is therefore an attempt of application of EU better regulation and better rights protection tools with a focus on European values and their conditionality in the process, beyond EU funding conditionality.** It is based on the findings of the EU-funded Jean Monnet Centre of Excellence for the Rule of Law and European Values CRoLEV at the University of Central Lancashire in Cyprus (UCLan Cyprus), which reinforce the need for a systematic European values impact assessment in EU law and policy at the supranational and national level in the EU and beyond.

In line with guidance on impact assessments at the level of the EU or the Council of Europe, the present impact assessment on European values conditionality will be accompanied by a set of recommendations in the fields of relevance to the rule of law and European values under study at CRoLEV, as well as a synopsis of research and empirical data collected and analysed at CRoLEV. Following an initial consideration of the legal and political landscape and the methodology of the impact assessment which will set out the problem questions, the necessity for the EU to (still) act at this stage will be considered. The goal of achieving more effective European values protection and sustainability will then be presented, followed by the various policy options to achieve this goal. Addressing the possible gap in the protection of European values between available policy options reflected in rights and values enforcement mechanisms in Europe, the impact of the different options on stakeholder groups will be

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<sup>14</sup> <https://data.consilium.europa.eu/doc/document/ST-10082-2023-INIT/en/pdf>

considered, before a particular option is preferred for reasons to be presented. The impact assessment will conclude with a presentation of CRoLEV's monitoring and reporting mechanisms proposed to further uphold the rule of law and European values in Europe in the current context, before embarking on recommendations and synopsis of CRoLEV research and empirical data.

# What is the problem and why?

## 1. Findings by CRoLEV of relevance to the threats to the Rule of Law and European Values

### **a. CRoLEV surveys and Focus Groups**

The aim of the Jean Monnet Centre of Excellence for the Rule of Law and European Values (CRoLEV) is to investigate the state of the rule of law within the EU and in neighbouring countries. In doing so, the CRoLEV team employed a mixed-methods approach encompassing, in the initial empirical stages of the research, two focus groups and seven surveys aimed at measuring 13 distinctive indicators. The indicators were identified via a combination of systematic literature reviews, robust mapping of available resources, tools and approaches, thematic research discussions, and analysis of data previously collected via an initial survey and focus group, and they are:

- i. The conditions for the operation of civil society organisations;
- ii. The availability of, knowledge of, and access to: participatory democracy tools, alternative dispute resolution mechanisms and social justice tools, legal aid, and civil courts, remedies, and procedures;
- iii. The existence of effective mechanisms to fight corruption;
- iv. The state's fulfilment of recommendations given by regional and international monitoring bodies on transparency in the branches of government/breaches of power;
- v. The existence of effective mechanisms to enable transparency;
- vi. Civic trust in the administration of justice;
- vii. Due processes in procedures of appointment, remuneration, promotion, and dismissal of judges;
- viii. Judicial independence;
- ix. Accessibility and affordability of civil courts;
- x. Respect for the right of effective judicial protection;
- xi. Responsiveness to unreasonable delays in the justice process;
- xii. Media freedom and diversity;
- xiii. The institutional responses to COVID-19 (and crises in general) and level of compliance with principles of democracy and the rule of law.

The aforementioned indicators have been found by the CRoLEV team via methodology as being indispensable to the assessment of the state of the rule of law (alongside a number of other indicators which were examined in the second stage of the empirical research). The need to examine and measure the rule of law stems from the social reality of many EU



member states, which have recently been plagued with a myriad of crises, emergency situations, and the re-emergence of right-wing populist parties, all of which have undermined the Union's values of "respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities", as noted in Article 2 of the Treaty on the European Union.

The surveys and the focus groups were all conducted online, via the JISC Online Surveys platform and MS Teams respectively, as a means of reaching wide and diverse groups of participants. The focus groups were semi-structured, so as to allow participants – which, from a research standpoint, are to be considered experts with valuable knowledge in the respective subjects – to express themselves freely and to discuss topics which are relevant to the subject of the focus group, but which the researchers may have overlooked. All surveys comprised of a combination of dichotomous questions, Likert scale questions, multiple choice questions, and open-ended questions, so as to ensure both the potential to measure indicators via the collection of quantitative data, and the potential to truly grasp the understandings and experiences of participants (which undoubtedly underpin their responses to closed questions) via the collection of qualitative data.

In accordance with their respective aims, the surveys and the focus groups were open for participation for a wide variety of publics, including citizens and residents of Cyprus, other EU member states and neighbouring countries (the UK, the Ukraine, Russia, and Israel), legal professionals, law enforcement officers, and civil society organisations. The research relied on volunteer samples and snowball sampling for the recruitment of participants. In the case of the surveys, quantitative data were imported into SPSS for analysis, while qualitative data were imported into NVivo. Quantitative data were analysed using descriptive, correlational, and causal-comparative analysis, while qualitative data were analysed using thematic analysis. In the case of the focus groups, the transcripts were imported into NVivo, and a mixture of in vivo, descriptive, process, and concept coding, were used for analysis.

The CRoLEV team acknowledges that all social science research which involves human participants poses a number of ethical concerns, including those of anonymity and confidentiality, informed consent, right to withdraw, and data protection. The researchers are committed to the principle of non-maleficence and, as expressed in the research protocol, have undertaken a myriad of steps to ensure that participants will experience no harm at any stage of the research process or during the dissemination of research findings.

The CRoLEV team therefore proceeded with the surveys and focus groups for the first stage of the empirical research process from February to August 2024, and analysed by the end of November 2024, with the second stage taking place between July to December 2024. As a result of the first stage of the research, which involved seven surveys and two focus groups (for which ethical approval was obtained in December 2023), CRoLEV then sought to conduct two other surveys, which measured the following indicators:

- i. The first survey measured:

- a. the extent to which current provisions for the operation of civil society organisations are beneficial to (or impede) their work;
- b. the extent to which current provisions for the operation of civil society organisations are compliant with the rule of law and democratic principles.
- ii. The second survey measured:
  - a. the (perceived) effectiveness of state responses to crises;
  - b. the level of (perceived) compliance with the rule of law and democratic principles of the aforementioned responses to crises;
  - c. the short- and long-term effects of the aforementioned responses to crises on both the rule of law and democracy.

The aforementioned indicators were deemed by the CRoLEV team as being indispensable to the assessment of the state of the rule of law and democratic values at this stage of the research. The indicators were identified via a combination of systematic literature reviews, robust mapping of available resources, tools and approaches, thematic research discussions, and analysis of data previously collected and presented in the CRoLEV Scoping Paper.<sup>15</sup>

#### **b. Key empirical findings**

**CRoLEV key findings are available on the CRoLEV interactive Dashboard to be accessed here: <https://crolev.eu/dashboard/> and in the Synopsis of the present Impact Assessment below.**

The CRoLEV Dashboard is an interactive tool, which includes the analyses of all the data collected from the CRoLEV team, both hard and soft data, with the aim of measuring aspects of the rule of law and European values in Cyprus and beyond. The conceptualisation of the rule of law was conducted based on deep literature review, robust mapping of resources, tools and approaches available, thematic research discussions, survey and focus group to date, through which four general pillars have been identified, with their own sub-pillars and indicators.

*Viewers can click on the four Pillars to expand on their components and analysis.*<sup>16</sup>

#### **Pillar 1: Civic Engagement**

##### **a. Citizen Empowerment (Sub-Pillar 1)**

Based on the CRoLEV Scoping Paper, a number of objectives and indicators were studied via the surveys and focus groups. The main results are visible on the Dashboard under the Sub-Pillar 1 of Pillar 1 under three main indicators and measurements analysed under each indicator:

- Indicator 1: development and access to tools and participatory democracy

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<sup>15</sup> See S. Laulhé Shaelou et al, 'CRoLEV Scoping Paper' (CRoLEV, February 2023) [https://crolev.eu/wp-content/uploads/2023/03/CRoLEV\\_Scoping-Paper\\_D4.2.pdf](https://crolev.eu/wp-content/uploads/2023/03/CRoLEV_Scoping-Paper_D4.2.pdf)

<sup>16</sup> <https://crolev.eu/dashboard/>

- Parliament representation: <https://crolev.eu/wp-content/uploads/2024/06/Parliament-Representation.pdf>
- Local governance representation: <https://crolev.eu/wp-content/uploads/2024/06/Local-Governance-Representation.pdf>
- Accessing services: <https://crolev.eu/wp-content/uploads/2024/06/Accessing-Services.pdf>
- Taking cases to court: <https://crolev.eu/wp-content/uploads/2024/06/Taking-Cases-to-Court-.pdf>
- Indicator 2: culture and access to legal aid by citizens and vulnerable groups
  - Legal aid: <https://crolev.eu/wp-content/uploads/2024/06/Legal-Aid.pdf>
- Indicator 3: culture and access to ADR mechanisms and/or social justice tools
  - ADR and social justice tools: [https://crolev.eu/wp-content/uploads/2024/06/Alternative-Dispute-Resolution-Mechanisms-and\\_or-social-justice-tools.pdf](https://crolev.eu/wp-content/uploads/2024/06/Alternative-Dispute-Resolution-Mechanisms-and_or-social-justice-tools.pdf)

A report of all results available for Pillar 1, Sub-Pillar 1 indicators is available under the Synopsis section of this Impact Assessment.

#### **b. Protection and Promotion of Civic Space (Sub-Pillar 2)**

Based on the CRoLEV Scoping Paper, a number of objectives and indicators were studied via desk-top research (see section 2 below), surveys and focus groups of different target groups in Cyprus. The results will be fully visible in due course on the Dashboard under the Sub-Pillar 2 of Pillar 1 under three main indicators and measurements analysed under each indicator. This is complemented by empirical findings stemming from the surveys and focus groups reported in the Synopsis below.

- Indicator 1: implementation of international and European standards and best practices
- Indicator 2: fulfilment of recommendations given by regional and international monitoring bodies
- Indicator 3: number of legal actions/SLAPP at domestic and/or regional level.

### **Pillar 2: Democratic Governance**

#### **a. Anti-Corruption (Sub-Pillar 1)**

#### **b. Transparency (Sub-Pillar 2)**

Based on the CRoLEV Scoping Paper, a number of objectives and indicators were studied via desk-top research (see section 2 below) and surveys. The results will be fully visible on the Dashboard under the Sub-Pillars 1 and 2 of Pillar 2 under a series of indicators and measurements. A report of all results

available for Pillar 2, Sub-Pillars 1 and 2 indicators is available under the Synopsis section of this Impact Assessment. This is complemented by an analysis of the resistance of the institutional framework to corruption, also available in the Synopsis section.

### **Pillar 3: Functionality of Justice**

#### **a. Administration of Justice (Sub-Pillar 1)**

Based on the CRoLEV Scoping Paper, a number of objectives and indicators were studied via desk-top research (see section 2) and surveys. The results will be fully visible on the Dashboard under the Sub-Pillar 1 of Pillar 3 under five main indicators and measurements analysed under each indicator. This is complemented by empirical findings stemming from the surveys reported in the Synopsis below.

- Indicator 1: civic trust in administration
- Indicator 2: due processes in procedures of appointment, remuneration, promotion, and/or dismissal of judges
- Indicator 3: constitutional guarantees for the operation of the judiciary
- Indicator 4: judicial independence
- Indicator 5: fairness and proportionality in the exercise of authority by the Police

#### **b. Access to Justice (Sub-Pillar 2)**

Based on the CRoLEV Scoping Paper, a number of objectives and indicators were studied via desk-top research (see section 2) and surveys. The results will be fully visible on the Dashboard under the Sub-Pillar 2 of Pillar 3 under seven main indicators and measurements analysed under each indicator. This is complemented by empirical findings stemming from the surveys reported in the Synopsis below.

- Indicator 1: length of judicial proceedings
- Indicator 2: costs of judicial proceedings (and of justice)
- Indicator 3: the use of accelerated procedures for the speedy resolution of particular cases
- Indicator 4: accessibility and affordability of civil courts
- Indicator 5: respect for the right to effective judicial protection
- Indicator 6: responsiveness to unreasonable delays
- Indicator 7: access to ADR methods

### **Pillar 4: Democratic Values**

#### **a. Media Freedom (Sub-Pillar 1)**

Based on the CRoLEV Scoping Paper, a number of objectives and indicators were studied via desk-top research (see section 2) and surveys. The results are visible on the Dashboard under the Sub-Pillar 1 of Pillar 4 under three main indicators and measurements analysed under each indicator. This is complemented by empirical findings stemming from the surveys reported in the Synopsis below.

- Indicator 1: freedom of media as a tool for accountability within the community
  - Engagement with media <https://crolev.eu/wp-content/uploads/2024/06/Engagement-with-Media.pdf>
  - Representation in the media <https://crolev.eu/wp-content/uploads/2024/06/Representation-in-the-Media.pdf>
  - Public discourse <https://crolev.eu/wp-content/uploads/2024/06/Public-Discourse.pdf>
  - Media freedom <https://crolev.eu/wp-content/uploads/2024/06/Media-Freedom.pdf>
  - Trust in the media <https://crolev.eu/wp-content/uploads/2024/06/Trust-in-the-Media-Misinformation-and-Disinformation.pdf>
- Indicator 2: implementation of reports issued by European and international bodies on best practices to protect media freedom
- Indicator 3: the institutional framework of media freedom in Cyprus

#### **b. Public Responses to Crises (Sub-Pillar 2)**

Based on the CRoLEV Scoping Paper, a number of objectives and indicators were studied via desk-top research (see section 2), surveys and a focus group (in Cyprus). The results will be fully visible on the Dashboard under the Sub-Pillar 2 of Pillar 4 under two main indicators and measurements analysed under each indicator. This is complemented by empirical findings stemming from the surveys and focus groups reported in the Synopsis below.

- Indicator 1: institutional response to COVID-19 (and crises generally) and level of compliance with principles of democracy and the Rule of Law
- Indicator 2: the effect of pandemic responses on democracy

## 2. Primary resources analysis: application of Pillars to the Cyprus environment and beyond

The pillars we have identified seek to draw the connections between the rule of law and other European values, primarily associated with democratic governance. The selection reflects Europe-wide concerns about rule of law and democratic backsliding in various countries. Even countries where those values are not under intense and, often, state-sanctioned threat, will very often face obstacles when it comes to effective democratic governance and rule of law

protections. The Republic of Cyprus is not an exception. Complementing the empirical research we have carried out, we have also conducted desk research about how Cyprus performs with respect to the four pillars. In this section, we will provide a summary of our findings regarding that performance. The full findings are available in the synopsis/annexes below. For each sub-pillar, we specify the measurements we have identified as necessary to study each indicator.

## **Pillar 1-Civic Engagement**

### **General Indicators:**

- (a) The referencing in public policies/strategies of hard/soft instruments/mechanisms at international and regional level on citizen empowerment and/or protection and promotion of civic space.
- (b) The existence of domestic laws and policies on citizen empowerment and/or protection and promotion of civic space.

In order to analyse these two general indicators, we engaged with (1) content analysis of a range of public policies/strategies of hard/soft instruments/mechanisms at international and regional level, before proceeding with the (2) review of existing domestic laws and policies and measuring their compliance with the relevant provisions of applicable instruments at the supranational level.

For each of the two sub-pillars, we have identified specific measurement tools to help us discuss the indicators (identified in the previous section).

### **Sub-Pillar (I) Citizen Empowerment**

Measurement tools

- (a) Mapping of participatory democracy tools and of any efforts by the government to inform the public about their existence, use, and means of access.
- (b) Mapping of dispute resolution mechanisms and of any efforts by the government to inform the public about their existence, use, and means of access.
- (c) Mapping of available legal aid provisions (in legislation and elsewhere) and of availability of public information pertaining to accessing legal aid.

### **Sub-Pillar (II) Protection and Promotion of Civic Space in Cyprus**

- (a) Review of international and European Standards and best practices
- (b) Mapping and measuring of compliance with recommendations by regional and international monitoring bodies
- (c) Enlisting SLAPPs and review of proceeding stages.

## **Summary of Findings**

### **Sub-Pillar (I) Citizen Empowerment**

Some other legislative steps are clearly very important to ensure civic engagement.<sup>17</sup> It is worth mentioning that there are currently bills pending that aim to further enhance citizen participation in Cyprus, enhancing compliance with international and regional recommendations.<sup>18</sup> Moreover, the 2019-2022 Action Plan on Improving the Regulatory Framework led to the creation of an electronic public consultation platform <https://e-consultation.gov.cy/>. The European Commission's Annual Rule of Law 2024 although applauding this development, has also drawn attention to severe shortcomings and ineffectiveness of such measures. A common aspect of regional and international strategies is the promotion of funding and free operation for civil society actors. There are few legislative provisions to achieve this. On the contrary, some laws have in effect impeded the operation of Civil Society Organisations,<sup>19</sup> with the government's clash with KISA, an NGO organisation provoking extensive responses, even from international bodies.<sup>20</sup> An amendment bill to the existing Law on Associations (which itself has prompted great criticism due to the way in which it affects CSOs) was drafted with insufficient consultation with CSOs.

Legal Aid in Cyprus is regulated by the Law on Legal Aid (N.165(I)/2002) / Ο Περί Νομικής Αρωγής Νόμος του 2002 (165(I)/2002). Information on Legal Aid, including on who can access it and under which circumstances is available on the Government's website, while the relevant form to be completed is available only in Greek through the Supreme Court's website. This creates some confusion regarding accessibility to information. It would have been more effective if all the information regarding access to legal aid, and all the forms required to be completed were accessed through a single portal, to enable citizens to easily understand how the procedure works and how they can benefit from it. It is worth noting that the Cyprus Bar Association (CBA) also has some information available on Legal Aid. The not-for-profit organisation called Justice For All / Δικαιοσύνη για Όλους is funded by the government and supported by the CBA and provides further information and assistance regarding Legal Aid.

### Sub-Pillar (II) Protection and Promotion of Civic Space in Cyprus

We have identified several hard and soft law instruments issued by international and regional organisations aiming to facilitate civic engagement in politics. There are several pieces of EU legislation and non-binding Resolutions and Recommendations issued by EU institutions that are designed to make civic engagement more accessible, such as the EU Directive on SLAPPs,<sup>21</sup> a Commission Recommendation on the promotion of engagement and effective participation of citizens and civil society organisations in public policy-making processes,<sup>22</sup> or

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<sup>17</sup> Law on the European Citizen Initiative (N 59(I)/2013) / Ο Περί Ευρωπαϊκής Πρωτοβουλίας Πολιτών Νόμος του 2013 (59(I)/2013)

<sup>18</sup> Bill on Law on Citizen Initiatives 2024 and Bill on Law on Public Consultations 2024

<sup>19</sup> Law on Associations and Foundations and Other Related Matters (N 104(I)/2017) / Ο περί Σωματείων και Ιδρυμάτων και για Άλλα Συναφή Θέματα Νόμος του 2017 (N. 104(I)/2017)

<sup>20</sup> E.g., in the European Commission's Annual Rule of Law Report on Cyprus 2024 (ARoLR), p.24; Amnesty International <https://www.amnesty.org/en/documents/eur17/3763/2021/en/>

<sup>21</sup> Directive (EU) 2024/1069 of the European Parliament and of the Council of 11 April 2024 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings ('Strategic lawsuits against public participation')

<sup>22</sup> Commission Recommendation (EU) 2023/2836 of 12.12.2023 on promoting the engagement and effective participation of citizens and civil society organisations in public policy-making processes (C(2023) 8627 final)

the Council’s Conclusions on the role of civic spaces in protecting and promoting fundamental rights in the EU.<sup>23</sup> Other international organisations, such as the Council of Europe, have also issued several Recommendations on how to ensure broader civic engagement. The OECD has also published Guidelines for Citizen Participation Processes.<sup>24</sup> Overall, there is a multitude of soft and hard instruments that are designed to target obstacles to civic engagement and make such engagement easier and more effective.

Cyprus has taken some legislative steps to comply with these various instruments. Some pieces of legislation represent positive developments in encouraging broader civic engagement, such as laws associated with Access to Information<sup>25</sup> or Transparency in Public Decision-Making.<sup>26</sup> One author of this Impact Assessment, Prof. Stéphanie Laulhé Shaelou, together with Dr. Klearchos Kyriakides, co-authored a separate independent study on the Right to Information in the Republic of Cyprus, upon the invitation of the Minister of Justice and Public Order, Republic of Cyprus to evaluate the framework regulating access to Public Sector information pursuant to GRECO Recommendations in the context of the 5th Evaluation Round visit to Cyprus. This is currently unpublished, but it exposes a number of shortcomings in the legal framework and its enforcement of the right of access to information in the Republic.

In general, despite some steps in the right direction, there remains much room for improvement regarding civic spaces in Cyprus, with the latest Civicus Report still describing the room for civil society in Cyprus as ‘narrow’.<sup>27</sup> Even where relevant legislation or other mechanisms exist, they tend to be deficient in practice.<sup>28</sup> Low awareness of the importance of civil society among the Cypriot population seems to exacerbate the state of civic engagement on the island.

## **Pillar 2-Democratic Governance**

This Pillar consists of two sub-pillars: anti-corruption and transparency. For each of the two sub-pillars, we have identified specific measurement tools to help us discuss the indicators (identified in the previous section).

### **Sub-Pillar (I) Anti-corruption**

#### Measurement tools

- (a) Collect domestic laws and policies aiming to fight corruption
- (b) Overview of the steps taken by the government to fulfil recommendations given by regional and international monitoring bodies on tackling corruption in the branches of power

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<sup>23</sup> Council Conclusions on the application of the EU Charter of Fundamental Rights; The role of the civic space in protecting and promoting fundamental rights in the EU (7388/23, 14 March 2023)

<sup>24</sup> OECD (2022), OECD Guidelines for Citizen Participation Processes, OECD Public Governance Reviews, OECD Publishing, Paris, <https://doi.org/10.1787/f765caf6-en>

<sup>25</sup> Law on the Right of Access to Public Sector Information (N 184(I)/2017) / Ο περί του Δικαιώματος Πρόσβασης σε Πληροφορίες του Δημόσιου Τομέα Νόμος του 2017 (N. 184(I)/2017)

<sup>26</sup> Law on Transparency of Public Decision-Making and Relevant Procedures (N 20(I)/2022) / Ο περί της Διαφάνειας στις Διαδικασίες Λήψης Δημόσιων Αποφάσεων και Συναφών Θεμάτων Νόμος του 2022 (N. 20(I)/2022)

<sup>27</sup> [https://monitor.civicus.org/globalfindings\\_2023/](https://monitor.civicus.org/globalfindings_2023/)

<sup>28</sup> ARoLR 2024, 28-29



- (c) Identify the implementation of international and European standards and best practice in the field of good democratic governance in domestic legislation.
- (d) Test the effectiveness of existing mechanisms by examining: the number of cases brought to courts with reference to the breach of the regulatory framework in the fight against corruption.

### Sub-Pillar (II) Transparency

#### Measurement tools

- (a) Collect domestic laws and policies aiming to ensure transparency
- (b) Overview of the steps taken by the government to fulfil recommendations given by regional and international monitoring bodies on transparency in the branches of power
- (c) Identify the implementation of international and European standards and best practice in the field of good democratic governance in domestic legislation.
- (d) Test the effectiveness of existing mechanisms by examining: the number of cases brought to courts with reference to the breach of the regulatory framework in the filed of the right to information.

### Summary of Findings

#### Sub-Pillar (I) Anti-corruption

The examined reports showcase several weaknesses of Cyprus' anti-corruption and transparency frameworks. Despite the existence of positive steps taken by the authorities to comply with some of the recommendations, legislative amendments ordinarily constitute a long process and take even longer to become truly effective.

The establishment of the Independent Authority Against Corruption (IAAC) of the Republic of Cyprus, for example, though an undeniably beneficial and long-awaited development, still reveals practical drawbacks. The circulation of a bill and plans for its establishment formed part of the response to GRECO's recommendations in the Third Evaluation Round back in 2018 which required a uniform legal framework for the criminalization and sanction of corruption offences, yet its ongoing status prevented the full implementation of the recommendation.<sup>29</sup> Four years later the bill was officially enacted, but insufficient human and financial resources still obstruct the organisation's effectiveness.

Lobbying measures were introduced but comprehensive conflict of interest regulations for government officials are not planned. This is particularly evident in GRECO's Fourth Evaluation Round Compliance Report,<sup>30</sup> where the outstanding recommendations predominantly concern MPs. Actions taken by Cypriot authorities were only sufficient for part implementation. Law enforcement appear to struggle with pursuing corruption cases despite many complaints reported, and there exists slow progress on enhancing prosecutorial

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<sup>29</sup> Group of States Against Corruption (GRECO), 'Third Evaluation Round: Incriminations and Transparency of Party Funding - Addendum to the Second Compliance Report on Cyprus' (18.04.2018, GrecoRC3(2018)4) 4.

<sup>30</sup> GRECO, 'Fourth Evaluation Round: Corruption prevention in respect of members of parliament, judges and prosecutors – Second Addendum to the Compliance Report on Cyprus' (09.01.2024, Greco RC4(2023)15).

independence. Slow responses and little progress on corruption cases can be linked to general inefficiencies of the judicial system.

### Sub-Pillar (II) Transparency

One important aspect developed elsewhere, including in a separate independent study on the Right to Information in the Republic of Cyprus co-authored by one of the authors of this Impact Assessment, Prof. Stéphanie Laulhé Shaelou, together with Dr. Klearchos Kyriakides, upon the invitation of the Minister of Justice and Public Order, Republic of Cyprus, to evaluate the framework regulating access to Public Sector information pursuant to GRECO Recommendations in the context of the 5th Evaluation Round visit to Cyprus, has to do with the consequences attached to the fact that the Head of the Independent Authority Against Corruption simultaneously serves as the Commissioner for Transparency. This appears to create an apparent or potential if not actual conflict of interest. On the one hand, his responsibilities as Head of the Authority appear to incline him towards the withholding of certain information from the public, for example, to protect the identity of complainants. On the other hand, his parallel responsibilities as Transparency Commissioner appear to incline him towards the principle of transparency (that emanate from the rule of law and are distinct from privacy rights). The authors therefore recommended that steps are taken to clarify, in public, whether the two roles are compatible with one another and, if so, how any apparent, potential or actual conflicts of interest are addressed.

Another potential weakness that was observed resides in the fact that the Independent Authority Against Corruption has not been endowed with independent prosecutorial powers in the way that, say, the Serious Fraud Office has been, having been ‘constituted for England and Wales and Northern Ireland’. This would require further examination and recommendations as far as the combating of corruption and the promotion of transparency are concerned.

## **Pillar 3-Functionality of Justice**

This Pillar consists of two sub-pillars: administration of justice and access to justice. For each of the two sub-pillars, we have identified specific measurement tools to help us discuss the indicators (identified in the previous section).

### Sub-Pillar (I) Administration of Justice

Measurement tools

- (a) Review of the legal framework in Cyprus regarding the administration of justice
- (b) Review of legislation and case of the Republic of Cyprus on the administration of justice
- (c) Review of case law of the Courts in Cyprus and European Courts on independence and impartiality of the judges in Cyprus.
- (d) Examine statutory rights of the police and their practical implementation, with reference to relevant Codes of Conduct for Law Enforcement Officials and the application of mandatory requirements (public order, national security, special powers).

## Sub-Pillar (II) Access to Justice

### Measurement tools

- (a) Review and analysis of existing data pertaining to Cyprus
- (b) Review of legislation and case of the Republic of Cyprus on access to justice
- (c) Review of case law of the Courts in Cyprus and European Courts on the principle of fair trial and particularly on delayed judgments.

## **Summary of Findings**

In order to measure the administration of and access to justice, we have focused on judicial independence, efficiency, accessibility, and fairness in law enforcement. Key challenges obstructing the functionality of justice in Cyprus include severe court delays, diminished public trust in the judiciary and police accountability. The analysis was completed by relying on domestic legislation (including relevant constitutional provision and national laws and regulations), case law from domestic and regional courts, and relevant EU Reports and other indices, the EU Commission’s Annual Rule of Law Reports and data from the EU Justice Scoreboard.

## Sub-Pillar (I) Administration of Justice

Judicial independence is formally protected through relevant constitutional provisions, statutory provisions, and the Court’s own procedures. The Supreme Council of Judicature controls judicial careers, while the newly introduced Advisory Judicial Council provides recommendations that remain non-binding. Court cases have confirmed that the legal standards used by Cypriot courts to ensure judicial impartiality are aligned with general European practices. Yet, there are significant concerns regarding public perceptions of the courts. In 2024, only 49% of the public and 47% of businesses rated judicial independence as “fairly or very good,” marking a decline from previous years.<sup>31</sup> Concerns over corruption persist, with 91% of citizens believing corruption is widespread, particularly in high-profile cases.<sup>32</sup> These results are probably indicative of a broad pattern of public distrust of all state bodies and institutions.

## Sub-Pillar (II) Access to Justice

Judicial efficiency remains a significant challenge, as Cyprus has for years ranked in the bottom of rankings regarding the length of time for a case reaching the courts until its resolution. This is true particularly of civil, commercial, and administrative appeals. The backlog of cases in the Cypriot judicial system remains a pressing issue requiring comprehensive and sustained reforms. While progress has been made, further efforts are needed to ensure the timely administration of justice, uphold the rule of law, and restore public confidence in the judiciary. A combination of legislative amendments, judicial modernisation, and strategic investments is essential for long-term improvements. The new Civil Procedure Rules 2023 aim to streamline case management and thus enable the prompt resolution of cases, it remains too early to evaluate its effectiveness. The Rules are without doubt a positive development, but their full

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<sup>31</sup> Figures 51 and 53, 2024 EU Justice Scoreboard and Figures 50 and 52, 2022 EU Justice Scoreboard

<sup>32</sup> Special Eurobarometer 584 on Citizens’ attitudes towards corruption in the EU (2024)

implementation will be a long process. Efforts to digitise court processes, including the I-justice electronic case system, have faced delays, limiting expected efficiency improvements.

Access to justice remains constrained by high costs, which limit legal recourse for lower income individuals. ADR mechanisms do exist but remain underutilised, contributing to court congestion and delays. While Legal Aid is available, bureaucratic hurdles make it difficult to access, further restricting options for those unable to afford legal representation.

Law enforcement practices and police accountability continue to raise concerns about fairness and proportionality. Cases of excessive force and human rights violations undermine public trust in law enforcement. While the Code of Police Ethics outlines principles for professionalism and impartiality, enforcement mechanisms remain inconsistent, limiting the effectiveness of these regulations. Judicial oversight of police misconduct is also sometimes ineffective, contributing to perceptions of impunity within law enforcement agencies.

Overall, court inefficiencies and long delays negatively impact businesses, investors, and individuals seeking justice, reducing confidence in the legal system. Concerns over police accountability highlight the need for stronger enforcement of existing ethical guidelines and better oversight mechanisms. Institutional reforms are necessary to improve public trust and efficiency in the justice system.

#### **Pillar 4: Democratic Values**

This Pillar consists of two sub-pillars: media freedom and public responses to crises. For each of the two sub-pillars, we have identified specific measurement tools to help us discuss the indicators (identified in the previous section).

##### **Sub-Pillar (I) Media Freedom**

Measurement tools

- (a) Review of existing constitutional provisions, laws enacted to give effect to European Directives, any relevant regulations, any domestic legislation on media freedom.
- (b) Identification of government responses to those proposals, any legislative changes promoted in response to them.
- (c) Review of case law of attempts to silence/censor media.

##### **Sub-Pillar (II) Public Responses to Crises**

Measurement tools

- (a) Review of government plans to tackle the crisis and relevant legislation conferring powers to executive agents
- (b) Review number and specificities of cases reaching the courts challenging measures (indication of extent of accountability and contestation of public responses) and of the decision-making process.

#### **Summary of Findings**

## Sub-Pillar (I) Media Freedom

Going back to the right of Access to Information and to quote from the 2024 Rule of Law Report on Cyprus:

***An information campaign was launched with the aim of raising awareness on the public's right to access information, but implementation challenges persist.*** [Bold in the original text.] *While the legislative framework, namely Law 184(I)/2017 [i.e., the Access to Public Sector Information Law], is in place and its implementation is efficiently overseen by the Information Commissioner, certain challenges persist in particular with regard to frequent delays in the processing of applications, the application in practice of the exceptions to the right to access information, as well as the interplay of the above mentioned framework law with other laws and regulations regulating specific authorities.*

*While MPM 2024 [i.e., Media Pluralism Monitor 2024] maintains its analysis that the system leaves room for arbitrariness, it has decreased its risk evaluation for this area from high to medium risk as certain denial of access decisions in relation to state advertising issues appear to have been reversed. GRECO recommended to Cyprus to conduct a thorough analysis of the challenges in the implementation of the law and to take additional measures to improve public access to information and a culture of openness within the public authorities, where necessary. The Information Commissioner launched an information campaign at the beginning of 2023, in collaboration with the government's press and information office, to raise awareness among the public in relation to the right to access public information. The Information Commissioner points out that the majority of complaints received by her office – very few of which are lodged by journalists – are resolved following the office's intervention. ...*

*In its 2023 Recommendation on promoting the engagement and effective participation of citizens and civil society organisations in public policy-making processes, the Commission recommends, amongst other, to Member States to provide the widest possible access to information and to key documents both offline and online, including through the websites of the relevant public authorities, and proactively and widely disseminate such information to the public, in an accessible language, free of charge and without undue administrative obstacles (Commission Recommendation of 12.12.2023, C(2023) 8627 final, p.10).<sup>33</sup>*

More cross-government effort to promote the right of access to public sector information in Cyprus together with media freedom and the combating of corruption in the name of transparency and accountability appears to be vital. Out of the safeguarding of rights and freedoms recognised by common law, the 1960 Constitution, European Human Rights Law and European Union Law, it is clear that such rights and freedoms include freedom of expression, press freedom and academic freedom to be further enhanced in Cyprus.

## Sub-Pillar (II) Public Responses to Crises

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<sup>33</sup> 'Commission Staff Working Document: 2024 Rule of Law Report: Country Chapter on the rule of law situation in Cyprus: SWD(2024) 813 final', 24 July 2024, 22-23 and footnote 210 on page 25, [https://commission.europa.eu/document/download/a3e5a6f3-2dc4-403a-94ea-af42177813e9\\_en?filename=31\\_1\\_58067\\_coun\\_chap\\_cyprus\\_en.pdf](https://commission.europa.eu/document/download/a3e5a6f3-2dc4-403a-94ea-af42177813e9_en?filename=31_1_58067_coun_chap_cyprus_en.pdf)

The Cypriot Constitution (1960) contains a specific provision to enable the government's response to emergencies.<sup>34</sup> Article 183 empowers the Council of Ministers to issue a 'Proclamation of Emergency', authorising them to take the necessary measures to protect the Republic. The State of Emergency lasts for two months but can be prolonged by a decision of the House of Representatives. Art. 183 also provides that any measures taken within the framework of the Emergency cease to have effect when the emergency is terminated.<sup>35</sup> When COVID-19 struck, however, the Cypriot government opted to handle the crisis through the use of a piece of legislation (the Quarantine Act) and not the Constitution. The Quarantine Act, a piece of legislation enacted by the British colonial powers in 1932 allowed for broad powers to handle a public health crisis.<sup>36</sup> Even though that Act predates the Constitution, Art.188 of the Constitution allows legislation predating the creation of the Constitution to be used, as long as it has not been repealed or amended. According to the Quarantine Law, the government (that power was delegated to the Health Minister) can designate areas as infected and adopt measures to tackle the disease.

Using those powers, the Health Minister announced a series of measures in March 2020 with comprehensive restrictions on movement and association and a detailed account of exceptions.<sup>37</sup> The first round of restrictions (from March 2020 to May 2020) was followed by later measures revoking many of those restrictions, before later rounds of restrictions (e.g., later in the year). Tightening and loosening the restrictions was largely based on epidemiological evidence available to the authorities and to guidelines issued by international bodies and organisations. One measure adopted provoked intense scrutiny, as it prevented entry into the Republic for anyone without a health certificate. This restriction, however, also affected Cypriot citizens residing abroad (e.g., students). That restriction, however, would essentially prevent Cypriot citizens from entering the Republic, violating Art.14 of the Constitution. In a judicial review case lodged about that measure, the Administrative Court was asked to suspend the decree as *ultra vires* granted by the enabling legislation. The Court dismissed the claim on various procedural grounds, essentially accepting broad room for executive actions seeking to challenging a pressing public health crisis.<sup>38</sup> Yet, following public outcry, the government announced special provisions for the gradual repatriation of citizens and of other residents on

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<sup>34</sup> Following bi-communal violence in 1963-1964, Turkish-Cypriots vacated their posts in state bodies (Vice-Presidency, seats in Parliament, etc.). The Constitution, built on the principle of bi-communality, continues to operate on the basis of the doctrine of the state of emergency (developed in the leading case of Attorney General of the Republic v Ibrahim and Others (1964) CLR, 195). The doctrine of necessity enables the departure from the provisions of the Constitution when it comes to the composition of state bodies so as to enable the state's continued functioning.

<sup>35</sup> See S. Laulhé Shaelou and A. Manoli, 'A Tale of Two: the COVID-19 pandemic and the Rule of Law in Cyprus' (May 2020) <https://verfassungsblog.de/a-tale-of-two-the-covid-19-pandemic-and-the-rule-of-law-in-cyprus/>

<sup>36</sup> S. Laulhé Shaelou and A. Manoli, 'The Islands of Cyprus and Great Britain in times of COVID-19 pandemic: variations on the Rule of Law 'in and out' of the EU' (May 2020) <https://www.eesc.europa.eu/en/sections-other-bodies/other/group-fundamental-rights-and-rule-law/frtl-trends-eu-member-states/islands-cyprus-and-great-britain-times-covid-19-pandemic>

<sup>37</sup> Cyprus Press and Office Information, Coronavirus Announcements <https://www.pio.gov.cy/coronavirus/eng/categories/important-announcements>

<sup>38</sup> Patsalidi v. Republic of Cyprus (Health Ministry), Case 301/2020 (April 16, 2020) <https://www.cylaw.org/cgi-bin/open.pl?file=/administrative/2020/202004-301-20ait300320.html>

legitimate grounds. Other cases reaching the courts were either found inadmissible,<sup>39</sup> or failed to find emergency legislation as unlawful.<sup>40</sup>

The measures adopted, as was the case with most European countries, restricted fundamental rights and freedoms, such as the freedom of movement and association. There are important questions, however, about whether all such restrictions were necessary and proportionate given the epidemiological evidence available at the time. It has in fact been suggested that several of those measures exceeded what would have been proportionate.<sup>41</sup>

Deciding to rely on an existing statutory instrument (the Quarantine Act) meant that there was no formal declaration of a state of emergency (according to the Constitution), and emergency powers were instead regulated by an outdated statutory instrument. The government proceeded to amend the Quarantine Act as that was necessary (e.g., to update the relevant fines attached to violations of health measures). The government's preferred approach significantly sidelined the House of Representatives, as they were allowed to exercise much less control than what they would have enjoyed had a Proclamation of Emergency been made under the Constitution. The House of Representatives was involved, however, in the efforts to amend and replace parts of the Quarantine Act.

## **Conclusions**

The desk-research we have conducted reveals very interesting findings about how the various values identified by the four pillars are safeguarded in Cyprus. For several of these values, Cyprus is seeking to proceed with institutional and statutory changes to align with international standards. This is true in several fields, ranging from Access to Information to Protections against Corruption and from access to justice to enhanced civic participation in politics. The various reports examined (such as the Annual Rule of Law Report) recognise the positive developments. They nevertheless also draw attention to specific shortcomings and deficiencies of the Cypriot framework.

In this summary we have sought to identify those shortcomings while also highlighting possible solutions that could ameliorate those problems.

### Pillar 1-Civic Engagement

The room for civil society and civic engagement remains limited in Cyprus. This is partly because there is a lack of culture of open dialogue and citizen engagement in politics.<sup>42</sup> Steps that have been taken to improve civic engagement, such as a public consultation platform, should be enhanced in order to yield results. More information is needed on how collected

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<sup>39</sup> Costa v. Attorney General for the Republic of Cyprus, Case 1322/2021 (2021), <https://cyllaw.org/cgi-bin/open.pl?file=apofaseised/pol/2021/1120210522.htm>

<sup>40</sup> Antoniou v. Police (Republic of Cyprus), Case 74/2020 (2020) [https://www.cyllaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros\\_2/2020/2-202007-74-202.htm&qstring=covid](https://www.cyllaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_2/2020/2-202007-74-202.htm&qstring=covid)

<sup>41</sup> Constantinos Kombos, 'Constitutional Improvisation and Executive Omnipotence: the Cypriot Handling of the Pandemic' *Verfassungsblog* (02 March 2021) <https://verfassungsblog.de/constitutional-improvisation-and-executive-omnipotence-the-cypriot-handling-of-the-pandemic/>

<sup>42</sup> Civicus, 2023. [https://monitor.civicus.org/globalfindings\\_2023/](https://monitor.civicus.org/globalfindings_2023/)

feedback is taken into consideration, decision-making procedures must be more inclusive of stakeholders, and CSOs should be afforded greater protections.<sup>43</sup>

### Pillar 2-Democratic Governance

All available data show that corruption is rampant in Cyprus. Not only are public perceptions indicative of low trust in the system, but some high-profile scandals have also shaken the Cypriot society (e.g., Golden Passport scheme). It is striking that, as the Annual Rule of Law Report 2024 notes, there has been very little progress in pursuing high-level corruption cases before the court.<sup>44</sup> This contributes to the perception that powerful agents can act with broad impunity. The IAAC is a very positive development, but it requires much more financial and other resources to carry out its mandate. When it comes to transparency, legislation enacted is not effective in its application. This indicates a lack of culture of openness and public access to information.<sup>45</sup> For example, as the Media Pluralism Report shows, many requests made to the relevant public authorities on the basis of Law 184/2007 were rejected on the grounds of national security.<sup>46</sup>

### Pillar 3-Functionality of Justice

Cyprus is frequently ranked among the countries with the lengthiest time required for court proceedings.<sup>47</sup> This indicates structural problems with access to justice in Cyprus, in turn indicative of serious issues regarding general rule of law protections. The latest Civil Procedure Rules 2023 aim to slash the time required for court proceedings, but it will take time before we can evaluate the effectiveness of those regulations. Other changes (including the digitalisation of court procedures) have been further delayed. The court system in Cyprus requires great investment, including equipment for court rooms, the hiring of more judges (this is gradually realised since 2023), the stricter observance of Civil Procedure rules, and the promotion of Alternative Dispute Resolutions methods. Although ADR is available in the RoC, it has not been sufficiently promoted in a way that would help diminish the backlog of cases currently faced by the courts. Ensuring police accountability demands independent oversight bodies to monitor law enforcement conduct, along with mandatory training in human rights and proportionality.

### Pillar 4-Democratic Values

Structural issues pertaining to the right to information and the transparency of government decisions have been analysed above. These are quite acute in times of emergency, as shown during the public response to the pandemic. The Cypriot government responded to the pandemic by relying on an existing piece of legislation and not by triggering an emergency condition using the relevant Constitutional provision. This choice resulted in the sidelining of

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<sup>43</sup> In accordance with OECD Guidelines for Citizen Participation Processes (2022)

<sup>44</sup> ARoLR, 2024, p. 15

<sup>45</sup> GRECO Fifth Evaluation Round, Report Cyprus. October 2023, p.22

<sup>46</sup> Christophorou, C. and Karides, N. 'Country Report: Cyprus'. Monitoring media pluralism in the digital era : application of the media pluralism monitor in the European member states and in candidate countries in 2023. EUI, RSC, Research Project Report, Centre for Media Pluralism and Media Freedom (CMPF), 2024, Country Reports - <https://hdl.handle.net/1814/76997>

<sup>47</sup> 2024 EU Justice Scoreboard, Figures 5, 7-10, 16



the House of Representatives—had an emergency been declared, the democratic chamber would have been given a role in prolonging the emergency if necessary, thus realising some checks on the enhanced executive powers. The measures adopted, as was the case with most European countries, restricted fundamental rights and freedoms, such as the freedom of movement and association. The response to the public health crisis indicates a shift towards executive powers and away from the rule of law, democratic mechanisms of control and accountability. This is a perennial concern with the use of emergency powers and not one unique to Cyprus.

### **All Pillars - Infographics**

In the newly released infographics on the state of the Rule of Law and European Values in Cyprus (October 2024, by Dr. Alexandra Uibariu, CRoLEV post-doctoral researcher) (**available as Annex 8**), newly-collected and analysed data on perceptions of key indicators on the Rule of Law and European values in Cyprus paint collectively a dispiriting picture. In turn, that picture underlines why the organs of governance, law enforcement agencies and wider public sector of Cyprus ought to implement – and be seen to be implementing – effective anti-corruption measures alongside a culture of rule of law and democracy.

## Why should the EU (still) act and what should be achieved

The rule of law, democracy, and respect for human rights are core values of the European Union, recognised as such in Article 2 of the TEU. Yet those values have faced significant challenges across the Union over the past. Various crises have plagued Europe with significant impact on those values, ranging from the financial crisis in the early 2010s to the concomitant rise of populism and erosion of democracy and the rule of law in various European countries, and from the migratory and refugee flows to the public health crisis brought by the COVID-19 pandemic. Effectively responding to these crises is a complex and difficult task that requires an in-depth understanding of their causes and roots, the delicate balancing of powers between the national and the supranational level, and the effective functioning of the various legal mechanisms at the European level.

Now, the EU is still struggling to ensure its values in light of the rise of far-right populism across Europe, and continuing rule of law backsliding within various member states. The establishment of right-wing parties as the main political actors in countries such as Hungary and (until recently) Poland is matched by the rise of right-wing populist parties elsewhere in Europe.<sup>48</sup> These events constitute serious threats to the Union's internal cohesion and values. The rule of law and democracy backsliding within and outside the EU render action imperative. It is vital that the EU must take action to secure its values.

The financial crisis in the early 2010s was a turning point for the EU. Not only did the crisis threaten the economic functioning of the Union, but it also dramatically increased wealth disparity and inequality. Against this background, a series of populist parties emerged. United by their Euroscepticism and their critical attitude towards 'conventional' liberal values, those parties spawned across Europe and, where they found fertile ground, proliferated. On some occasions, those parties came from the left, such as Greece's Syriza or Spain's Podemos, but on many occasions, they came from the right. Most worrying, within the European context, has been the rise of right-wing populism. Riding on a right-wing-populist wave, the UK voted in 2016 to leave the EU.

From mid-2010s to this day countries such as Poland and Hungary saw right-wing populist parties gaining power.<sup>49</sup> That rise led to a series of actions that threaten core European values. Commentators have stressed the various ways in which populists in power attack central components of the rule of law and constitutional democracies by undermining judicial independence, fundamental rights, free speech and the media, and dissent.<sup>50</sup> The specific

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<sup>48</sup> Ruth Wodak, Majid KhosraviNik, and Brigitte Mral (eds) *Right-Wing Populism in Europe: Politics and Discourse* (London: Bloomsbury Academic, 2013)

<sup>49</sup> Wojciech Sadurski, *Poland's Constitutional Breakdown* (OUP, 2019); Miklós Bánkuti, Gábor Halmai, and Kim Lane Scheppele, 'Disabling the Constitution', (2012) 23 *Journal of Democracy* 140; Gabriel L. Negretto and Sinlongo Wandan, 'Democratic Constitutional Replacements and Majoritarian Politics: The Cases of Poland (1993– 1997) and Hungary (2010– 2011)' in Gabriel L. Negretto (ed) *Redrafting Constitutions in Democratic Regimes: Theoretical and Comparative Perspectives* (CUP, 2020), 160– 61

<sup>50</sup> See e.g., Mulle *What is Populism*; Takis Pappas, 'Populists in Power' (2019) 30 *Journal of Democracy*; William Galston, *Anti-Pluralism: The Populist Threat to Liberal Democracy* (Yale University Press, 2018); Stefan Rummens, 'Populism as a Threat to Liberal Democracy' in Rovira Cristobal Kaltwasser et al. (eds) *The Oxford Handbook of Populism* (OUP, 2017)

actions undertaken by those governments are the subject matter of several analyses. Measures seeking to consolidate the government's power, such as attacking judicial independence,<sup>51</sup> eliminating dissent,<sup>52</sup> limiting free speech,<sup>53</sup> and attacking minorities<sup>54</sup> reveal how populist parties, claiming to be speaking for the people adopt rhetoric that puts them at odds with core values of the EU such as equality, and non-discrimination. Attacking free speech and eliminating dissent showcase the true impact such populist parties can have on democratic governance, whereas their judicial reforms constitute a blow to key rule of law principles.<sup>55</sup> Despite several decisions by the European Court of Justice against countries that adopt policies that violate the rule of law and European values,<sup>56</sup> and despite the creation of enforcement mechanisms such as the Conditionality Regulation,<sup>57</sup> the backsliding of rule of law and democracy has not subsided. In fact, one might argue, that given the deterioration in other Central and Eastern European countries such as Slovakia and Czechia, robust action by the EU becomes more important than ever.<sup>58</sup>

The latest elections in Poland have resulted in the defeat of the populist party.<sup>59</sup> But as current government officials and commentators have noted, the damage done by the populist part on rule of law and democratic structures will be difficult to remedy.<sup>60</sup> In light of the defeat of PiS in Poland, one might be tempted to think that Hungary remains the 'exception' in Europe, when it comes to right-wing populism. But this is a naive interpretation of the current political climate. Right-wing parties that share a Eurosceptic outlook and a diminished sense of respect for core European values have emerged as significant players even in countries where they did not secure governing positions. AfD in Germany increased its percentages in the latest German

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<sup>51</sup> Malgorzata Szuleka, Marcin Wolny, Maciej Kalisz. 'The Time of Trial: How do changes in justice system affect Polish Judges?' (Helsinki Foundation for Human Rights, 2019) [https://www.hfhr.pl/wp-content/uploads/2019/07/czas-proby-EN\\_EMBARGO\\_24072019.pdf](https://www.hfhr.pl/wp-content/uploads/2019/07/czas-proby-EN_EMBARGO_24072019.pdf)

<sup>52</sup> A.L. Barabaoasi 'Academia Under Fire in Hungary' (2017) 356 *Science* (American Association for the Advancement of Science) 563

<sup>53</sup> Marta Bucholc and Maciej Komornik, 'The Polish 'Holocaust Law' Revisited: The Devastating Effects of Prejudice-Mongering', (2019) *Cultures of History Forum*, <https://www.cultures-of-history.uni-jena.de/politics/the-polish-holocaust-law-revisited>

<sup>54</sup> Laurent Pech and Kim Lane Scheppele "Illiberalism Within: Rule of Law Backsliding in the EU" (2017) 19 *Cambridge Yearbook of European Legal Studies*;

<sup>55</sup> See, in general, Nicola Lacey, 'Populism and the Rule of Law' (2019) 15 *Annual Review of Law and Social Science* 79, 87

<sup>56</sup> C-619/18 *European Commission v Republic of Poland* [2019] ECLI 531 (lowering retirement age for judges); C-192/18 *European Commission v Republic of Poland* [2019] ECLI 924 (retirement age male and female judges); C-791/19, *European Commission v. Poland (Régime disciplinaire des juges)* [2021] ECLI 596

<sup>57</sup> Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget

<sup>58</sup> Civil Liberties Union for Europe, *Liberties Rule of Law Report*, (2024), [https://dq4n3btxmr8c9.cloudfront.net/files/oj7hht/Liberties\\_Rule\\_of\\_Law\\_Report\\_2024\\_FULL.pdf](https://dq4n3btxmr8c9.cloudfront.net/files/oj7hht/Liberties_Rule_of_Law_Report_2024_FULL.pdf)

<sup>59</sup> Rob Picheta, 'Poland's Law and Justice party loses power after eight years of authoritarian rule'. *CNN*, (12 December 2023) <https://edition.cnn.com/2023/12/11/europe/poland-pis-confidence-vote-tusk-intl/index.html>

<sup>60</sup> Shaun Walker, 'New Polish justice minister will seek 'any niche' to undo rule of law breaches'. *The Guardian* (21 December 2023), <https://www.theguardian.com/world/2023/dec/21/new-polish-justice-minister-will-seek-any-niche-to-undo-rule-of-law-breaches>; Emily Bloom, Alexander Hudson, 'Is Poland's democratic backsliding over? History shows it takes more than an election' *International Institute for Democracy and Electoral Assistance (International IDEA)* (13 December 2023) <https://www.idea.int/blog/polands-democratic-backsliding-over-history-shows-it-takes-more-election>

elections,<sup>61</sup> while the National Rally in France has also rose to a prominent player in French politics.<sup>62</sup> In several other countries, populist right-wing parties have also secured significant increases in their popularities.<sup>63</sup> Even when those parties are not governing, they influence their countries' outlook and attitude towards global events (such as the war in Ukraine). Given the Trump administration in the US, and its evident hostility towards some of the EU's most dearly held values,<sup>64</sup> the imperative of EU response and action to secure and safeguard its values is of the utmost salience.

The struggle to ensure and maintain the rule of law, democracy, and other values is perpetual. The EU must constantly safeguard and protect those values, especially given the critical geopolitical circumstances at the time. To ensure its standing in the international order, the EU must increase its efforts to secure democracy and the rule of law domestically. The EU must strive to ensure that all its citizens enjoy the protections and benefits afforded from the rule of law and democratic governance, in an environment where fundamental rights and equality are safeguarded. The only way to ensure that is by structuring effecting enforcement mechanisms and other soft law measures to promote and safeguard the rule of law and democratic values.

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<sup>61</sup> Deborah Cole, 'Conservatives win German election but far-right AfD doubles support'. *The Guardian* (24 February 2025) <https://www.theguardian.com/world/2025/feb/23/conservatives-poised-to-win-german-election-but-far-right-afd-doubles-support>

<sup>62</sup> Joseph Downing, 'How the French Far-Right Rose to Prominence' (2024) *The Conversation* <https://theconversation.com/how-the-french-far-right-rose-to-prominence-233746>

<sup>63</sup> Murat Aktas, 'The rise of populist radical right parties in Europe' (2024). *International Sociology*, 39(6), 591-605. <https://doi.org/10.1177/02685809241297547>

<sup>64</sup> Emily Atkinson. 'JD Vance attacks Europe over free speech and migration' *BBC* (15 February 2025) <https://www.bbc.com/news/articles/ceve3wl21x1o>

# What are the various options to achieve the objectives?

## 1. Thin and Thick Mechanisms at the EU and Council of Europe Levels Enforcing EU Values

### 1. Introduction

The EU values enshrined in Article 2 TEU reflect the EU's prominent commitment to encouraging a society based on justice, solidarity, and sustainability.<sup>65</sup> The Council of Europe (CoE) has a similar commitment reflected in its prominent Conventions protecting human rights and democracy. As such, these values constitute the basis of law and policy, guiding legislation, accession criteria, and internal and external relations in Europe.<sup>66</sup> Safeguarding these values has proven challenging, particularly with the rise of populism.<sup>67</sup> Thus, it is critical to understand the mechanisms the EU and other institutions like the CoE employ to enforce/lead to compliance with these pan-European values.

To achieve such understanding, this section explores the mechanisms for enforcing European values, both at the EU level and within the framework of the CoE. It outlines the legal, political, and financial tools available to the EU and CoE to uphold the fundamental principles enshrined in the rule of law. The effectiveness of these mechanisms can be assessed by their direct impact through binding effects (thick enforcement) or their indirect impact (thin enforcement), which are illustrated in diagrams. The section will also identify the gaps in the protection of European values and suggest more effective protection mechanisms.

### 2. Enforcement Mechanisms at the EU Level

Enforcing these values at the EU level is complex and multifaceted. It involves legal and political mechanisms aimed at ensuring compliance by member states. These mechanisms can be broadly categorised into thick (binding) and thin (non-binding or advisory) tools, each serving a unique role in upholding European values in the EU.<sup>68</sup>

The legal mechanisms encompass infringement procedures, the rule of law mechanism, and the judgments of the CJEU. Consequently, the European Commission and the CJEU play critical roles in enforcing European values in the EU. Firstly, the infringement procedure

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<sup>65</sup> De Witte, Floris. *Justice in the EU: The emergence of transnational solidarity*. Oxford University Press, USA, 2015; Wilms, Günter. *Protecting fundamental values in the European Union through the rule of law: Articles 2 and 7 TEU from a legal, historical and comparative angle*. 2017; Börzel, Tanja A., and Thomas Risse. "One size fits all! EU policies for the promotion of human rights, democracy and the rule of law." *Workshop on Democracy Promotion*. Vol. 4. No. 5. Stanford: Stanford University, 2004.

<sup>66</sup> Kochenov, Dimitry, and Laurent Pech. "Monitoring and Enforcement of the Rule of Law in the EU: Rhetoric and Reality." *European Constitutional Law Review* 11, no. 3 (2015): 512-540.; Pech, Laurent. "The rule of law as a constitutional principle of the European Union." (2009); Bárd, Petra, Sergio Carrera, Elspeth Guild, and Dimitry Kochenov. "An EU mechanism on democracy, the rule of law and fundamental rights." *CEPS Paper in Liberty and Security in Europe* (2016).

<sup>67</sup> Kochenov, Dimitry, and Laurent Pech. "Monitoring and Enforcement of the Rule of Law in the EU: Rhetoric and Reality." *European Constitutional Law Review* 11, no. 3 (2015) 514-540.

<sup>68</sup> For a CRoLEV analysis of thin and thick approaches to Rule of Law, see Marcou and Kalaitzaki, 'Rule of Law and European Values: Beyond the state-of-the-art analysis' (CRoLEV, 21 August 2022) <https://crolev.eu/wp-content/uploads/2022/10/CRoLEV-Deliverable-D.3.1-31-August-2022-FINAL.docx.pdf>

outlined in Article 258 of the Treaty on the Functioning of the European Union (TFEU) enables the Commission to initiate legal action against member states that fail to comply with EU law.<sup>69</sup> If a member state is found to have breached EU legislation, the Commission may issue a reasoned opinion, urging the country to rectify the infringement. Non-compliance may instigate proceedings wherein the CJEU can impose financial penalties on the state.<sup>70</sup> Such actions can result in either a lump sum payment or daily fines until the situation is resolved, rendering this mechanism a highly coercive tool for ensuring compliance and safeguarding European values in the EU.<sup>71</sup> Thus, the CJEU, through its binding judgments, wields one of the EU's most powerful instruments for upholding its values.

Secondly, Article 7 TEU constitutes one of the EU's most significant thick enforcement mechanisms. This procedure, part of the rule of law mechanism, can be invoked when a member state risks breaching fundamental EU values.<sup>72</sup> Like the infringement procedures, this process is initiated by the European Commission or one-third of member states. It involves a two-stage procedure: a preventive phase and a sanctioning phase.<sup>73</sup> The European Council can issue recommendations to the state in the preventive phase. If the violation persists, the European Council, following the European Parliament's opinion, may apply sanctions, including suspending voting rights in the European Council or Council of Ministers, impeding the state's ability to influence EU decision-making.<sup>74</sup> This tool has profound political and legal consequences, especially for countries that rely heavily on their participation in EU governance. However, invoking Article 7 requires unanimous agreement among EU member states in the Council, making it challenging to apply effectively in practice despite its potential severity.<sup>75</sup>

The political mechanisms include the European Commission's Rule of Law Reports and Dialogue, EU Parliament resolutions and peer review and monitoring mechanisms. The Rule of Law Report is regularly published by the European Commission, assessing the state of the

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<sup>69</sup> (2010). 27th Annual report from the Commission on monitoring the application of Community law (2009). Situation in the different sectors. Commission staff working document accompanying the report. SEC (2010) 1143 final, 1 October 2010. <https://core.ac.uk/download/10595113.pdf>

<sup>70</sup> Sammut, Ivan, and Jelena Agranovska. *The Implementation and Enforcement of European Union Law in Small Member States*. Springer International Publishing, 2021; Andersen, Stine. *The enforcement of EU law: the role of the European Commission*. Oxford University Press, 2012; Schmidt, Matthias, and Piotr Bogdanowicz. "The infringement procedure in the rule of law crisis: how to make effective use of Article 258 TFEU." *Common Market Law Review* 55, no. 4 (2018); Kochenov, Dimitry, and Laurent Pech. "Upholding the Rule of Law in the EU: On the Commission's 'Pre-Article 7 Procedure' as a Timid Step in the Right Direction." (2015).

<sup>71</sup> Ibid.

<sup>72</sup> WILMS, Günter, *Protecting fundamental values in the European Union through the rule of law : articles 2 and 7 TEU from a legal, historical and comparative angle*, Florence : European University Institute, Robert Schuman Centre for Advanced Studies, 2017 - <https://hdl.handle.net/1814/44987>.

<sup>73</sup> Bárd, Petra, and Anna Sledzinska-Simon. "Rule of law infringement procedures-A proposal to extend the EU's rule of law toolbox." *Available at SSRN* (2019); Kochenov Dimitry, Busting the myths nuclear: A commentary on Article 7 TEU ( EU Working Papers LAW 2017/10) < [https://cadmus.eui.eu/bitstream/handle/1814/46345/LAW\\_2017\\_10.pdf?utm\\_source=chatgpt.com](https://cadmus.eui.eu/bitstream/handle/1814/46345/LAW_2017_10.pdf?utm_source=chatgpt.com) > last accessed on 10 February 2025.

<sup>74</sup> Ibid.

<sup>75</sup> Ibid.

rule of law in all EU member states (to which CRoLEV participates yearly).<sup>76</sup> The report is part of a broader dialogue between the Commission and national governments that is designed to foster. This mechanism enables early identification of problems related to democratic backsliding, judicial independence, or violations of fundamental rights, promoting a broader dialogue between the European Commission and member states to address these issues.<sup>77</sup> While the Rule of Law Report does not carry binding consequences, it is an essential tool that raises awareness while providing a platform for political discussions, mutual understanding and compliance with EU norms.

Moreover, peer pressure as a soft enforcement mechanism encourages member states to adhere to common values through public discourse and reform recommendations, shifting public opinion and political behaviour in member states.<sup>78</sup>

The European Parliament's role is equally vital in upholding the European values enshrined in Article 2 TEU. The Parliament often issues resolutions and statements that call attention to violations of European values, particularly regarding democracy and human rights. The political weight of these resolutions is significant yet not legally binding.<sup>79</sup> This is because the European Parliament cannot directly impose sanctions but raise awareness, mobilise civil society, and influence public opinion in member states.

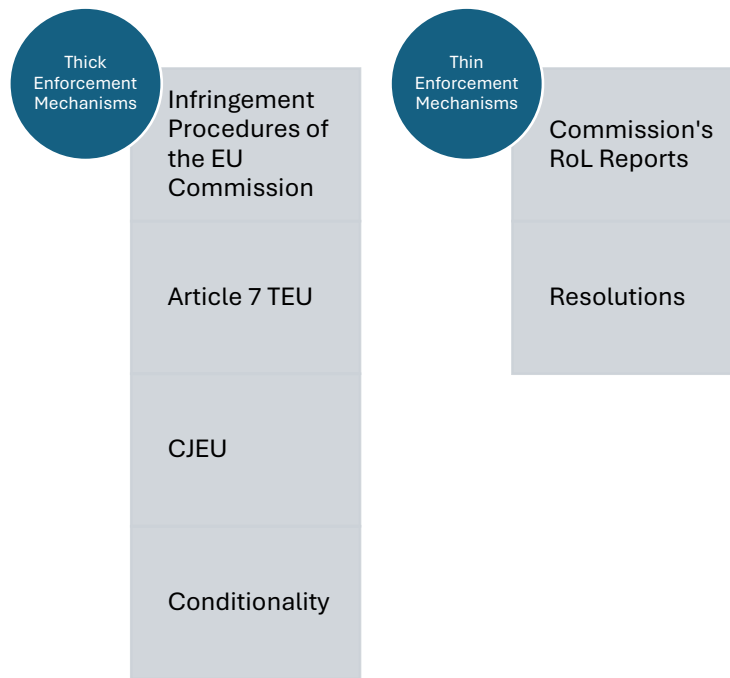
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<sup>76</sup> Pech, Laurent, and Petra Bard. "The Commission 2021 Rule of Law Report and the EU Monitoring and Enforcement of Article 2 TEU Values." *Available at SSRN 4100083* (2022); Pech, L. The Rule of Law as a Well-Established and Well-Defined Principle of EU Law. *Hague J Rule Law* 14, 107–138 (2022). <https://doi.org/10.1007/s40803-022-00176-8>.

<sup>77</sup> *Ibid.*

<sup>78</sup> Jakab, András, and Dimitry Kochenov, eds. *The enforcement of EU law and values: ensuring member states' compliance*. Oxford University Press, 2017; Conzelmann, Thomas. "Peer reviewing the rule of law? A new mechanism to safeguard EU values." *European Papers-A Journal on Law and Integration* 2022, no. 2 (2022).

<sup>79</sup> *Ibid.*; Falkner, Gerda. *Complying with Europe: EU harmonisation and soft law in the member states*. Cambridge University Press, 2005.



Despite the mixture of thin and thick enforcement mechanisms safeguarding European values, there exists a significant gap in their protection, mainly arising from structural weaknesses in the enforcement mechanisms of the EU. Political considerations, procedural constraints, and a lack of consensus among member states often hinder the enforcement of the available tools. For example, Article 7 TEU, despite being the EU's most stringent enforcement tool, requires unanimity among member states, making it nearly impossible to activate against those violating EU values. This has been evident in cases involving Hungary and Poland, where mutual protection among illiberal governments has impeded the process.<sup>80</sup> Simultaneously, infringement proceedings under Article 258 TFEU permit financial penalties and binding judgments from the CJEU; however, they are restricted to specific violations of EU law rather than encompassing broad systemic threats to democracy or the rule of law.<sup>81</sup>

The political tools, such as the Rule of Law Report and European Parliament resolutions, lack binding force. Thus, they largely rely on political pressure rather than direct enforcement, rendering them mere warnings.<sup>82</sup>

### 3. Enforcement Mechanisms at the CoE Level

At the Council of Europe, when a violation occurs under the ECHR, the ECtHR can issue binding decisions that require the country to take specific remedial actions.<sup>83</sup> The Court often requires countries to amend their legal systems or pay reparations to victims of human rights

<sup>80</sup> Scheppele, Kelemen, & Morijn, "EU Values Are Law, after All: Enforcing EU Values through Systemic Infringement Actions by the European Commission and the Member States." *Yearbook of European Law*, 2020, 39, 3-121.

<sup>81</sup> Kochenov, "Elephants in the Room: The European Commission's 2019 Communication on the Rule of Law." *Hague Journal on the Rule of Law*, 2019, 11(2-3), 423-438.

<sup>82</sup> Dawson, "The Lost Spitzenkandidaten and the Future of European Democracy." *Maastricht Journal of European and Comparative Law*, 2021, 28(1), 5-9.

<sup>83</sup> Bates, Ed. *The evolution of the European Convention on Human Rights: from its inception to the creation of a permanent Court of Human Rights*. Oxford University Press, 2010.



violations. In the unlikely event of non-compliance, a member state can be expelled from the Council of Europe.<sup>84</sup> A drastic measure that exemplifies the Council's commitment to human rights, albeit with limits in times of conflicts.

Furthermore, the Committee of Ministers of the CoE can issue resolutions or recommendations to countries that violate CoE principles, advise on corrective actions, or express concerns.<sup>85</sup>

In contrast, with the binding effects of the ECtHR, the thin enforcement mechanisms at the CoE level typically rely on dialogue, peer pressure, monitoring, and incentives rather than direct legal penalties.<sup>86</sup> These tools are less coercive, relying on influencing member states' behaviour through social or political pressures rather than formal sanctions or legal rulings. For example, the Venice Commission provides advice on constitutional law and the rule of law. Moreover, it monitors the implementation of reforms in member states. Since these reports are not binding, member states can ignore or disagree with the Commission's recommendations.<sup>87</sup>

Nevertheless, the Venice Commission's opinions are respected by governments and often lead to reforms, thus playing a significant soft enforcement role. Another monitoring mechanism involves the Commissioner for Human Rights.<sup>88</sup> The commissioner's office prevents violations of the ECHR by monitoring human rights in all member states and intervening where and when necessary. Another example involves promoting the European Committee for the Prevention of Torture (CPT) and Human Rights Education and Dialogue (HRE).<sup>89</sup>

The non-binding nature of the most robust enforcement mechanisms at the CoE level, such as reliance on peer pressure, monitoring, and dialogue, allows states to continue violating European values with relatively minimal consequences. Consequently, enforcement remains inconsistent, enabling some regimes to exploit procedural weaknesses and political alliances to evade repercussions for democratic backsliding.

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<sup>84</sup> Krommendijk, Jasper. "Non-Compliance with Concluding Observations of the HRC in the Netherlands: The ECHR and the ECtHR as one Explanation." *Maastricht Faculty of Law Working Paper* 2011-8 (2011); Meehan, Nathan. "Human Rights Imprisoned: Institutional Human Rights Non-Compliance in Council of Europe Member States." *International Journal of Comparative and Applied Criminal Justice* 33, no. 1 (2009): 119-142.

<sup>85</sup> Council of Europe, Department for the Execution of Judgments of the European Court of Human Rights < [https://www.coe.int/en/web/execution/rules-and-working-methods?utm\\_source=chatgpt.com](https://www.coe.int/en/web/execution/rules-and-working-methods?utm_source=chatgpt.com) > last accessed on 10 February 2025; Council of Europe, Recommendations, Resolutions and Guidelines < [https://www.coe.int/en/web/cdcj/recommendations-resolutions-guidelines?utm\\_source=chatgpt.com](https://www.coe.int/en/web/cdcj/recommendations-resolutions-guidelines?utm_source=chatgpt.com) > last accessed on 10 February 2025.

<sup>86</sup> Clara Sandoval, Philip Leach, Rachel Murray, Monitoring, Cajoling and Promoting Dialogue: What Role for Supranational Human Rights Bodies in the Implementation of Individual Decisions?, *Journal of Human Rights Practice*, Volume 12, Issue 1, February 2020, Pages 71–100, <https://doi.org/10.1093/jhuman/huaa009>.

<sup>87</sup> Visser, Maartje de. "A critical assessment of the role of the Venice Commission in processes of domestic constitutional reform." *The American Journal of Comparative Law* 63, no. 4 (2015): 963-1008.

<sup>88</sup> Council of Europe, Commissioner for Human Rights < <https://www.coe.int/en/web/commissioner/the-commissioner/mandate> > last accessed on 10 February 2025.

<sup>89</sup> Kicker, Renate. "The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (the CPT)." In *Human rights monitoring mechanisms of the Council of Europe*, pp. 43-70. Routledge, 2012; Jackson, Robert. "Human rights in relation to education about religions and world views: the contribution of the Council of Europe to classroom religious education." *Journal of Religious Education* 66, no. 2 (2018): 85-97.

## 2. What is the impact of the different policy options and who will be affected?

### **A brief comparative Analysis: EU vs. Council of Europe Enforcement Mechanisms**

The EU and the CoE are committed to protecting human rights, democracy, and the rule of law. However, their enforcement mechanisms differ significantly, reflecting their distinct legal frameworks and political structures. On the one hand, the EU has more substantial legal jurisdiction over its member states than the CoE. The EU can impose binding legal penalties, including fines and sanctions (e.g., through the infringement procedure or Article 7 TEU). On the other hand, the Council of Europe relies more heavily on advisory and moral influence, mainly through its monitoring bodies such as the Venice Commission.

While both institutions can exert political pressure, the European Union has more direct political influence through its institutional framework and financial leverage. For example, the EU can withhold funding or impose monetary penalties on member states that fail to meet its democratic and legal standards. In contrast, the Council of Europe operates through a peer review mechanism and relies on dialogue and recommendations, which are often less coercive.

The effectiveness of these mechanisms varies. Despite their potential gaps, the EU's thick mechanisms, such as infringement procedures and Article 7 TEU, have more immediate legal consequences for non-compliant states. At the same time, the CoE primarily offers monitoring and advisory measures, which tend to have a slower impact. However, the CoE's ECtHR provides a binding form of human rights enforcement that complements the EU's broader legal frameworks, especially concerning individual rights.

## **The preferred option: More effective protection mechanisms needed – CRoLEV Recommendations**

Several academic proposals and institutional reforms could enhance the protection of European values to address potential gaps. Scholars and policymakers have increasingly recognised the need for stronger, more enforceable mechanisms that go beyond the current enforcement framework. For example, one of the key challenges in enforcing European values is the difficulty of activating Article 7 TEU, given its reliance on unanimous agreement among member states to impose sanctions. Bamberger & Kelemen suggest reforming Article 7 TEU by introducing a qualified majority voting system to facilitate decisive action against states engaging in systemic Rule of Law violations. This adjustment would prevent rogue states from shielding each other and ensure that EU institutions can respond effectively to threats to democracy.

Additionally, scholars have suggested to create an automatic suspension mechanism linking systemic rule of law violations to restrictions on EU voting rights and financial support, ensuring that member states failing to uphold EU principles face clear and enforceable consequences. Such a mechanism would minimise political bargaining and provide a more consistent and depoliticised enforcement approach.

Financial Conditionality can be a very powerful compliance tool in an era where financial leverage has become a crucial toll for enforcing norms. Pech, has suggested expanding the use of the Rule of Law Conditionality Regulation, which permits the EU to suspend funding to states that violate fundamental values. The Regulation should be expanded to ensure that access to EU cohesion and structural funds is contingent to adherence to democratic principles. This could be achieved through an ex-ante rule of a law compliance mechanism, requiring states to meet pre-defined criteria before accessing EU funding. Moreover, automatic financial penalties for rule of law violations, would make it harder for states to work around the political process to evade accountability. Furthermore, a long-term oversight mechanism can ensure that financial sanctions are effectively implemented and not subject to political discretion.

The EU could also enhance judicial enforcement by empowering national courts and independent watchdog institutions to refer systemic breaches of EU values directly to the CJEU, bypassing potential political blockages at the Commission level. This judicial enhancement may ensure that violations are addressed more efficiently and that domestic judicial actors play a greater role in safeguarding democratic norms. Similarly, the role of the ECtHR could be further strengthened by introducing a fast-track enforcement mechanism for severe human rights violations, allowing for expedited proceedings in cases involving threats to judicial independence, free press, or electoral integrity. Strengthening the judicial institutions in parallel with EU enforcement tools have the potential to create a more comprehensive legal framework for protecting European values.

Maybe one of the most challenging yet important recommendation concerns the support of civil societies (CSOs) and independent medias media. Democratic backsliding often includes attacks on press freedom, NGO restrictions, and judicial harassment of activists. Supporting

these groups is essential to counter democratic erosion. CSOs and the independent media play a pivotal role in upholding the rule of law as democratic backsliding often includes attacks on press freedom, NGO restrictions, and judicial harassment of activists, supporting them shall be vital. This can be done achieved through direct EU financial assistance to independent media, NGOs, and civil society groups in states experiencing democratic backsliding, legal protection mechanisms for journalists and activists facing judicial harassment or political intimidation and strengthened transparency requirements for government restricting civic space. Furthermore, a key institutional reform would be to establish an EU Democracy Watchdog, that would independently assess the rule of law in member states and recommend sanctions or legal actions where necessary could help both the CoE and the EU to act in a timely and more efficient manner. This body would publish regular Rule of Law and Democracy Reports, identifying risks and trends in democratic governance across EU states. It would implement an early warning system to flag potential democratic backsliding before it escalates. It would provide legally binding recommendations to EU institutions, national governments, and the CJEU to facilitate swift enforcement actions. It would engage directly with civil society organizations, journalists, and academics, integrating their insights into its assessments. It would also advocate for targeted financial and legal measures against states violating fundamental EU values. By operating independently from political influence, the EU Democracy Watchdog would strengthen institutional resilience against democratic erosion and help ensure consistent and objective enforcement.

Moreover, deepening the integration between the EU and the CoE by creating a joint EU-CoE monitoring mechanisms to oversee compliance with European values could be the way forward. This would establish a coordinated reporting system between EU institutions and the Council of Europe's Venice Commission, create a shared database tracking Rule of Law violations across EU and non-EU CoE members, enable joint investigations and recommendations ensuring that both institutions act in a unified manner, expand civil society and media protection programs ensuring that press freedom and judicial independence remain protected in both EU and non-EU CoE states, and develop a Rule of Law Tribunal potentially linked to the ECtHR to issue binding rulings on violations. This can be achieved through a more unified enforcement approach, ensuring the EU and CoE institutions act in a coordinated manner rather than relying on fragmented responses. By implementing these reforms, the EU and the CoE can move beyond the current fragmented and politically constrained enforcement system toward a more robust and legally binding framework.

**All the above recommendations, particularly the Democracy Watchdog and the Joint EU-CoE room may form the next stages for CRoLEV in monitoring and evaluating the impact of such recommendations. The Dashboard would be one of the tools to enhance such monitoring and evaluation, together with the CRoLEV Index and other project outputs.**

**In the meantime, and in line with its methodology, CRoLEV has summarised the following recommendations of relevance to its Pillars and to the empirical research conducted:**

## Civic Spaces

Participants recommended that, for the purposes of improving the current conditions for the civic space and citizen empowerment, the following measures are taken:

- i. Laws concerning civic participation and the operation of NGOs are subject to consultation, at a minimum with the parties to which they apply;
- ii. Steps are taken to improve the state's understanding of the civil society and its needs, for example by systematically engaging with NGOs and collating their input in a manner which accounts for differential requirements;
- iii. Calls for consultations are adequately disseminated to relevant parties via the use of different communication methods;
- iv. Consultations are inclusive, transparent, and require that officials respond to the feedback received from the public in a systematic manner;
- v. Mechanisms of monitoring and accountability are employed to ensure the full implementation of laws concerning public consultations;
- vi. The framework for public consultations is expanded so as to ensure that CSOs can participate "from the beginning of the process, and in all stages of policy- and decision-making";
- vii. Collaborations between CSOs, local administrations, and state agencies are actively encouraged, and receive adequate support and resources;
- viii. Available funding opportunities pertaining to NGOs are collated in a single funding mechanism, which is only accessible by these organisations, and has transparent criteria for eligibility.

## Access to Democracy

### **Improving Representation**

For the purposes of improving representation – and perceptions thereof – the following should be implemented:

- i. The Development of New (and Improvement of Old) Avenues for Expressing Public Opinion via:
  - a. The organisation of public consultations on legal proposals, which should be:
    - Frequent;
    - Open to the general public (as well as civil society organisations);
    - Widely accessible and available in a variety of formats (so that those who lack computer literacy skills or do not have access to the internet can participate);

- Inclusive, bearing in mind issues of literacy, disability, and language;
  - Disseminated effectively (including via the use of mass and social media channels), so that various sub-groups of the general public are aware of their existence;
- b. The effective dissemination of information pertaining to other avenues for expressing public opinion, such as the writing of statements, petitions, proposals, complaints, or letters to local, governmental, and parliamentary authorities;
- c. Authorities should design a central mechanism intended to receive, on a continuous basis, comments and requests from the general public. The mechanism should have the capacity to categorise these and forward them to the relevant authorities for review and feedback.
- ii. Responsiveness to Public Opinion, Requests, and Grievances:
- a. The results of public consultations should be made widely available in a timely manner, in diverse formats which are accessible to a variety of relevant publics, and disseminated effectively;
- b. The relevant authorities should respond to the comments made in the context of public consultations in a timely manner, explain how suggestions will be implemented, and justify choices not to implement suggestions by reference to public interest justifications;
- c. Suggestions made in the context of public consultations should be treated with adequate consideration and implemented when possible;
- d. Authorities should make substantive efforts to consult minority groups;
- e. Authorities should ensure to acknowledge any differential preferences expressed by minority groups and to always implement these alongside those expressed by the general public, insofar as:
- The aforementioned minorities are not economic élites or groups who otherwise hold substantively more power than the general population;
  - The measures are intended to protect minorities or to ensure equitable treatment;
  - The measures do not bring about a situation whereby other minority groups or the general population would be disadvantaged in any substantial capacity;
- f. Oversight and accountability mechanisms, who are independent from the agencies, institutions, or organisations undertaking the consultation, should be designed and implemented so as to ensure compliance with points a.-e. listed above;
- iii. Information Campaigns:
- a. Authorities should launch systematic information campaigns to ensure that the general public is aware of the modalities through which they can express their opinions concerning matters of public interest;

b. Information campaigns should be designed with various audiences in mind, and reflect this in their content and means of distribution.

### **Improving Access to Complaints Procedures**

For the purposes of improving the extent to which the general public can hold state agents and agencies accountable, the following are recommended:

- i. Authorities should launch systematic information campaigns to ensure that the general public is aware of the modalities through which they can lodge complaints, who complaints can be lodged with, and the procedures for lodging complaints. Information campaigns should be frequent, accessible, using terms which are meaningful to the general population, and distributed through a variety of means;
- ii. Mechanisms for logging complaints should be consolidated so as to be accessible by users via a single platform;
- iii. Support should be available to those wishing to lodge a complaint so as to ensure the full and suitable completion of the relevant documentation and adequate provision of evidence (when relevant);
- iv. Additional support and information should be provided to individuals in cases where successful resolution had not been reached.

### Media

For the purposes of increasing trust in media and fighting disinformation on the one hand, and enabling the media to hold powerful actors to account on the other, participants recommended the following:

- i. Improving funding transparency by:
  - a. creating legal obligations to publish relevant information pertaining to the amount of funding obtained and the source of the funding (be this an individual, company, state agent or agency etc.);
  - b. creating legal obligations for journalists to declare assets on a periodical basis;
- ii. Placing restrictions on state agencies' ability to fund media outlets;
- iii. Improving media ownership transparency by creating legal obligations to make publicly available the name(s) of the owner(s);
- iv. Placing legal obligations on journalists to complete declarations of interest, which account for all commercial and personal relationships with other individuals or organisations, which may influence their reporting;
- v. Improving the legal framework concerning the protection of journalist sources and whistleblowers;

- vi. Improving the legal framework protecting freedom of speech, and extending this to journalists, academics, and sources;
- vii. Actively encouraging international media collaborations via the granting of funding and awards;
- viii. Actively encouraging media collaborations with academics/academic institutions via the granting of funding and awards;
- ix. Actively encouraging “wider diversity” in media by:
  - a. providing grants exclusively intended for journalists who are women, or from lower socio-economic backgrounds, or part of minority groups;
  - b. awarding the work of journalists who are women, or from lower socio-economic backgrounds, or part of minority groups;
  - c. increasing the visibility of (and promoting) the journalistic work undertaken by women, journalists from lower socio-economic backgrounds, and/or minority groups;
- x. Improving the general public’s information literacy by:
  - a. Conducting wide-ranging information campaigns concerning techniques for verifying the accuracy and quality of media reporting;
  - b. Conducting wide-ranging information campaigns concerning commonly-employed disinformation/misinformation techniques;
  - c. Incorporating the development of critical thinking skills in the curriculum at all relevant levels of education.

### Responses to Crises

Participants recommended that, for the purposes of limiting the effects of current situations of crisis, the following measures are taken:

- i. state agents make active and systematic attempts to engage in democratic dialogue with the general public, which is based on:
  - a. information-exchange;
  - b. active listening to the concerns and questions of the general public, as well as minorities;
  - c. acknowledging public concerns and seeking to address them;
  - d. providing updates on adjustments and measures taken as a result of these public conversations;
  - e. providing explanations in those circumstances where measures taken in situations of crisis cannot be adapted or changed in light of public feedback;

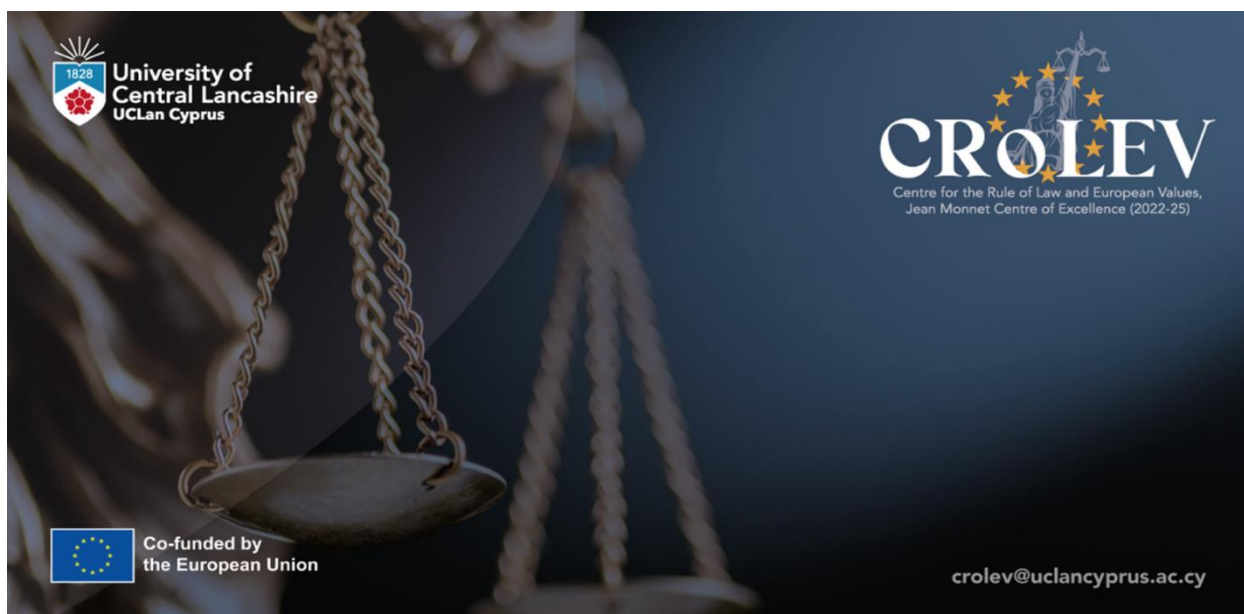


- ii. legal guidance – even when adopted as a result of a state of emergency – should be comprehensive enough as to not allow for its misinterpretation or misuse in implementation or application;
- iii. comprehensive policies should be compiled to ensure, at a minimum, that basic human rights are protected in situations of crisis, for all residents, irrespective of their status;
- iv. law enforcement officers should be further trained in dealing effectively with the potential repercussions of situations of crisis, specifically in handling public protests in accordance with the country’s obligations under the International Covenant on Civil and Political Rights.

In particular with respect to the refugee crisis, participants recommended the following:

- v. the state develops and implements a directed response, where various relevant organisations collaborate on a constant and continuous basis for the purposes of managing the crisis humanely and for the benefit of refugees;
- vi. hate crime legislation is amended and adequately implemented, and law enforcement officers receive additional training in processing, managing, and responding to hate offences and in supporting victims of hate crime;
- vii. comprehensive housing policies for refugees are developed;
- viii. the state actively engages with NGOs which help refugees on a habitual basis in order to:
  - a. better assess the needs of both refugees and the respective NGOs;
  - b. employ their expertise in formulating and/or amending policies;
  - c. initiate collaborative programmes;
- ix. the state actively engages with local communities where refugees are present in order to:
  - a. develop voluntary cross-cultural integration programmes;
  - b. note and address concerns as they arise.

## All Annexes



### **Annex 1: CRoLEV Dashboard – Survey findings (Pillar 1, Sub-Pillar 1)**

#### **Pillar 1: Civic Engagement**

#### **Sub-pillar 1: Citizen Empowerment in Cyprus and Beyond**

#### **Indicators 1, 2 and 3**

**January 2025**

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The survey explores citizens' access to democracy. A functional democracy is one that ensures sufficient channels and avenues for its members' participation in political life. Only if such access is guaranteed can the members of a political community exercise sufficient control over power. Sustainable democracy requires civic communities, where citizens trust one another and interact as political equals. A functional civil society, which is largely committed to the democratic project, is necessary in ensuring that governments do not rule *by law*, rather than upholding the *rule of law*. A civil society plays a crucial role in both the legitimisation and delegitimisation of a state by overseeing the actions of its political representatives, demanding accountability and redress when these fail to meet expectations, and can bear additional pressures on the state to uphold the Rule of Law by lobbying and mobilising citizens. As such, a democratic state has a dual duty to ensure not only that there is space for a civil society to assemble effectively, but also to empower citizens to participate actively in the civic space. There are several tools that can, typically, boost citizens' engagement. These include participatory democracy tools, and alternative dispute resolution mechanisms and social justice tools. This survey explores the availability of such mechanisms, the participants' knowledge of them, and the ease with which they can be accessed. In addition, the survey examines potential barriers and obstacles to the use of extant mechanisms of civic engagement. In this survey, participants express their knowledge/perceptions regarding the availability of civic engagement mechanisms, their appropriateness, the effective dissemination of information concerning the existence of, and access to, such mechanisms, any barriers that make access to such mechanisms more onerous, and any necessary improvements they deem necessary.

### **Parliament Representation**

Asked to assess the extent to which they believe Parliament (as the legislative body) represents their interests (see Table 1), the majority of participants 36,8% reported that only sometimes do they think their interests are in fact represented by the Parliament. 23,7% had a more positive assessment suggesting that their interests are generally represented by the Parliament and 2,6% felt that their interests were fully represented. On the other hand, 26,3% of participants felt their interests are generally not represented, while 7,9% said their interests are never represented.

**Table 1: Interests Represented in Parliament**

To what extent do you believe that your interests are represented by the Parliament?	%
My interests are fully represented by the Parliament.	2.6%
My interests are generally represented by the Parliament.	23.7%
My interests are sometimes represented by the Parliament.	36.8%
My interests are generally not represented by the Parliament.	26.3%
My interests are never represented by the Parliament.	7.9%
Don't know/Not sure	2.6%

When asked about the extent to which they believe that their wishes shape the Parliament's actions (see Table 2), very few participants reported positive answers, with 2,6% suggesting that their wishes always shape the Parliament's actions and 5,3% that they generally do so. 28,9% declared that their wishes sometimes shape the Parliament's actions, but 31,6% reported that this does not usually happen. Over a fifth of the respondents (21,1%) said that their wishes never shape the Parliament's actions.

Prompted to mention some of the reasons why their interests are not very well represented by the Parliament, several participants agreed that this was because their interests were minority interests. Some of the participants explained that they are either 'foreigners' or belong to a 'minority speaking language'. Most of the responses, however, lamented the existence of sectional interests. One participant noted that '...politicians are too interested in representing opinions that satisfy their own interests or the interests of the elite - whether that be for money or power', while another agreed that 'the parliament decides on party politics interest, does not care really about people or the good of the country'. Many participants identified alignment with 'party politics' or 'the interests of the party' as a key reason why they feel that their interests are not sufficiently represented in Parliament. In a similar vein, another respondent lamented the 'feeling of powerlessness, because it's generally understood that those that actually want to do public service will never make it to the positions in which they can (for political/nepotistic reasons). Whichever flavour of political leaning one decides to choose, it's still the same old corrupt Cypriot doctor/lawyer who's only interest is lining their pockets.' Some of the participants who believed that their interests were, to some degree, represented

in Parliament, admitted that this was because they were ‘lucky to have a good MP from a party I am broadly happy with (but don’t belong to) who generally shares my values and concerns’.

**Table 2:** Wishes shaping Parliament Action

To what extent do you believe that your wishes shape the Parliament’s actions?	%
My wishes always shape the Parliament’s actions.	2.6%
My wishes generally shape the Parliament’s actions.	5.3%
My wishes sometimes shape the Parliament’s actions.	28.9%
My wishes don’t usually shape the Parliament’s actions.	31.6%
My wishes never shape the Parliament’s actions.	21.1%
Don’t know/Not sure	10.5%

Participants were then asked the extent to which they are familiar with current discussions in Parliament (see Table 3), with only 2,6% answering that they are very familiar with them. 21,1% said they were familiar and 36,8% that they were somewhat familiar with such discussions. Other participants reported lower levels of familiarity with discussions currently taking place in Parliament (23,7% saying they are not very familiar and 15,8% reporting no familiarity).

Asked to elaborate on their answers, some participants noted that they felt that ‘for a common man it is impossible to shape Parliament actions’. A key problem identified by participants is the lack of accountability and issues of nepotism. In particular, a respondent decried the lack for accountability both domestically and internationally (noting the inability of the International Criminal Court to hold countries to account for their behaviour). One solution a participant detects is the use of ‘statements, petitions, proposals, complaints, letters’ to ‘local, governmental, and parliamentary authorities’ so as to ensure that there is a written record of popular wishes and desires. But, even in such a case, the participant continued, it is likely that ‘they stayed unprocessed and unanswered quite often’.

**Table 3:** Familiarity with Parliament discussions

To what extent are you familiar with the discussions currently taking place in Parliament?	%
I am very familiar with the discussions taking place in Parliament.	2.6%
I am familiar with the discussions taking place in Parliament.	21.1%
I am somewhat familiar with the discussions taking place in Parliament.	36.8%
I am not very familiar with the discussions taking place in Parliament.	23.7%
I am not familiar with the discussions taking place in Parliament.	15.8%

To what extent are you familiar with the discussions currently taking place in Parliament?

	I am very familiar with the discussions taking place in Parliament.	I am familiar with the discussions taking place in Parliament.	I am somewhat familiar with the discussions taking place in Parliament.	I am not very familiar with the discussions taking place in Parliament.	I am not familiar with the discussions taking place in Parliament.	Total
To what extent do you believe that your interests are fully represented by the interests of Parliament.	0	0	0	1	0	1
My interests are fully represented by the Parliament.	0.0%	0.0%	0.0%	11.1%	0.0%	2.6%

represented by the Parliament?	My interests are generally represented by the Parliament.	Count	1	2	1	3	2	9
		%	100.0%	25.0%	7.1%	33.3%	33.3%	23.7%
	My interests are sometimes represented by the Parliament.	Count	0	3	9	1	1	14
		%	0.0%	37.5%	64.3%	11.1%	16.7%	36.8%
	My interests are generally not represented by the Parliament.	Count	0	2	3	2	3	10
		%	0.0%	25.0%	21.4%	22.2%	50.0%	26.3%
	My interests	Count	0	1	1	1	0	3

are never represented by the Parliament.	%	0.0%	12.5%	7.1%	11.1%	0.0%	7.9%
Don't know/Not sure	Cou nt	0	0	0	1	0	1
	%	0.0%	0.0%	0.0%	11.1%	0.0%	2.6%
Total	Cou nt	1	8	14	9	6	38
	%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

As Table 4 below indicates, the majority of participants (73,7%) have never contacted a Member of Parliament, while of those who did contact a Member of Parliament, half reported that they received no response.

**Table 4a:** Contacting MP

Have you ever contacted a Member of Parliament?	%
Yes	23.7%
No	73.7%
I do not wish to answer this question	2.6%

**Table 4b:** MP Response

Did they respond?	%
Yes	10.5%
No	13.2%
Missing	76.3%



## Local Governance Representation

Following the questions exploring citizen's representation in Parliament, the next questions turned to local governance representation. A small percentage of participants reported that their wishes always or generally shape the actions of local government (2,6% on both occasions). Most participants (34,2%) felt that their wishes sometimes shape the actions of local government, with 28,9% of respondents suggesting that their wishes do not usually have that effect. Again, one in five participants answered that their wishes never shape the government's actions. As Table 5 below indicates, one in ten participants either did not want to answer the question or were unsure.

Respondents were then asked to elaborate on their answers. Even though some respondents noted that 'it's easier to find the local government and speak to the person' directly, many noted a problem associated with the 'limited powers of local authorities' and the lack of funds. Some recognise that public consultations could be a good way to have one's voice heard, but they also note that 'this is rather rare'. Moreover, participants mentioned that the pathogenies earlier associated with the Parliament also persist in local government: 'local government.....still suffers from the same nepotistic and corrupt attitude.....while they [i.e. officers in local government] have an understanding of the requirements of the local region, they're still subject to backchannel dealing between powerful stakeholders who don't generally have the best interests of the public at heart'. Another participant noted that their dysfunctional local government 'does not respond to most requests for support in a meaningful way....and fails in basic standards such as running fair elections (evidenced findings from e.g., the Ombudsman).'

**Table 5:** Wishes shaping local government actions

To what extent do you believe that your wishes shape the actions of local government?	%
My wishes always shape the local government's actions.	2.6%
My wishes generally shape the local government's actions.	2.6%
My wishes sometimes shape the local government's actions.	34.2%
My wishes don't usually shape the local government's actions.	28.9%
My wishes never shape the local government's actions.	21.1%

Don't know/Not sure	5.3%
I do not wish to answer this question	5.3%

Participants were then asked whether they thought it would be likely that they would be able to express their views regarding a local authority's decision (See Table 6). 21,1% of participants responded that it would be 'highly unlikely' that they would be able to express their views, 18,4% believed that it would be 'unlikely', and 10,5% thought it would be 'somewhat unlikely'. 13,2% opted for a neutral response (neither likely, nor unlikely), while 18,4% (somewhat likely), 10,5% (likely) and 7,9% (highly likely) recording positive responses.

**Table 6:** Expressing views on local authority decisions

If a decision were to be made by your local authority, how likely do you think it would be that you would be able to express your views on it?

	%
Highly Unlikely	21.1%
Unlikely	18.4%
Somewhat Unlikely	10.5%
Neither Likely, nor Unlikely	13.2%
Somewhat Likely	18.4%
Likely	10.5%
Highly Likely	7.9%

The following question sought to measure the degree to which participants thought they would be able to influence a decision made by a local authority (See Table 7). Over half of the respondents recorded negative responses, with 28,9% thinking that would be 'highly unlikely', 21,1% answering that it would be 'unlikely', and 15,8% suggesting it would be 'somewhat unlikely'. 15,8% of participants answered that it would be 'neither likely, nor unlikely' that they would be able to influence a decision by their local authority, 13,2% suggested that it would be 'somewhat likely', while only 5,3% thought it would be 'likely'.

Prompted to elaborate on their answers, most participants argued that even if they were able to express their views, they would have little power to influence the decision. Most participants noted that they ‘would not be taken seriously’, that they ‘don’t have much influence’, that it is ‘political parties that....influence decisions’ and that ‘our opinion seems not to count’. Even at the local government level, there is an overall feeling of frustration regarding the inability to speak against a decision, with one participant noting that ‘Once a decision is made, there are few ways to directly influence it except as part of a mass disapproval on social media’. A major obstacle to effectively express views regarding a local government authority decision is the lack of relevant information, with one participant noting that ‘If I did have that information, I’m pretty sure, on a local level at least, I would be able to discuss and have my opinion heard’.

**Table 7:** If a decision were to be made by your local authority, how likely do you think it would be that you would be able to influence that decision?

	%
Highly Unlikely	28.9%
Unlikely	21.1%
Somewhat Unlikely	15.8%
Neither Likely, nor Unlikely	15.8%
Somewhat Likely	13.2%
Likely	5.3%

### **Taking Cases to Court**

The following questions sought to measure citizens’ access to courts and engagement with the justice system. When asked whether taking a case to court would be an effective way to achieve justice, the majority expressed positive views, with half of the participants arguing it would be ‘somewhat effective’, and 10,5% suggesting it would be ‘effective’. Conversely 18,4% of participants thought that taking a case to court would be ‘very ineffective’, while 10,5% thought it would be ‘ineffective’.

**Table 8:** Effectiveness of courts in securing justice

In the case you are the subject of injustice, to what extent do you think that taking a case to the court will be effective?	%
Effective	10.5%
Somewhat effective	50.0%
Somewhat ineffective	5.3%
Ineffective	10.5%
Very ineffective	18.4%
I do not wish to answer this question	5.3%

The following question sought to determine how easy participants thought it would be to take a case to court. The overwhelming majority (84,3%) agreed that doing so is not easy (23,7% thought it would be ‘somewhat difficult’, 26,3% that it would be ‘difficult’, and 34,2% that it would be ‘very difficult’. Only 10,6% % of participants thought it would be ‘easy’ or ‘very easy’.

Asked to elaborate on their answers, the majority of participants identified ‘lengthy proceedings’, ‘postponement of cases’, and ‘time-consuming, tiring’ processes as the most significant obstacle to having a case heard in court. The second most popular obstacle identified by participants is the cost of judicial proceedings. Most participants expressed their frustration because these two obstacles seem to them impossible to overcome.

**Table 9:** Ease of access to courts

In case you think you have been the subject of injustice, to what extent do you think that taking a case to the court will be easy?	%
Taking a case to court will be very easy.	5.3%
Taking a case to court will be easy.	5.3%
Taking a case to court will be somewhat difficult.	23.7%
Taking a case to court will be difficult.	26.3%

Taking a case to court will be very difficult.	34.2%
Don't know/Not sure	5.3%

When asked whether they had ever thought about pursuing a case in court without eventually doing so, half the participants responded negatively (see Table 12). When asked to elaborate on the reasons for which they decided against resorting to the courts, the majority once again identified the cost and the time it takes to bring a case as the most important obstacles. Other factors that prevented participants from taking a case to the court included ‘the complexity of the procedures’, the ‘low chance of success’, the ‘fear of retaliation’, and the ‘lack of transparency’.

Table 10: Taking a case to court

Have you ever thought about pursuing a case in court but eventually decided not to?	%
Yes	47.4%
No	50.0%
I do not wish to answer this question	2.6%

The majority of participants (71,1%) noted that they were familiar with the existence of legal aid to support access to courts for those unable to cover costs (see Table 11), yet only a fraction of the participants in fact tried to access legal aid (11,1% out of those who expressed familiarity with legal aid) (see Table 12) and only a third of those who sought to get legal aid was in fact successful (see Table 13). When asked to elaborate, one participant noted that their experience with legal aid was ‘very positive’, but another argued that advertising legal aid as free is ‘deceptive’ because if someone is ‘found guilty he/she must pay for the used legal aid’.

**Table 11:** Existence of legal aid

Are you familiar with the existence of legal aid to support access to courts for those unable to cover the costs?	%
Yes	71.1%

No	28.9%
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**Table 12:** Use of legal aid

Have you ever tried to access legal aid?	%
Yes	7.9%
No	63.2%
Missing	28.9%

**Table 13:** Success of using legal aid

Was your attempt successful?	%
Yes	2.6%
No	5.3%
Missing	92.1%

Next, participants were asked about their awareness of alternative dispute resolution methods (ADR). The majority (57,9%) confirmed that they were aware of the existence of ADR, with 26,3% confirming that they had no knowledge of such methods, and 15,8% saying they were unsure (see Table 14). Out of those who were aware of ADR, only 36,2% had in fact used ADR. Of those who in fact used ADR, almost three quarters would likely use ADR methods rather than courts (37,4% confirming that it would be ‘highly likely’ and a similar percentage suggesting it would be ‘likely’) (see Table 15). Conversely, 12,6% answered they would be highly unlikely to prefer such methods, while another 12,6% of participants thought it was neither likely nor unlikely (see Table 16).

Participants were asked to elaborate on their knowledge of ADR method and the specific types they used. Mediation emerged as the most popular type of ADR method participants identified. Participants also pointed out that even though ADR methods ‘take less time’ and are as such a ‘cheaper and faster alternative to going to court’, they are sometimes ineffective, with one participant noting that they are ‘usually equally costly [i.e., as court proceedings] and therefore inaccessible.

**Table 14:** Awareness of ADR

Are you aware of the existence of alternative dispute resolution methods?	%
Yes	57.9%
No	26.3%
Not sure	15.8%

**Table 15:** Use of ADR

Have you ever used alternative dispute resolution methods?	%
Yes	21.1%
No	36.8%
Missing	42.1%

**Table 16:** Likely use of ADR over courts

How likely are you to use alternative dispute resolution methods rather than the courts?	%
Highly unlikely	2.6%
Neither likely, nor unlikely	2.6%
Likely	7.9%
Highly likely	7.9%
Missing	78.9%

### Accessing Services

The following set of questions was designed to measure the frequency with which participants access several services and the ease with which participants managed to access the relevant service. The public services identified were ‘public health’, ‘education’, ‘land registry’, ‘law enforcement’, ‘citizen services’, ‘tax authority’, ‘local municipality’.

### ***Public Health***

When asked about their experiences in accessing public health services, the majority of participants (52,6%) noted that they visited such a service within the last month. 13,2% of participants accessed such service within the last month, 7,9% did so within the last year, while 15,8% did so more than a year ago. Asked about the ease with which they access public services, the majority of participants that this was easy (21,1% thought it was ‘very easy’; 23,7% thought it was ‘easy’ and 15,8% thought it was somewhat easy). By contrast, 21,1% of participants found it ‘somewhat difficult’ to access public health services, followed by 13,2 % who found it ‘difficult’ and 5,3% who thought it was ‘very difficult’.

**Table 17a: Frequency of access**

		%
Accessed Public Health Services <sup>a</sup>	Within the last month	52.6%
	Within the past 6 months	13.2%
	Within the last year	7.9%
	More than a year ago	15.8%
	Never contacted this service	10.5%
Total		100.0%

**Table 17b: Ease of access**

		%
Ease of Access for Public Health Services <sup>a</sup>	Very easy	21.1%
	Easy	23.7%
	Somewhat easy	15.8%



	Somewhat difficult	21.1%
	Difficult	13.2%
	Very difficult	5.3%
Total		100.0%

### ***Education***

When it comes to accessing education services (see Table 18a), 34,2% of participants confirmed that they used such services within the last month, while 13,2% did so within the past six months. 7,9% used education services within the last year, while 26,3% last accessed such a service more than a year ago. 18,4% reported never having used this service. Most participants reported a positive experience regarding their ease of access to this service (see Table 18b). 5,3% thought it was very easy to access education services, 34,2% found it ‘easy’ and 23,7% said their access was ‘somewhat easy’. By contrast, 18,4% reported that their access was ‘somewhat difficult’, 7,9% that it was ‘difficult’ and 10,5% that it was very difficult.

**Table 18a: Frequency of Access**

		%
Accessed Education Services <sup>a</sup>	Within the last month	34.2%
	Within the past 6 months	13.2%
	Within the last year	7.9%
	More than a year ago	26.3%
	Never contacted this service	18.4%
Total		100.0%

**Table 18b: Ease of Access**

		%
Ease of Access to Education <sup>a</sup>	Very easy	5.3%

	Easy	34.2%
	Somewhat easy	23.7%
	Somewhat difficult	18.4%
	Difficult	7.9%
	Very difficult	10.5%
Total		100.0%

### ***Land Registry***

When asked about their use of the Land Registry, participants reported less frequent use of this service (see Table 19a). Only 7,9% used the service within the last month, and only 10,5% reported their use of the service within the past six months. 13,2% accessed the service within the last year, whereas a large part of the respondent reported last using the service more than a year ago (39,5%). 28,9% of participants said that they had never used this service before. Participants were divided with respect to the next question, exploring the ease of access to this service (Table 19b). 5,3% found accessing the Land Registry very easy, 34,2% thought it was ‘easy’, while 15,8% agreed that it was ‘somewhat easy’. On the other hand, for 23,7% of participants, accessing the service was ‘somewhat difficult’. 13,2% suggested that it was ‘difficult’ and 7,9% that it was ‘very difficult’

**Table 19a: Frequency of Access**

		%
Accessed Land Registry Services <sup>a</sup>	Within the last month	7.9%
	Within the past 6 months	10.5%
	Within the last year	13.2%
	More than a year ago	39.5%
	Never contacted this service	28.9%
Total		100.0%

**Table 19b: Ease of Access**

		%
Ease of Access to Land Registry <sup>a</sup>	Very easy	5.3%
	Easy	34.2%
	Somewhat easy	15.8%
	Somewhat difficult	23.7%
	Difficult	13.2%
	Very difficult	7.9%
Total		100.0%

***Law Enforcement***

When asked about their use of law enforcement services, the majority reported infrequent or no use of such services (see Table 20a). Only 39,5% reported used such services within the year (10,5% within the last month; 13,2% within the past 6 months; 15,8% within the last year). 34,2% reported last using law enforcement services more than a year ago, while 26,3% never used such services. 7,9% of participants agreed that accessing law enforcement services was very difficult, while 15,8% said that doing so was difficult (see Table 20b). 23,7% found it somewhat difficult to access the services, while a similar percentage thought it was somewhat easy. 26,3% reported that their access to law enforcement services was easy, and 2,6% argued that it was very easy.

**Table 20a: Frequency of Access**

		%
Accessed Law Enforcement Services <sup>a</sup>	Within the last month	10.5%

	Within the past 6 months	13.2%
	Within the last year	15.8%
	More than a year ago	34.2%
	Never contacted this service	26.3%
Total		100.0%

**Table 20b: Ease of Access**

		Percent
Ease of Access to Law Enforcement Services <sup>a</sup>	Very easy	2.6%
	Easy	26.3%
	Somewhat easy	23.7%
	Somewhat difficult	23.7%
	Difficult	15.8%
	Very difficult	7.9%
Total		100.0%

### ***Citizen Services***

The overwhelming majority of respondents have used Citizen Services within the last year (See Table 21a). More specifically, 26,3% of respondents accessed such services within the last month, 21,1% did so within the past 6 months, and 31,6% have done so within the last year. 15.8% last used such services more than a year ago, while a very small percentage (5,3%) never used such services before. Most respondents reported that their use of Citizen Services was easy (see Table 21b). In particular, 15,8% reported very easy access to the service, while 39,5% agreed that their access was easy. 23,7% noted that they had a ‘somewhat easy’ experience accessing the service, while 13,2% had a ‘somewhat difficult’ experience. Last, 7,9% of participants reported their difficulty accessing the services.

**Table 21a: Frequency of Access**

	Percent	
Accessed Citizen Services <sup>a</sup>	Within the last month	26.3%
	Within the past 6 months	21.1%
	Within the last year	31.6%
	More than a year ago	15.8%
	Never contacted this service	5.3%
Total	100.0%	

**Table 21b: Ease of Access**

	Percent	
Ease of Access to Citizen Services <sup>a</sup>	Very easy	15.8%
	Easy	39.5%
	Somewhat easy	23.7%
	Somewhat difficult	13.2%
	Difficult	7.9%
Total	100.0%	

***Tax Authority***

As was the case with respect to Citizen Services, most respondents used Tax Services within the last year (see Table 22a). More specifically, 26,3% used the services within the last month, 18,4% reported using Tax services during the past 6 months, and 28,9% accessed the services

at some point during the last year. It has been more than a year since 18,4% of respondents last used this service, while 7,9% of participants never accessed Tax Services before. Once again, access to the services appears to be relatively ease, as Table 22b indicates. Only 31,6% of respondents noted that their access to the service was either ‘difficult’ or ‘somewhat difficult’, and only 2,6% argued that it was very difficult. By contrast, 23,7% reported that it was somewhat easy to use the Tax Authority Services and 36,8% agreed that it was overall easy. 5,3% suggested that doing so was very easy.

**Table 22a: Frequency of Access**

		Percent
Accessed Tax Authority Services <sup>a</sup>	Within the last month	26.3%
	Within the past 6 months	18.4%
	Within the last year	28.9%
	More than a year ago	18.4%
	Never contacted this service	7.9%
Total		100.0%

**Table 22b: Ease of Access**

		Percent
Ease of Access to Tax Authority Services <sup>a</sup>	Very easy	5.3%
	Easy	36.8%
	Somewhat easy	23.7%
	Somewhat difficult	15.8%
	Difficult	15.8%
	Very difficult	2.6%
Total		100.0%

### ***Local Municipality***

When asked to consider the frequency of access to local municipality services (see Table 23a), 21,1% of the participants noted that the last used such services within the last month. 34,2% accessed services of this type sometime during the past six months, while 10,5% did so during the last year. 13,2% of the participants never used local municipality services, while for 21,1% it has been over a year. Most participants reported a positive experience accessing the services, with 18,4% noting that it was ‘very easy’ to do so, while 21,1% agreed that it was ‘easy’. 26,3% reported that it was ‘somewhat easy’, but for 15,8% of the respondents, it was ‘somewhat difficult’ to access such services. Finally, 13,2% suggested that accessing such services was ‘difficult’ and 5,3% argued that it was ‘very difficult’.

**Table 23a: Frequency of Access**

		Percent
Accessed Local Municipality Services <sup>a</sup>	Within the last month	21.1%
	Within the past 6 months	34.2%
	Within the last year	10.5%
	More than a year ago	21.1%
	Never contacted this service	13.2%
Total		100.0%

**Table 23b: Ease of Access**

		Percent
Ease of Access to Local Municipality Services <sup>a</sup>	Very easy	18.4%
	Easy	21.1%
	Somewhat easy	26.3%
	Somewhat difficult	15.8%

	Difficult	13.2%
	Very difficult	5.3%
Total		100.0%

### *Experience*

As Table 24 indicates, the majority of participants (60,5%) experienced delays in the services' responses. According to respondents the most popular cause for the delay is the complex bureaucracy (31,6%), closely followed by incompetence (26,3%), lack of staff (26,3%), and the lack of use of technology (23,7%) (See Table 25)

**Table 24: Delays in accessing services**

Did you experience any delays in the service(s) responding to you?	%
Yes	60.5%
No	34.2%
I do not wish to answer this question	5.3%

**Table 25: Causes of delays**

What were the delays caused by?	%
Lack of staff	26.3%
No use of technology	23.7%
Complex bureaucracy	31.6%
Incompetence	26.3%
Not sure	15.8%
Other	7.9%

### **Complaints Procedures**



The last part of the survey sought to determine the knowledge and experience of participants related to complaints procedures. When asked whether they were aware of any governmental agencies, non-governmental organisations, or independent organisations with which they can lodge a complaint in case of a problem with a state agency, 44,7% of the participants answered affirmatively. 26,3% of the respondents were not aware of any such agencies or organisations, and 28,9% were unsure about the existence of such bodies.

**Table 26: Existence of bodies to lodge complaints**

Are you aware of any governmental agencies, non-governmental organisations, or independent organisations which you can lodge complaints with, should you experience problems with state agencies? %

Yes	44.7%
No	26.3%
Not sure	28.9%

A very small percentage of respondents has ever lodged a complaint with the Ombudsman (10,5%) (See Table 27a). Of those who lodged a complaint, a quarter had their complaint effectively resolved, another quarter was awaiting an answer as the complaint was being processed, while for half their complaint was not effectively resolved (See Table 27b). When asked to elaborate on their experience lodging a complaint with the Ombudsman, a few participants shared their stories. A few detailed a positive (albeit lengthy experience), with the Ombudsman office carefully listening to their complaints and helping them find redress. Another participant, however, commented that the Ombudsman lacked independence and impartiality, implying that the office is often influenced by the government.

**Table 27a: Complaint with Ombudsman**

Have you ever lodged a complaint with the Ombudsman?	%
Yes	10.5%
No	81.6%
There is no Ombudsman in my country	2.6%

I do not wish to answer this question	5.3%
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**Table 27b: Complaint Resolution**

Was your complaint effectively resolved?	%
Yes	2.6%
No	5.3%
The complaint is still being processed	2.6%
Missing	89.5%

In a similar vein, only 21,1% of the respondents had ever lodged a complaint with a government agency (See Table 28a). 37,4% of those who managed to lodge a complaint reported that their complaint was resolved successfully, 49,8% did not experience successful resolution of their complaint, and 12,3% are still awaiting resolution of their complaint. Participants were asked to elaborate on their experiences. Most participants noted that their experience was very lengthy and delayed on multiple occasions. Even those who reported the successful resolution of their cases, insisted that the process overall was very lengthy.

**Table 28a: Complaint with Government Agency**

Have you ever lodged a complaint with a government agency?	%
Yes	21.1%
No	76.3%
I do not wish to answer this question	2.6%

**Table 28b: Complaint Resolution**

Was your complaint effectively resolved?	%
Yes	7.9%

No	10.5%
The complaint is still being processed	2.6%
Missing	78.9%

A very low percentage of the participants ever lodged a complaint with a non-governmental organisation (10,5%) (See Table 29a). None of the participants who ever lodged such a complaint had their complaint effectively resolved, with everyone reporting unsuccessful resolution of their complaint (See Table 29b).

**Table 29a: Complaint with Government Agency**

Have you ever lodged a complaint with a non-governmental organisation?	%
Yes	10.5%
No	84.2%
I do not wish to answer this question	5.3%

**Table 29b: Complaint Resolution**

Was your complaint effectively resolved?	%
No	10.5%
Missing	89.5%



## **Annex 2: CRoLEV Dashboard – Survey findings (Stage 2) (Pillar 1, Sub-Pillar 2)**

### **Pillar 1: Civic Engagement**

### **Sub-Pillar 2: Protection and promotion of civic spaces in Cyprus and the EU+**

**February 2025**

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**1. What is the field of operation of the civil society organisation you are a member of?  
Please check all that apply.**

**Table 1** Respondents’ fields of operation in the civic space

<b>Field of Operation</b>	<b>% of cases</b>
Animal welfare	0%
Environmental issues	25%
Education	0%
Democracy	75%
Human rights	75%
Peace promotion	0%
Children’s rights	0%
Youth work	50%
Economic development	0%
Women’s rights	0%
LGBTQ+ rights	0%
Ethnic minority rights	0%
Racial minority rights	0%
Religious minority rights	0%
Refugee and migrant rights	0%
Health	25%
Social services	25%
Legal advocacy	25%
Public policy	50%
Development of local communities	25%

**2. Please tell us about the work of your organisation. [open question]**

- i. Focus of the organisation is voted by its members on an annual basis – after which the organisation works with other NGOs, associations, and companies in achieving its annual aims; (one case)
- ii. Children;
- iii. Art promotion;
- iv. Strengthening civil society organisations, increasing their influence in the areas of “public dialogue and policy-making” and improving operational frameworks by

“working and the public policy and legislative levels”; delivers training/educational programmes to CSOs in subjects such as “lobbying and advocacy, good governance, strategic planning, resource mobilisation, and overall capacity-building”;

- v. Democracy;
- vi. Human rights;

**3. How long has your organisation been operating for?**

**Table 2** The length of operations to date (as of December 2024)

Time of Operation	%
Less than 1 year	0%
1-3 years	0%
3-5 years	25%
5-10 years	50%
More than 10 years	25%

**4. Has your organisation changed or adjusted its field of operation since its establishment?**

**Table 3** % of organisations which have changed or adjusted their field of operations

	%
Yes	25%
No	75%

**5. How would you describe the current conditions for civil society? [open question]**

Participants observed an “overall weakening of NGOs over the last few years”, facilitated by:

- i. “lack of funding”
- ii. a stigmatisation of NGOs by political actors and law enforcement officers;
- iii. a “lack of cooperation and consultation with government departments” predicated upon a lack of political will and challenging procedures;
- iv. a burdening bureaucracy related to the introduction of new laws “for Associations, Foundations and Federations and Unions” and for the “Prevention and Suppression of Money Laundering and Terrorist Financing”, which impact the everyday

functioning of CSOs, “especially small organisations that have limited financial and human resources”

- v. the introduction of legislation which effectively “controls both the administration and the work of CSOs”
- vi. lengthy “procedures in District Offices... [which] cause significant delays...in operating bank accounts or receiving funding, [thus] seriously impacting the everyday work of CSOs”;
- vii. a lack of “clear, regular, and written information about what is required [by legal provisions], which makes it even more challenging for organisations to meet all their obligations”
- viii. a “lack of uniformity in the implementation of legal provisions creates further uncertainty and challenges for CSOs”
- ix. a domino effect, where “obstacles present in one sector (e.g. bureaucracy, delays in obtaining documents from the public authorities) impact the collaboration of an organisation with another sector (e.g the banking system), and result in more problems and obstacles”
- x. a generalised societal “disregard towards CSOs”
- xi. a generalised lack of capacity-building in:
  - a. access to funding
  - b. administrative and financial obligations
  - c. increasing visibility of CSOs
  - d. maximising public outreach.

**6. Have conditions for the civil society changed positively over...**

**Table 4** Changes in the conditions for the civil society

	<b>Yes</b>	<b>No</b>	<b>Not sure/ Don't know</b>
The past months	0%	50%	50%
The past year	0%	75%	25%
The past 2-5 years	25%	50%	25%
The past decade	0%	25%	75%

**7. What are some of the positive changes you have observed? [open question]**

- i.Changes in process: easier to comprehend and “more forward to follow” and abide by;

- ii. Changes in legislation: New legislation has enabled a “better organisation” of NGOs’ work and “financial management”;
- iii. Positive developments in “bi-communal NGOs and initiatives”

**8. Have these changed negatively over...**

**Table 5** Negative changes in positive conditions for civil society

	<b>Yes</b>	<b>No</b>	<b>Not sure/ Don’t know</b>
The past months	50%	20%	25%
The past year	75%	25%	25%
The past 2-5 years	50%	25%	25%
The past decade	25%	25%	50%

**9. What are some of the negative changes you have observed? [open question]**

- i. Increased governmental control over CSOs;
- ii. Problematic implementation of legal requirements: “horizontal obligations, for all, without proportionality, has negatively affected the sector”
- iii. Creation of new bureaucratic obstacles for CSOs (and persistence of old ones)

**10. To what extent does the state protect the civic space?** In answering this question, to “protect” means, for example, that members of civil society organisations are not subject to reprisals, arbitrary arrests, or otherwise victimised; the civil society can operate without political interference and without fear of restrictions; and there are clear mechanisms for the protections of the civil society and clear guideline on ways to address violations of the rights of human rights defenders when they occur etc.

**Table 6** The extent to which the state protects civic space in Cyprus

	<b>%</b>
To a great extent	0%
To a fair extent	0%
To some extent	50%
Not at all	50%

**11. Why do you think this is the case? [open question]**

- i. Lack of a civic culture



- ii. Strong party politics “which prevent substantial engagement with the civil society”
- iii. Longstanding failures to recognise:
  - a. “the role of CSOs and their contribution to society”
  - b. “the work...of CSOs”, leading to “misconception and mistrust on the part of [state] authorities and institutions”
- iv. Absence of “mechanisms for the protections of CSOs”
- v. Absence of guidelines “to address violations” against CSOs
- vi. A generalised lack of will and motivation: “civil servants prefer to have less work and responsibilities”

**12. To what extent does the state promote the civic space?** In answering this question, to “promote” the civic space means, for example, that there are laws in place that promote civil society participation and establish frameworks which enable stakeholders to act; that the state maintains, upholds, and recognises opportunities for civil society to carry out their activities; that steps are taken to facilitate networking between civil society organisations; that the state develops programmes to empower civil society organisations and build their capacity to enable greater access to resources and funding etc.

**Table 7** The extent to which the state promotes the civic space

	%
To a great extent	0%
To a fair extent	0%
To some extent	50%
Not at all	50%

**13. Why do you think this is the case? [open question]**

- i. *Lack of governmental support*: “government agencies...do not always offer the support required”
- ii. *Existing legal provisions de facto lead to the dissolution of CSOs*:

“The Law is there, the way the Law is been implemented the last 6 years is leading a big number of CSOs, (Civil Society Organisations) to choose dissolution, or to registered as non for profit companies (instead of associations and or foundations). All regulations by the Government authorities and institutions on the contrary do not promote civic space.”

iii. *Governmental attempts to avoid potential “criticisms” stemming from an organised civil society.*

**14. Does the state display a consistent treatment of civil society organisations, irrespective of their field of operations?**

**Table 8** Consistency in the state’s treatment of CSOs, irrespective of field of operations

	%
Yes	0%
No	75%
Not sure	25%

**15. Please tell us, in as much depth as possible, about the differences you have observed and their potential causes. [open question]**

- i. Larger organisations are likely to receive preferential treatment
- ii. Organisations who have “founders and board members people with migrant background...or they are Turkish Cypriot (with Republic of Cyprus ID card)” are more likely to be subjected to poor treatment.
- iii. “Organisations that deal with issues closer to the interests of the local population (eg hunting) are given a stronger voice than organisations that represent many foreigners, for example.”
- iv. When differential treatment should be applied due to potential risks, this does not happen:

“Further, there is an issue with organisations that wants to be established and are what we say "sports" associations, since there are issues that have been created be the way some "sports" associations are working (mostly tax avoidance and or tax evasion, however, this leads to the sector horizontally being banished).”

**16. Does the government actively seek to meet the needs of civil society organisations?**

**Table 9** The government actively seeks to meet the needs of civil society organisations

	%
Yes	0%
No	75%
Not sure	25%

**17. How would you rate the government’s contribution to civic empowerment?**

**Table 10** The government’s contribution to civic empowerment

	%
Overall positive	0%
Neither positive nor negative	25%
Overall negative	75%

**18. What do you think is the role of civil society organisations in protecting democracy and the rule of law? [open question]**

- i. “a driving force behind democracy” insofar as it operates “transparently”
- ii. “plays a crucial role in protecting democracy, the rule of law, and fundamental rights” / “vital”
- iii. “watchdogs”
- iv. “amplifies the voice of citizens”
- v. “crucial role in monitoring and ensuring accountability for violations of law in times of crisis”
- vi. “experts in their fields” – can make substantial contributions “when preparing policies, legislation, [and] Government positions for EU issues”. This “direct participation civil society organizations in the formation of public policies, laws and regulations ... leads governments and institutions to more informed decisions, and to respond better to [public] needs”.
- vii. CSOs are “the direct implementation of the constitutional right of participation, right of association and the freedom of expression”.

**19. To what extent do you think civil society organisations rely on governmental (political) will in order to protect democracy and the rule of law?**

**Table 11** The extent to which civil society organisations rely on governmental will

	%
To a great extent	0%
To a fair extent	50%
To some extent	0%

Not at all	50%
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**20. What is the impact of a lack of governmental will on the work of civil society organisations? [open question]**

- i. Societal impact:
  - a. A “lack of transparency”
  - b. a lack of “collaboration ...at a societal level”
  - c. an absence of a “promotion of common values”
- ii.organisational impact:
  - a. “Economic problems”
  - b. Administrative issues

**21. Has the government engaged in actions which hinder the work of civil society organisations?**

**Table 12** Government’s engagement in actions which hinder the work of civil society organisation

	%
Yes	100%
No	0%
Not sure	0%

**22. What are some of these actions? [open question]**

- i. Increase of governmental control → “less flexibility to act” for CSOs, including:
  - a. governmental “involvement in the statutory provisions of the statutes (articles of association) of the organisations”
  - b. activities which seek to police CSOs beyond what is reasonable for “anti-money laundering and terrorist financing” purposes
  - c. Introduction of “unnecessary administrative/ disproportionate measures” which lead to “unbearable problems”
- ii.Negative discourse and labelling of “civil society by government representatives”
- iii. “Lack of protection for activists and professionals in the sector.”
- iv. The implementation of Law xxx in July 2020 in the absence of consultation, which led to the dissolution of thousands of CSOs
- v.“Delays in issuing certificates”

vi. “Delays in registering new organizations”

**23. Has your country faced any situations of crisis which may have precipitated (or provided an excuse) for these governmental actions?**

**Table 13** The existence of situations of crises which have precipitated (or provided an excuse) for governmental engagement in actions which impede the work of CSOs

	%
Yes	25%
No	50%
Not sure	25%

**24. Please tell us about them! [open question]**

i. MoneyVal report (mentioned by all participants who selected “Yes” at the previous question)

**25. Does the government actively seek the input of civil society organisations in informing legislation?**

**Table 14** The government seeks the input of civil society organisations in informing legislation

	%
Yes	0%
No	50%
Not sure	50%

**26. Are the means through which input is sought effective?**

**Table 15** The means through which input is sought are effective

	%
Yes	0%
No	100%
Not sure	0%

**27. Why is this the case? [open question]**

i. No attempts to enable a “consolidated discussion” with the civil society – not even “when it comes to legislation directly affecting civil society organisations” or its amendments

- ii. “no consistency in any efforts to involve civil society organisations in informing legislation”
  - a. the creation of the platform for consultations in 2023 is not meaningful, since “there is no legal relation and/or instructions as to how to hold public consultations”. Rather, “it all goes to how each governmental department understands the ‘public consultations’ issue”.
- iii. The lack of a “public dialogue culture” enables these measures (and failures) to appear “appropriate” attempts at democratic dialogue.

**28. Does the government actively seek the input of civil society organisations in informing policy-making?**

**Table 16** The government actively seeks the input of civil society organisations in informing policy-making

	%
Yes	0%
No	75%
Not sure	25%

**29. Are the means through which input is sought effective?**

**Table 17** The means through which input is sought are effective

	%
Yes	0%
No	100%
Not sure	0%

**30. Why is this the case? [open question]**

- i. the “e-diavoulefsi [consultation] platform” requires interested parties to check it “every day and seek the new consultations, since there is no mechanism to inform the interested stakeholders” of the introduction of a new consultation. The Ministry of Interior should use “the electronic database... which is updated and contains all NGOs in Cyprus”

- ii. the consultation platform is not inclusive, for it does not account for “citizens that have no access to computers and or internet and thus cannot participate in an online consultation”
- iii. the mere availability of online consultations “is not a dialogue. A public consultation and a dialogue should consist of an actual exchange...at some point in the process”, where the authorities “should explain why proposals are taken into consideration or not” upon receiving feedback from CSOs and citizens.

**31. What could the government do better in enabling the work of civil society organisations? [open question]**

- i. Design a “specific protocol on engagement with civil society organisations that will be followed by and for all”, and:
  - a. which is based on “a structural dialogue between relevant [state actors] and the [NGO] sector”, as well as “citizens”
  - b. which requires state actors to respond to feedback and provide explanations as to why proposals are implemented or dismissed
- ii. “trust CSOs and [their] volunteers”
- iii. Seek to “understand how CSOs work and their needs”
- iv. “Meaningfully recognise the role of organised Civil Society play for the Republic”, including in the “process of drafting, discussing, implementing, or revising policies, legislation, regulations”
- v. “actively... support the work of the volunteers/boards of CSOs” through “capacity-building”
- vi. “Transform the negative perceptions about Civil Society Organisations and everyone who actively participates in them, as volunteers or as scientific and support staff”
- vii. “Strengthen collaborations between organised Civil Society and the state, the local authorities, the corporate world, and academic institutions.”
- viii. “Liberalize the law/framework” as to enable the work of NGOs, and do so “especially for small NGOs [and NGOs] with a small budget”
- ix. “Encourage bi-communal initiatives”

**32. What should the government stop doing so as not to hinder the work of civil society organisations? [open question]**

The government should stop...

- i. using a categorisation of NGOs which is inherently flawed and opens up opportunities for abuse:

“split the categories of NGOs, as some NGO (i.e. sport clubs) shouldn't consider as NGOs and have the same regulations, and check as we have”

- ii. the lenient treatment of officials' attacks against NGOs
- iii. distrusting and “suspecting any group that wants to create a new NGO to have a vested interest, and to be in bad faith”
- iv. policing members of NGOs' boards in the absence of indicators of foul play
- v. disrespecting “the work and actions of NGOs”

“If citizens do not feel free to participate in an organization and to express freely their ideas, then Democracy and the Rule of Law are in danger.”





## **Annex 3: CRoLEV Dashboard – Survey findings (Pillar 1, Sub-Pillars 1 and 2)**

### **Pillar 2: Democratic Governance**

#### **Sub-Pillar 1: Anti-corruption in Cyprus and Beyond**

#### **Sub-Pillar 2: Transparency in Cyprus and Beyond**

**With specific questions on the Republic of Cyprus**

**January 2025**

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## **Defining Corruption**

When asked what comes to mind when they think about “corruption”, participants noted a host of actions and omissions to act, which can be grouped in two distinct (albeit, at times, overlapping) categories, as shown in Figure 1 below: economic crimes and abuses of power. A number of participants highlighted that all dishonest and illegal behaviours should constitute corruption “when committed by powerful people (such as government officials or police officers)”.

### ***Economic Crimes***

A majority of participants noted “bribery” – including “tacit bribery within the establishment such as future promises of e.g., honours / high status roles, such as being knighted” – and the acceptance of bribes as a most prevalent form of economic corruption. A variety of other behaviours which lead to an unfair advantage were also mentioned by participants, including “crony capitalism”, “rigging” and “the distortion of competition to benefit specific businesses”, “extortion”, and “money laundering”. Participants noted that these behaviours had the effect of securing “gains for private individuals or ventures” and benefits for their facilitators in political office, at the expense of the general public. Failures to act – such as “not undertaking appropriate diligence and safeguards to recover or block payments” in the case of private contracts for public goods and services, “not regulating [businesses] stringently” and “not enforcing independent audit processes” of businesses also featured in most participants’ representations of corruption. Yet another category of economic crimes by omission encompasses “failures to declare personal assets” and “the secret profits of public officials”.

### ***Abuses of Power***

Participants further noted that “the selective use of the ‘word of law’ rather than the spirit of the law” by state agents who have the respective powers is a form of particularly harmful corruption, with widespread negative effects on the rule of law and democracy. Another particularly dangerous abuse of power noted by participants is the engagement in obscure decision-making via “back-channel communication between pillars of the community (local government, church, national/regional government, unions)”, which often “benefit the few, specifically at the cost of many”. Most respondents also noted manifestations of favouritism

(including nepotism) as expressions of corruption, as well as any other actions which de facto lead to an “unfair or unequal treatment of others” by those who find themselves in a position of relative power. Lastly, participants noted the “misuse of data” and the “lack of transparency about data use” as forms of corruption with widespread negative implications on the general public.

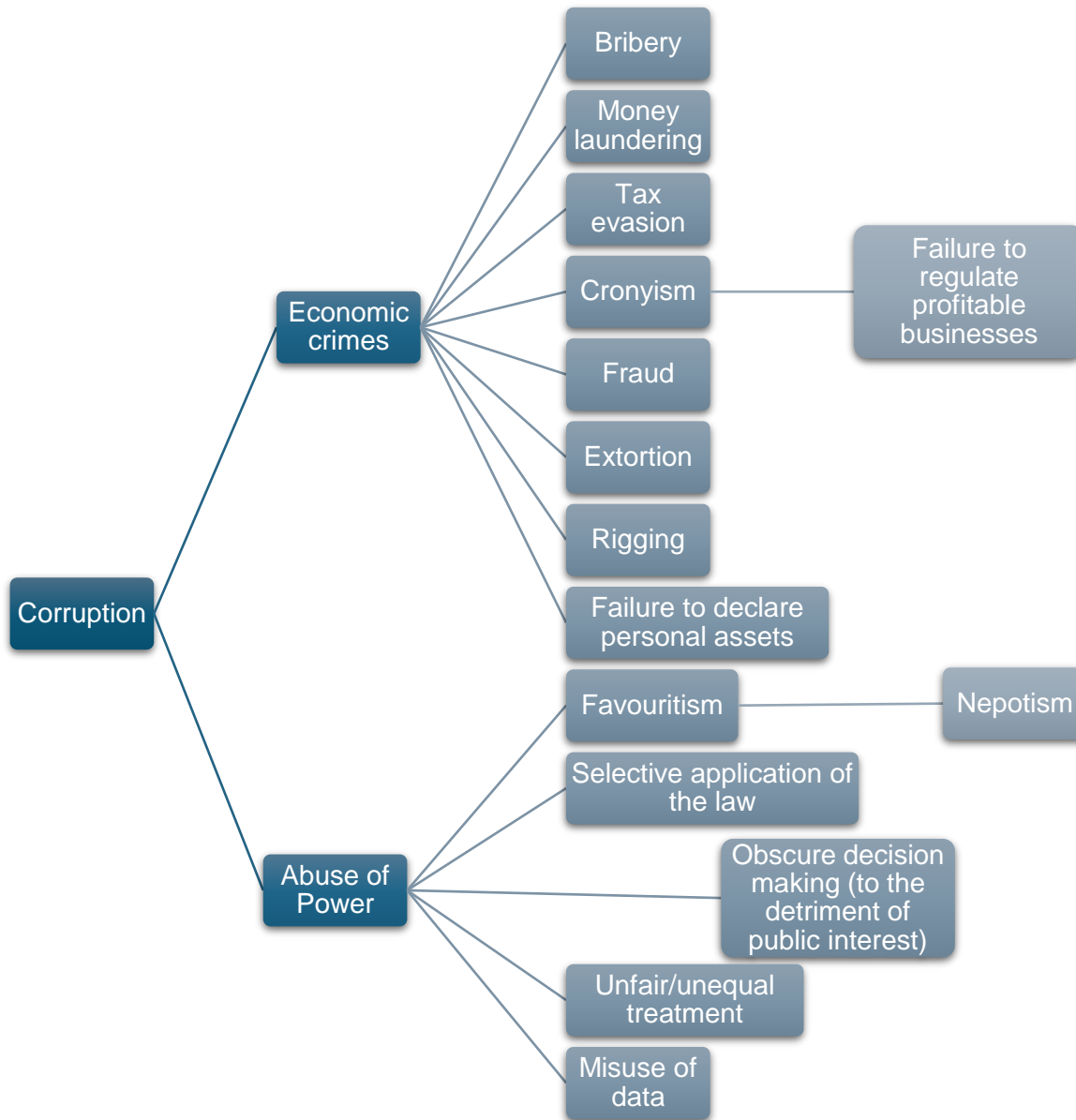
Participants were then asked to select, from a list of pre-defined behaviours, all of those which they considered to constitute corruption (see Table 1). Each participant selected, on average, 8 or more such actions, with all participants agreeing that bribery constitutes corruption. High rates of agreement were also observed in the case of graft (over 94%); favouritism, nepotism, and cronyism (over 88%); electoral fraud (over 82%); and abuse of influence (over 82%). The lowest scoring behaviour was that of “lobbying”, which was selected by a little over 47% of participants.

**Table 1** Which of the following behaviours constitute corruption?

Corruption is...	Percent	Percent of Cases
Graft (or the redirection and misdirection of public funds so as to maximise the benefits of private individuals)	13.0%	94.1%
Misuse of foreign aid money or resources	10.6%	76.5%
Electoral fraud	11.4%	82.4%
Extortion	10.6%	76.5%
Blackmail	8.1%	58.8%
Using one’s influence in government/connection with persons in authority to obtain favours or preferential treatment	11.4%	82.4%
Abuse of discretion	10.6%	76.5%
Favouritism, nepotism, and cronyism	12.2%	88.2%
Lobbying	6.5%	47.1%
Bribery		100%
Other	5.7%	41.2%
Total	100.0%	823.5%

Participants were also invited to mention other actions which constituted corruption. Over 41% of participants selected this option and noted a variety of extra-legal attempts to silence or otherwise undermine the political opposition, whistleblowers, and journalists.

**Figure 1** Corruption in Participants' Words



## Assessing Corruption in State Institutions and its Impact

Participants were asked to assess the extent to which corruption is widespread in various state institutions. Their answers, summarised in Table X below, show that:

- i. respondents are more likely to believe that the courts, educational institutions, the land registry, and citizen services were less likely to be corrupt;
- ii. participants were more likely to believe that corruption was “very widespread” in the police;
- iii. participants were more likely to believe that corruption was “widespread” in the ministries;
- iv. respondents were more likely to believe that corruption was “somewhat widespread” in the police and the parliament;
- v. respondents showed the greatest amounts of uncertainty in assessing corruption within the National Bank.

**Table 2** The prevalence of corruption in state institutions

	This institution is not corrupt	Not widespread at all	Somewhat widespread	Widespread	Very widespread	Not sure/ Don't know
The police	5.55%	16.67%	33.33%	11.11%	27.78%	5.55%
The military	5.55%	27.78%	27.78%	11.11%	22.22%	5.55%
The courts	27.78%	27.78%	16.67%	11.11%	5.55%	11.11%
The ministries	5.55%	16.67%	27.78%	33.33%	11.11%	5.55%
The parliament	5.55%	11.11%	33.33%	27.78%	16.67%	5.55%
The State Prosecution	22.22%	22.22%	16.67%	11.11%	22.22%	5.55%
The National Bank	16.67%	27.78%	22.22%	5.55%	11.11%	16.67%
Public health institutions	16.67%	27.78%	22.22%	11.11%	11.11%	11.11%

Educational institutions	27.78%	22.22%	16.67%	22.22%	0.00%	11.11%
The land registry	27.78%	11.11%	22.22%	22.22%	11.11%	5.55%
Citizen services	27.78%	16.67%	16.67%	22.22%	5.55%	11.11%
Tax authority	22.22%	22.22%	16.67%	27.78%	0.00%	11.11%
The local municipality	5.55%	27.78%	27.78%	27.78%	5.55%	5.55%

Participants were then asked to assess the prevalence of specific types of corruption in state institutions by selecting a type of corrupt behaviour which they considered most likely to occur in each institution. The findings, presented in Table 3, show that:

- i. agents of the police were regarded as more likely to engage in abuse of influence (27.78%) and bribery (22.22%);
- ii. agents of the military were regarded as more likely to engage in abuse of influence (22.22%), followed by favouritism (16.67%) and blackmail (16.67%);
- iii. agents of the court were regarded as more likely to engage in abuse of discretion (27.78%), followed by abuse of influence (22.22%);
- iv. agents of the ministries were regarded as more likely to engage in abuse of influence (27.78%), followed by favouritism (22.22%);
- v. agents of the parliament were regarded as more likely to engage in abuse of influence (33.33%), followed by graft (22.22%);
- vi. agents of the State Prosecution were regarded as more likely to engage in abuse of discretion (27.78%), followed by favouritism (16.67%);
- vii. agents of the National Bank were regarded as more likely to engage in abuse of influence (33.33%), followed by favouritism (16.67%);
- viii. agents of public health institutions were regarded as more likely to engage in graft (33.33%), followed by abuse of influence (11.11%) and favouritism (11.11%);
- ix. agents of educational institutions were regarded as more likely to engage in favouritism (22.22%), followed by abuse of influence, abuse of discretion, and graft (all at 16.67%);
- x. agents of the land registry were regarded as more likely to engage in bribery (27.78%), followed by favouritism (16.67%);

- xi. agents of citizen services were regarded as more likely to engage in bribery (22.22%), followed by favouritism (16.67%);
- xii. agents of the tax authority were regarded as more likely to engage in bribery (22.22%) and abuse of discretion (22.22%), followed by abuse of influence (11.11%) and favouritism (11.11%);
- xiii. agents of the local municipality were regarded as more likely to engage in graft (22.22%), followed by abuse of discretion (16.67%).



**Table 3** The prevalence of certain types of corruption in state institutions

	Bribery	Graft	Misuse of foreign aid	Extortion	Blackmail	Abuse of influence	Abuse of discretion	Favouritism	Lobbying	This institution is not corrupt
Police	22.22%	5.55%	0.00%	0.00%	11.11%	27.78%	16.67%	11.11%	0.00%	5.55%
Military	0.00%	11.11%	5.55%	0.00%	16.67%	22.22%	11.11%	16.67%	0.00%	5.55%
The Courts	5.55%	5.55%	5.55%	0.00%	5.55%	22.22%	27.78%	5.55%	0.00%	22.22%
The Ministries	5.55%	16.67%	0.00%	0.00%	5.55%	27.78%	0.00%	22.22%	16.67%	5.55%
The Parliament	5.55%	22.22%	0.00%	0.00%	0.00%	33.33%	0.00%	16.67%	16.67%	5.55%
The State Prosecution	11.11%	5.55%	0.00%	0.00%	5.55%	11.11%	27.78%	16.67%	5.55%	16.67%
The National Bank	5.55%	5.55%	0.00%	0.00%	5.55%	33.33%	5.55%	16.67%	11.11%	22.22%
Public Health Institutions	5.55%	33.33%	0.00%	0.00%	5.55%	11.11%	5.55%	11.11%	0.00%	27.78%
Educational Institutions	0.00%	16.67%	0.00%	0.00%	5.55%	16.67%	16.67%	22.22%	5.55%	16.67%
The Land Registry	27.78%	0.00%	0.00%	5.55%	0.00%	5.55%	11.11%	16.67%	0.00%	33.33%
Citizen Services	22.22%	11.11%	0.00%	0.00%	0.00%	5.55%	5.55%	16.67%	5.55%	16.67%
The Tax Authority	22.22%	5.55%	0.00%	0.00%	0.00%	11.11%	22.22%	11.11%	0.00%	27.78%
The Local Municipality	11.11%	22.22%	0.00%	0.00%	5.55%	16.67%	5.55%	11.11%	11.11%	16.67%

Participants were then asked to assess the potential negative effects on society caused by corruption in specific state institutions, by rating this on a scale from 1-10, where 1 represents the least amount of potential harm, and 10 represents the greatest amount of potential harm. The mean ratings (please see Table 4) indicate that corruption in the parliament (rated 8.12) is generally regarded as having the greatest potential to be harmful, followed by corruption in the police (rated 7.72), and corruption in the ministries and the State Prosecution (both rated 7.50). Conversely, corruption in the land registry and citizen services were considered to be least harmful (both rated 5.44).

**Table 4** The potential harm caused by corruption in state institutions

Institution	Mean rating
The police	7.72
The military	7.10
The courts	7.17
The ministries	7.50
The parliament	8.12
The State Prosecution	7.50
The National Bank	6.60
Public health institutions	5.94
Educational institutions	5.61
The land registry	5.44
Citizen services	5.44
Tax authority	6.50
The local municipality	6.50

Respondents were asked to rate the extent to which each of the behaviours below has a negative impact on society, on a scale from 1 to 10, with 1 signifying the least impact (see Table 5). “Abuse of influence” scored highest, with a mean rating of 8.8, followed closely by “misuse of foreign aid” (with a mean rating of 8.73). The lowest rating was recorded by “lobbying” (5.52), followed by extortion (6.13), and blackmail (6.43).

**Table 5** The potential negative impact of corrupt behaviours on society, on a scale from 1-10

	Mean
Bribery	7.67
Graft	7.71
Misuse of foreign aid	8.73
Electoral fraud	7.19
Extortion	6.13
Blackmail	6.43
Abuse of influence	8.8
Abuse of discretion	7.23
Favouritism, nepotism, and cronyism	7.23
Lobbying	5.52

While variations in effect are clearly observable, participants' ratings clearly indicate that none of the aforementioned actions are regarded as having an insignificant (potential to create a) negative impact.

Participants were then asked to select the effects they thought corruption had on society from a list of pre-defined answers. Their responses, displayed in Table 6 below, indicate that over 70% of participants thought that corruption maximise the economic benefits of some individuals; almost 65% of participants considered corruption to limit the availability of public services and goods; almost 59% of participants noted that corruption limits economic growth; and 53% of participants thought it repressed access to public services and goods.

**Table 6** What does corruption contribute to?

Corruption contributes to...	Percent	Percent of Cases
Repressing the civil society	10.0%	47.1%
Repressing the citizenry	8.8%	41.2%
Repressing the media	10.0%	47.1%
Limiting economic growth	12.5%	58.8%
Limiting the availability of public services and goods	13.8%	64.7%

Maximising the economic benefits of some individuals	15.0%	70.6%
Repressing access to public services and goods	11.3%	52.9%
Facilitating organised criminal groups and their activities (including money laundering, drug trafficking, and human trafficking)	10.0%	47.1%
Other	7.5%	35.3%
I do not wish to answer this question	1.3%	5.9%
Total	100.0%	470.6%

In addition to this, participants were also asked to type in any other adverse effects not previously mentioned. Respondents noted that the general public would suffer from “widespread public mistrust”. According to participants, the public mistrust is likely to manifest in two ways: it either has a “demotivating” effect in engaging with public institutions – and, by extension, a reticence in engaging in democratic processes; or it progresses in sentiments of extreme anger with state agents and institutions, which leave individuals open to radicalisation and potential engagement in violent acts which are politically-motivated. Irrespective of the two potential scenarios presented above, the result is an “adverse effect on the cohesion of society” which effectively “undermines democracy”.

When asked about whether their personal experiences of corruption have had any effects on them beyond the immediate inconvenience, all participants mentioned feeling frustrated and apathetic. Importantly, however, the feelings of frustration and apathy rarely led to attempts to address the corrupt behaviour – a vast majority of respondents noted feeling hopeless and powerless, whilst simultaneously recognising that corruption is an intrinsic part of public institutions; and thus something which cannot be changed. Only one participant filed a complaint with the ombudsman as a result of their experiencing corruption.

### **Experiences of Corruption**

When asked whether they have ever experienced corruption, a little over a third of participants respondent affirmatively, with 11% of participants having experienced corruption more than once. 45% of participants declared to have never experienced corruption, with the remainder 22% of respondents being unsure. Participants who responded affirmatively mentioned having experienced the “incompetence of governmental institutions” as a result of corruption, noting

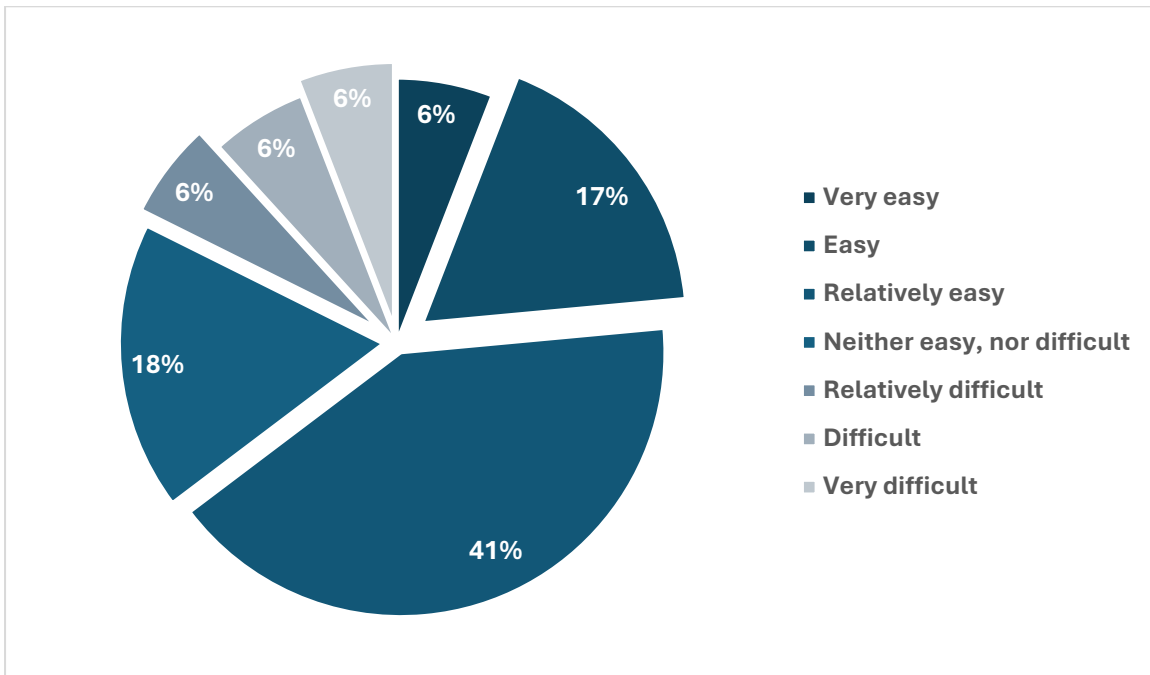
“delays in processing due to favouritism and nepotism” and having witnessed the “pressuring of civil servants to favour contracts”. One participant also noted an instance in which they encountered a case of electoral fraud: “I encountered corruption in the local authority electoral services which was manipulating votes... totally undermining democracy – presumably because it benefited someone/something”. All participants who had experienced corruption declared to have had their trust in both the corrupt person and the institution the corrupt person is an agent of negatively impacted by their experience, and over two thirds of participants noted that their experience(s) also affected their trust in other state institutions.

Participants were also asked whether anyone they knew had experienced corruption. Half of respondents declared to have known at least one person who had experienced corruption, with 39% of the overall number of participants knowing several persons who had experienced corruption. 28% of respondents were not sure whether they knew anyone who had experienced corruption, and the remaining 22% of respondents did not know anyone who had a personal experience of corruption. Those who responded affirmatively were then asked whether hearing about their acquaintances’ experiences of corruption had negatively affected their overall trust in the corrupt person; the institution that the corrupt person is an agent for; and other state institutions. All participants agreed that their trust in the corrupt person was negatively impacted; over 70% noted that their trust in the respective institution was negatively impacted; and less than a third noted that their trust in other institutions of the state was negatively affected.

## **Transparency**

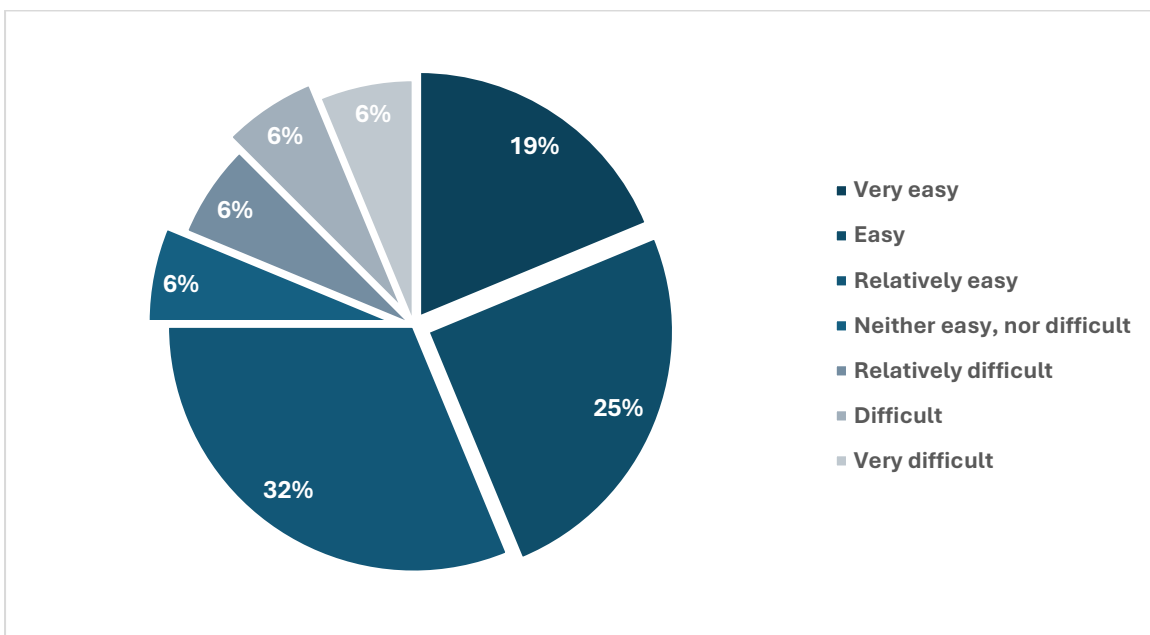
As a means to assess transparency, participants were asked whether they knew how to locate: i. legislation on their government’s websites; ii. High or Supreme Court decisions; iii. information about Parliamentary committee sessions; iv. information concerning the duties and responsibilities of public officials; and, if so, how easy or difficult they found locating such information to be. 87.5% of participants responded affirmatively concerning their ability to locate legislation on the government’s websites, 12.5% noted never having tried locating such information, and 10% did not know how to locate such information. Those who responded affirmatively were then asked to assess the difficulty of the task. Their responses are summarised in Figure 2 below. A little over 41% of respondents found the task “relatively easy”, 18% found it “neither easy, nor difficult”, and 17% found it “easy”. 6% of respondents found it “very easy”, “relatively difficult”, “difficult”, or “very difficult” respectively.

**Figure 2** How easy or difficult is it to locate information on the government’s website?



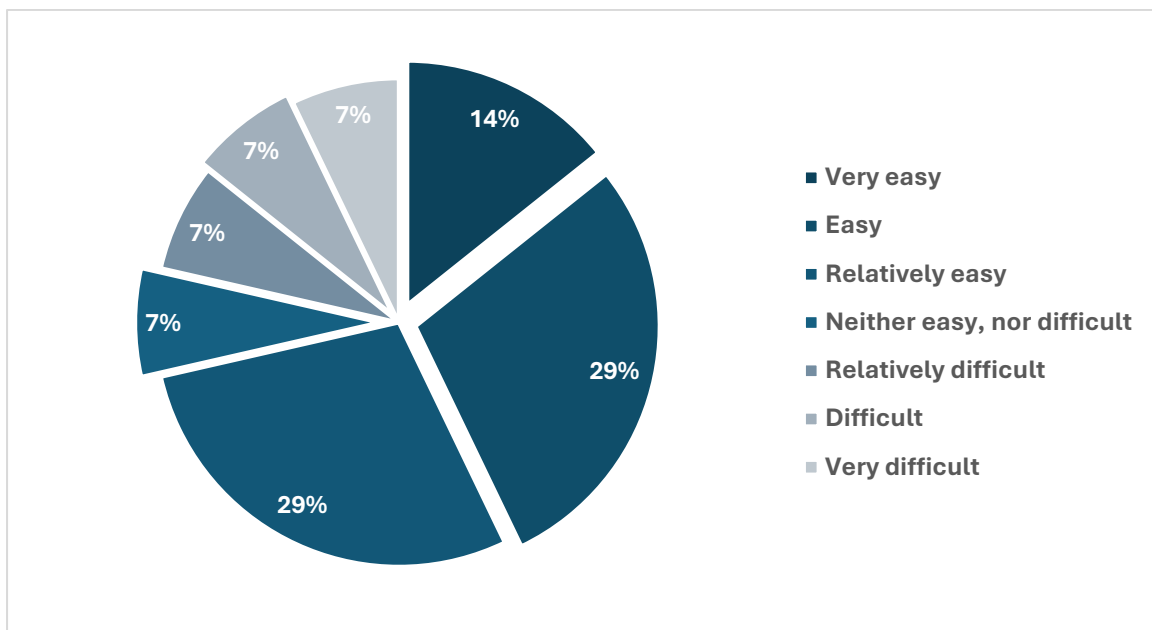
With respect to High or Supreme Court decisions, 50% of participants knew how to access them, 33% of participants were not sure or had never attempted to do so, and the remainder 17% did not know how to locate them. Importantly, more than 90% of the participants responded affirmatively were legal professionals. The ease of access, as assessed by participants, is depicted in Figure 3 below. Over three quarters of participants found locating High or Supreme Court decisions to be easy – to various degrees.

**Figure 3** How easy or difficult is it to locate High or Supreme Court decisions?



Participants were then asked whether they knew how to locate information about Parliamentary committee sessions. 46% of participants responded affirmatively, 31% of participants responded negatively, and the remainder 23% had never attempted locating such information. As previously, participants who declared to have located this information were asked how easy or difficult they found the task. The data, summarised in Figure 4 below, shows that 72% of participant found the task to either be very easy, easy, or relatively easy.

**Figure 4** How easy or difficult is it to locate information about Parliamentary committee sessions?



Participants were then asked whether they thought that the duties and responsibilities of public officials are clearly publicised on the government’s websites. 18.75% responded affirmatively, 31.25% responded negatively, and the remainder 50% were not sure.

### **Anti-Corruption Efforts in the Republic of Cyprus**

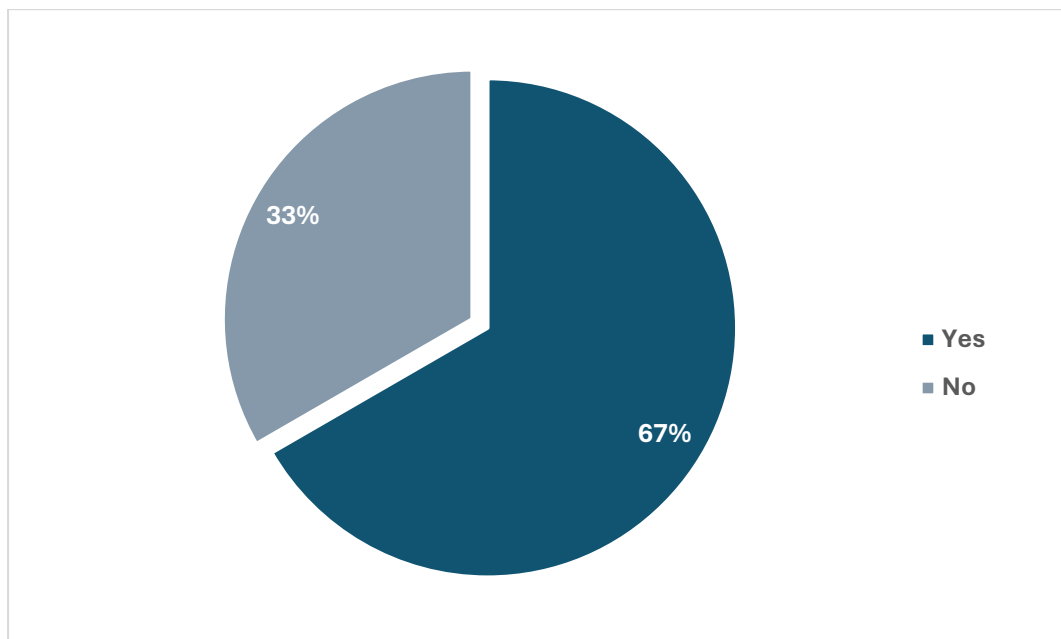
Participants residing in the Republic of Cyprus were then asked to assess a number of legal initiatives intended to address corruption, by answering questions relating to:

- i. awareness of the Anticorruption Authority and its perceived effectiveness;
- ii. awareness of the Law of 2022 No. 20(I)/2022 “On Transparency of Public Decision-Making and Relevant Procedures” and its effectiveness;

- iii. awareness of the right to request information from public authorities, as per the Law No. 184 (I) / 2017 “On Right of Access to Public Sector Information” and experiences exercising the right;
- iv. awareness of any institutional rules which prevent officeholders from using their office to enhance private interest
- v. awareness of asset declaration rules pertinent to public officials and their effectiveness;
- vi. the extent to which the hiring of public servants is justified by reference to publicly available criteria.

Two thirds of respondents were aware of the existence of the Anticorruption Authority (see Figure 5).

**Figure 5** Are you aware of the existence of the Anticorruption Authority (Αρχή κατά της Διαφθοράς) as per Law of 4 March 2022 No. 19(I)/2022 “On the Establishment and Operation of the Independent Authority against Corruption”?

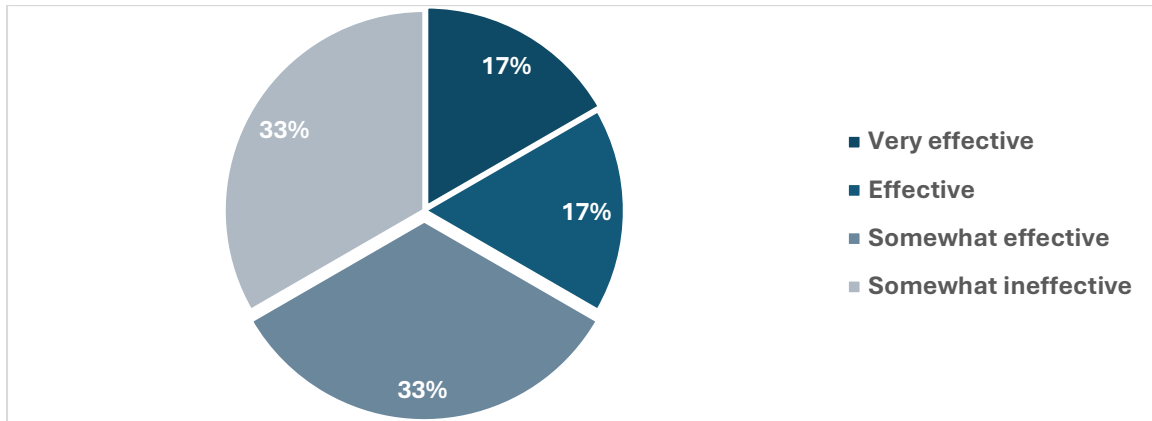


Participants appeared to be hopeful with respect to the Anticorruption Authority’s potential to fight corruption effectively – no respondent assessed it as being “ineffective” or “very ineffective”. One third of participants thought the Authority is “somewhat effective”, with an



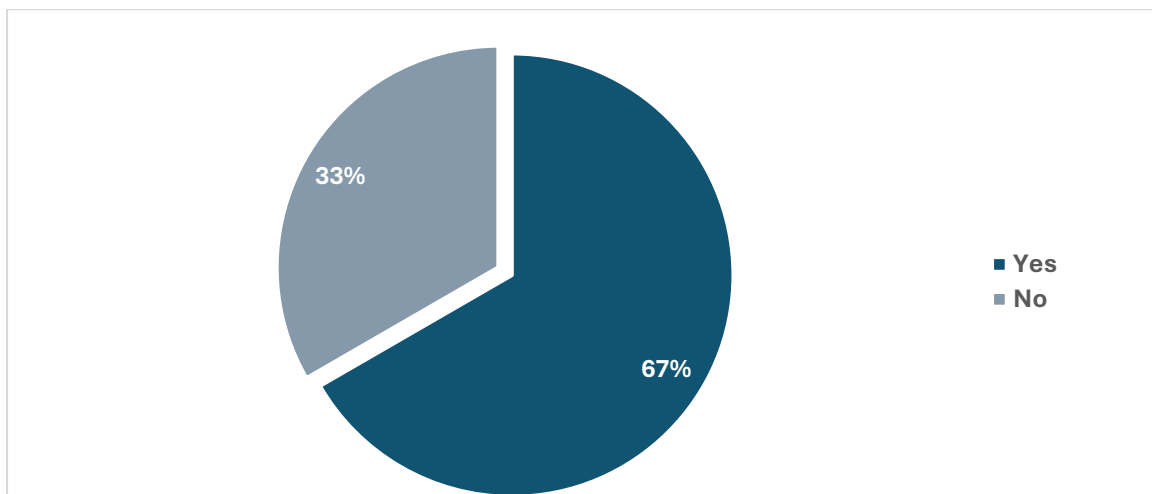
additional 34% of participants assessing it as “effective” and “very effective” in equal proportions (see Figure 6).

**Figure 6** How effective do you think the Anticorruption Authority (Αρχή κατά της Διαφθοράς) can be in fighting corruption?

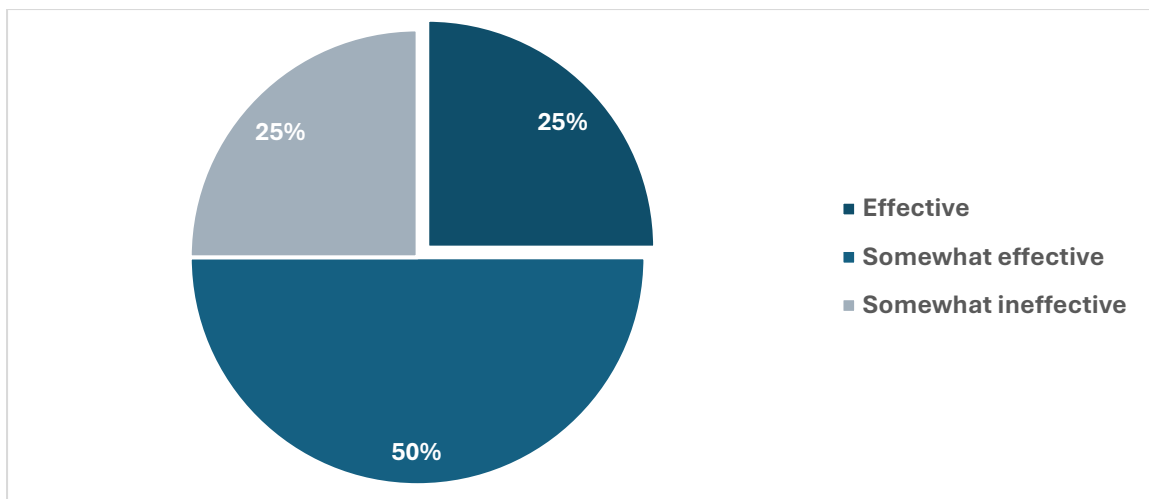


Two thirds of respondents were also aware of the law No. 20(I)/2022 “On Transparency of Public Decision-Making and Relevant Procedures” (see Figure 7). A quarter of participants deemed this law to be “effective”, half agreed that it was “somewhat effective”, and a further 25% assessed it as “somewhat ineffective” (see Figure 8).

**Figure 7** Are you aware of the Law of 2022 No. 20(I)/2022 “On Transparency of Public Decision-Making and Relevant Procedures”?

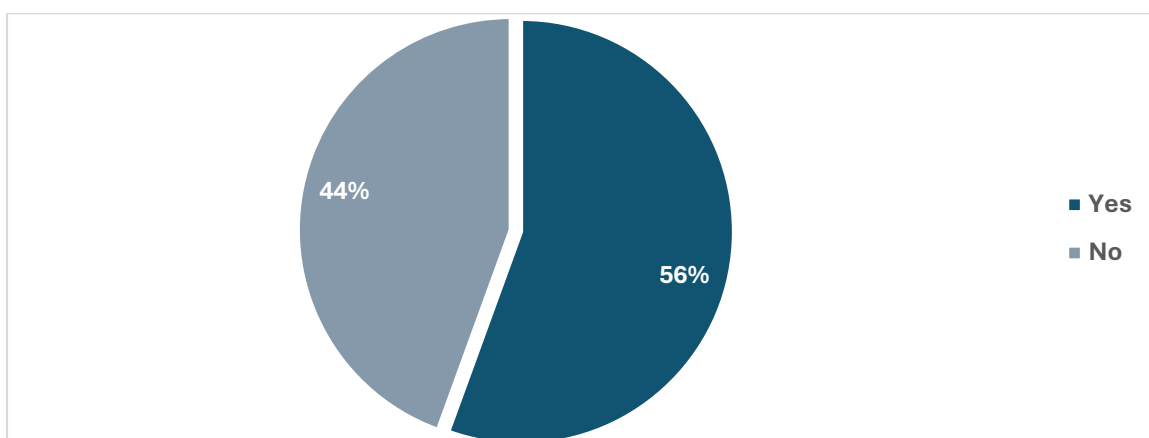


**Figure 8** To what extent do you think this law can be effective in securing transparent and public decision-making?



56% of participants also declared to be aware of their right to request information from public authorities (see Figure 9).

**Figure 9** Are you aware of the right to request information from public authorities, as per the Law No. 184 (I) / 2017 “On Right of Access to Public Sector Information”?

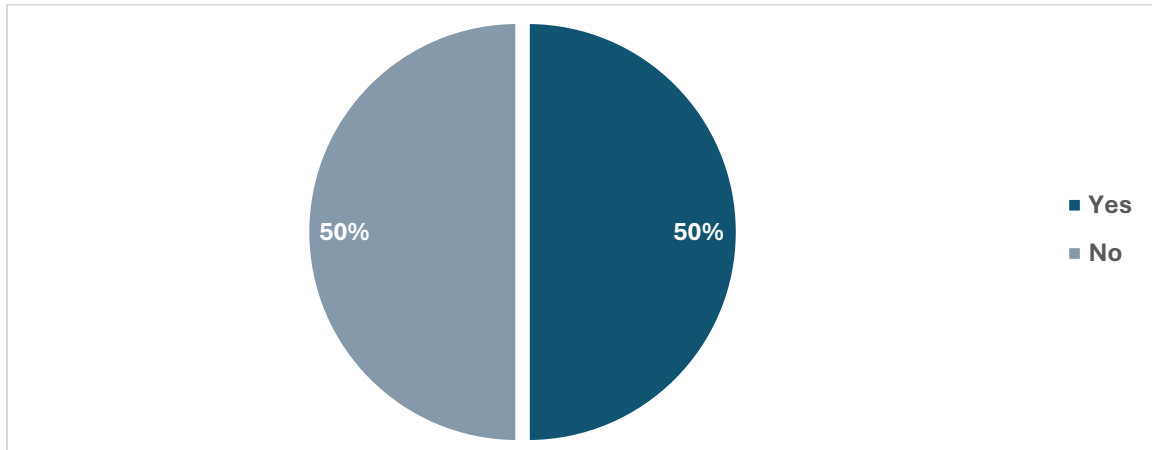


When asked whether they have ever tried to request information from public authorities as per the aforementioned law, all participants responded negatively.

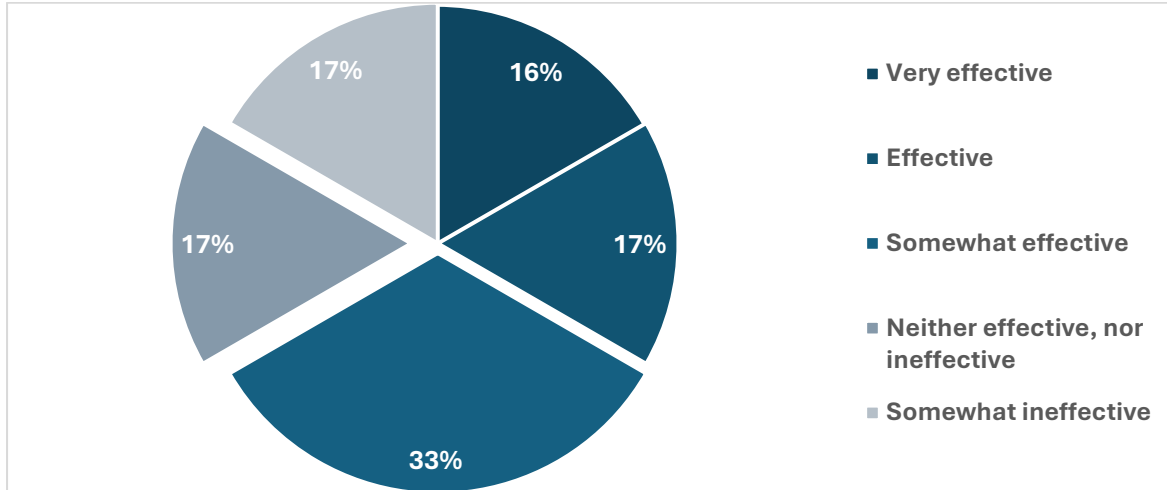
A half of participants were also aware of the existence of institutional rules which seek to prevent officeholders from using their office to enhance private interests (see Figure 10). A third of participants deemed these rules to be “somewhat effective”, 17% of participants considered them to be “effective” and 16% of participants assessed them as “very effective”.

The remaining 34% of participants deemed them “neither effective, nor ineffective” or “somewhat ineffective” in equal proportions (see Figure 11).

**Figure 10** Awareness of institutional rules which prevent officeholders from using their office to enhance private interests

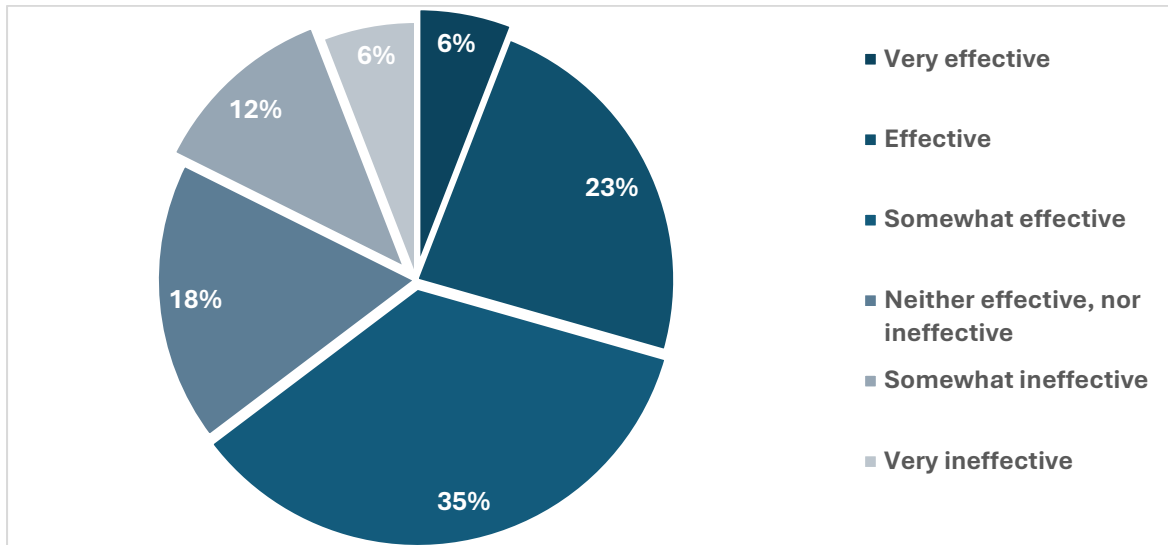


**Figure 11** To what extent do you think that these rules are effective?



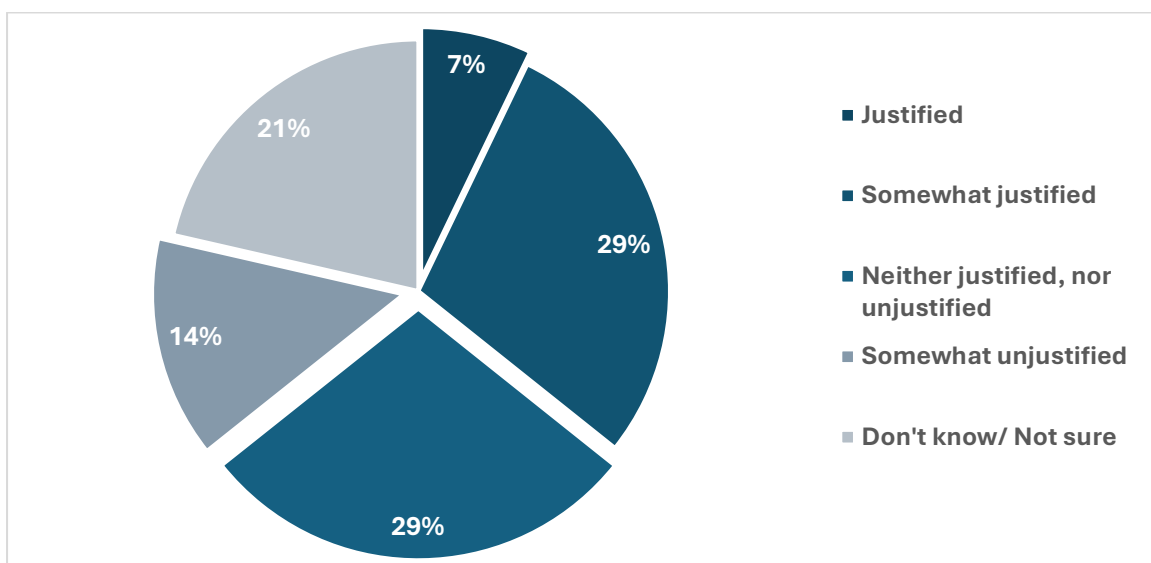
In assessing the effectiveness of extant institutional mechanisms of asset declaration in preventing corruption, a majority of 35% of participants agreed that these are “somewhat effective”, 23% deemed them “effective”, and 6% assessed them as “very effective” (see Figure 12).

**Figure 12** The extent to which the existing institutional mechanism of asset declaration is effective in preventing corruption



Over a third of participants thought that the hiring of public servants is generally either “justified” (7%) or “somewhat justified” (29%) by reference to publicly available criteria. 29% of participants deemed this to be “neither justified, nor unjustified”, and over a fifth of participants were unsure.

**Figure 13** The extent to which the hiring of public servants is justified by reference to publicly available criteria



## Controlling Corruption

All respondents, irrespective of their location, were asked to assess the likelihood that controlling measures will be undertaken as a means of penalising corrupt actions in state institutions. The results, presented in Table 7 below, show that participants think an internal audit is more likely to be conducted compared to an investigation by law enforcement. The likelihood of prosecution and penalisation were comparatively lower – only 11.11% of participants deemed these to be “very likely”.

**Table 7** The likelihood that controlling measures will be undertaken as a means of penalising corrupt actions in state institutions

	Very likely	Likely	Somewhat likely	Neither likely, nor unlikely	Somewhat unlikely	Unlikely	Very unlikely	Don't know/ Not sure
Internal audit	23.53%	17.65%	29.41%	5.88%	5.88%	11.76%	0.00%	5.88%
Investigation by law enforcement	16.67%	11.11%	22.22%	11.11%	11.11%	16.67%	5.55%	5.55%
Prosecution	11.11%	16.67%	27.77%	5.55%	11.11%	5.55%	16.67%	5.55%
Penalisation	11.11%	5.55%	38.89%	5.55%	11.11%	5.55%	16.67%	5.55%

A vast majority of participants noted, however, that the existence of rules and regulations is not, in itself, sufficient to deter corruption. In one respondent’s words: “[t]ransparency rules are effective tools to combat corruption. Electronic systems, designed to prevent government officials from bypassing rules to favour select businesses/individuals, are also effective tools in fighting corruption. *But rules will not always prevent corrupt people from engaging in unethical behaviour.*” [emphasis added]

Indeed, a majority of participants claim that extant anti-corruption measures are ineffective precisely because of the existence of a culture of corruption which extends far beyond the individual state agents which engage in corrupt acts at any one moment in time. The factors which contribute to the sustenance of this culture of corruption are varied and reinforcing. Respondents claimed that the aforementioned laws often lack in the “comprehensiveness” necessary for their effective application. A number of participants noted that this is likely intended – the result of a lack of political motivation and willingness permeated upon

maintaining a status quo which enables officeholders to abuse their position for personal benefit. In a participant's words, "the competent authorities don't do anything about it [corruption], ... because they're eating from the same trough".

In turn, the enforcement of the aforementioned laws is lax. Participants note that this is likely the result of a combination of factors, including:

- i. the "potential for institutional embarrassment";
- ii. the high "costs of pursuing and securing accountability are too high. Costs include:
  - a. time;
  - b. human capital;
  - c. material resources; and
  - d. expertise.

Such costs, in a participant's opinion, "often seem onerous and expensive", especially when seeking accountability is unlikely to bear positive results.

When asked what would improve current deterrents for, and responses to corruption, participants noted the following:

- i. "increased responsiveness" and "vigilance", including to changing circumstances which bring about the possibility to engage in corruption;
- ii. "enhancing transparency regulations";
- iii. the "digitisation of public services and access thereto";
- iv. the introduction of "meaningful and effective monitoring of government officials' performance, whereby they need to be able to justify their decisions, and deviations from established rules";
- v. the "enforcement of stricter penalties" and "sanctions which are proportionate to the impact of the crime/harm caused";
- vi. the introduction of an impartial oversight body which is effective and has adequate powers and reach to undertake its work<sup>90</sup>;
- vii. the introduction of "improved mechanisms for accountability", including "improved supervisory mechanisms";

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<sup>90</sup> One participant noted that, "in Cyprus admittedly, it [the impartial oversight body] exists, but is... ineffective and toothless."

- viii. the introduction of more extensive powers and reach for law enforcement organs and courts.

In addition to the aforementioned, participants also noted a host of other conditions and circumstances which would determine the effectiveness of attempts to control corruption. They note that efforts to promote accountability and anti-corruption should be “systematically evaluated ... for effectiveness”, their shortcomings addressed, and the resulting regulations implemented effectively. Participants also noted that new regulations should be implemented as a means to remove “remaining opportunities to abuse office”. These efforts, participants note, are more likely to be successful if they are “endorsed by political actors in the high office” and if they bring about “financial rewards” for those who play an intrinsic part in fighting corruption and securing accountability, including whistleblowers.

### **Final Thoughts**

Finally, participants were asked whether there was anything else they wished to add. In answering this optional question, respondents were largely focused on the civil service, noting that systematic actions should be taken to shift the current conditions which make it vulnerable to corruption by: i. removing the opportunities for undue political influences; ii. improving the quality of its employees, by ensuring that civil servants are assessed “on merit, not time spent in service”; and iii. overall improving transparency.



## **Annex 4: CRoLEV Dashboard – Survey findings (Pillar 2, Sub-Pillar 1)**

### **Pillar 2: Democratic Governance**

#### **Sub-pillar 1: Anti-corruption institutional framework in Cyprus and Beyond**

**January 2025**

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Prof. Stéphanie Laulhé Shaelou, CRoLEV Director



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## **Judges**

**To what extent do you think that the judges have the requisite knowledge to deliver good decisions? Please rate this knowledge on a scale from 1 to 10, where 1 denotes poor requisite knowledge and 10 denotes excellent requisite knowledge.**

The judges' knowledge had a mean rating of 7.07, with over 70% of participants having assessed it to be 7 and above.

**Table 1** An assessment of judges' knowledge to deliver good decisions

Knowledge rating:	%
1	0.00%
2	3.45%
3	0.00%
4	3.45%
5	13.79%
6	6.90%
7	20.69%
8	17.24%
9	17.24%
10	13.79%
I do not wish to answer this question	3.45%

### **What knowledge do you think judges are currently lacking?**

The following were noted as areas of knowledge which the judges lacked:

- i. Contemporary public (and moral) values; appreciation for diversity and equity;

“I think some (not sure how many) are out of touch with public values - particularly generational issues like trans rights or even what constitutes domestic abuse might be good examples. But it will depend on the person - and it is right that judges should be older people with a huge experience. I would still, on balance trust them 100% over trial by media etc.

I believe that judges, given their general demographic, no longer represent the moral beliefs of the general public; this is a problem if you believe that justice should be an extension of morality. Much of the time they are religious, conservative, and "old-minded".”

“Lack of feminist approaches (especially in Gender Based Violence)”

- ii. Common law judicial reasoning:
- iii. Subject-specific knowledge:
  - a. International law, including EU law, international private law
  - b. Laws pertaining to technology use
  - c. Corporate law
  - d. Commercial law
  - e. Intellectual property law
- iv. Continuous expertise
- v. Respect for minority rights

“Minority rights as immigrants as citizens too in this country”

- vi. Understanding of emerging technologies, including utilising software
- vii. Soft skills
- viii. Engagement in continuous learning, including “up-skilling” and “re-skilling”

**To what extent do you think that judges have access to the following facilities in the course of their duties?**

**Table 2** Judges’ access to facilities

	No Access	Poor Access	Adequate Access	Good Access	Excellent Access	Not sure/ Don’t know
Comfortable and Private Offices	0.00%	23.31%	26.64%	19.98%	19.98%	9.99%
Access to Technological Equipment in their Offices	0.00%	43.29%	16.65%	16.65%	16.65%	6.66%

Access to Electronic Resources (including Databases)	0.00%	26.64%	23.31%	16.65%	19.98%	13.32%
Access to Electronic Court Proceedings	0.00%	56.61%	16.65%	3.33%	13.32%	9.99%
Access to Technological Equipment in the Courtroom	9.99%	53.28%	9.99%	3.33%	9.99%	13.32%

**To what extent do you think the following state institutions have an influence on the courts?**

**Table 3** State institutions' influence on the courts

	No influence	Little influence	Some influence	Considerable influence	Total influence
Executive Power (President and Government)	17.24%	13.79%	37.93%	24.14%	6.89%
Legislative Power (Parliament)	20.68%	17.24%	31.03%	20.68%	10.34%
Other Organs of the State	17.24%	24.14%	20.68%	20.68%	10.34%

**Please explain, in as much detail as possible, why you think this is the case.**

Participants noted the following as potential factors which enable state institutions to influence the courts:

- i. Inadequate court budgets – which gives other state institutions leverage to apply pressure (including via bribery)
- ii. Inadequate separations of powers

“THE CHURCH HOLDS TOO MUCH POWER”

“I do not firmly believe in the separation of the 3 powers in state. They're obviously interdependent.”

- iii. Nepotism and favouritism

“The country is small. These people know each other, went to the same schools and universities; some are even close friends. Even in the cases where they do not directly know each other they know someone who knows someone.”

“The Attorney General was a close friend of the former president.”

“Also, many politicians in Cyprus are lawyers and they get along well with judges. This might affect how the courts are influenced by other state branches.”

iv. Reluctance to obstruct public policy

“Case law indicates that courts are more than willing to enforce separation of powers and constitutional rights but are somewhat reluctant to obstruct public policy”

v. A culture of corruption

“Because even a robust independent judiciary like we have in the UK exists in a context, and that context influences everything.”

“Corruption is a big problem in Cyprus, as shown by recent scandals.”

**If a case before the court involves an individual against the government, which of the outcomes below do you think is more likely to occur?**

**Table 4** Judges’ decision-making in cases involving individuals against the government

	%
The judge will side with the individual, with some reliance on the facts of the case.	0.00%
The judge’s decision will be entirely dependent on the facts of the case.	53.33%
The judge will side with the government, with some reliance on the facts of the case.	36.67%
I do not wish to answer this question.	10%

**What factors do you think may influence judges in their decision-making, in the scenarios presented above?**

- i. Lack of judicial independence
- ii. Financial dependence (of the judiciary) on other state institutions
- iii. Other dependencies on state institutions

“They might feel their survival depends on how well the government does. Among other, doing well for the government may be not having to deal with citizens complaints and participation in trial proceedings and spending budget.”

- iv. Lack of adequate pay – enables the offering/acceptance of bribes
- v. Nepotism and favouritism
- vi. Blackmail

“Given the small size of the country, and it's even smaller legal/judicial community, there are likely to be back-channel communications, bribery, blackmail that never surfaces, influencing the decision of the judge, particularly in politically sensitive decisions.”

- vii. Public policy

“Public policy and guaranteed constitutional rights that do not directly challenge public policy (pandemic)”

- viii. Public pressure and (perceived) public interest

“But it is also sometimes public pressure misconstrued as public values - for example in cases where climate protestors (a cause I support) or those against deportation of asylum seekers (again I agree with the cause) are let off for actions people advocating for different causes in the same way will not and have not been. This is wrong.”

“The fact that we are a close society places an additional burden upon the judiciary”

- ix. Public interest

“The societal aspect of the case. They’d consider if it is in the public interest to prosecute or not”

- x. Necessity to protect state actors/agencies

“They might seek to limit the impact of floodgates and damages against the government, even if they are impartial.”

**If a judge was offered an improper advantage (including payment, goods, influence, entitlement, access to public/private services) in order to influence their decision, how likely would it be that the judge accepts the bribe?**

**Table 5** The likelihood that a judge would accept an improper advantage

	%
Extremely Unlikely	0.00%
Unlikely	28.57%
Neither likely, nor unlikely	23.81%
Likely	19.95%
Extremely Likely	14.29%
I do not wish to answer this question	14.29%

**What do you think may influence a judge’s likelihood to accept a bribe?**

- i. (Perceived) Lack of adequate pay
- ii. Lack of detection/accountability mechanisms

“IF IT CAN GO UNDETECTED ACCEPTING HOLIDAYS, GOODS, CASH, PREFERENTIAL TREATMENT”

“On a wider level, the system's ability to expose bribery within the judiciary.”

- iii. Corrupting influence of power

“Some people are not concerned with justice, including judges.”

“I have difficulty trusting in the goodness of old people in power. You don't get to the position you're in by being clean.”

- iv. Commitment to integrity, ethics, and public service

“Their ethical and law skills as their capacity to integrity.”

“I hope that the judiciary still retains some values and principles and would do whatever is possible to deliver justice in a fair manner.”

v. Personal ties to the individual(s) providing the bribe

“Existence of other links with the person providing the bribe”

vi. Fear of damaging reputation

Cyprus is a very small island and nothing remains a secret. I believe that it is very unlikely for a judge to risk his fame and career to accept a bribe for a case.

vii. Organisational culture

**To what extent do you think that judges follow rule of law principles (including fairness, impartiality, independence, accountability, and transparency) when they decide cases?**

**Table 6** The extent to which judges follow principles of the rule of law when deciding cases

	%
Judges never follow rule of law principles.	0.00%
Judges rarely follow rule of law principles.	3.44%
Judges sometime follow rule of law principles.	20.69%
Judges often follow rule of law principles.	51.60%
Judges always follow principles of the rule of law.	17.20%
Don't know/Not sure.	6.90%

**How would you rate your trust in the courts? Please rate this on a scale from 1 to 10, with 1 implying that courts are extremely untrustworthy, and 10 implying that courts are extremely trustworthy.**

**Table 7** Participants' trust in the courts

	%
1	0.00%
2	3.13%
3	3.13%
4	15.63%
5	25%
6	3.13%
7	12.5%
8	25%
9	9.38%
10	3.13%

**Mean = 6.25**

**What do you think influences the extent to which courts can be trusted?**

- i. Adequate resources
- ii. Transparency in decision-making

“More publicized and better articulated reasoning”

- iii. Accountability and oversight mechanisms
- iv. The extent of judges' knowledge, competence, and training

“LACK OF KNOWLEDGE ON THE MATTER BEING TRIED”

“The judges' competence, the law and the pace that the proceedings could be handled and completed and the lawyers' willingness to assist the delivery of justice instead of only caring about their personal and their clients' interests”



- v. Opportunities for corruption
- vi. Commitment to public service
- vii. Interference of/commitment to political parties

“Some judges officially (almost) support some political parties.”

- viii. (perception of) public opinion (over public interest) and individual rights

“My experience of courts (particularly magistrates courts) are more concerned with ensuring they are seen to be tough on crime and sentence people to custody when it may not be completely necessary. I can’t always trust the intentions of the court in relation to justification of punishment.”

- ix. Pace of proceedings/Timeliness
- x. Clear separation of powers

“Influence from state branches. Their knowledge and experience. Their integrity. Their ability to deliver judgments promptly.”

- xi. Transparency in the appointment of judges
- xii. Threats to judges’ safety

### **The Police**

**If a police officer was offered an improper advantage (including payment, goods, influence, entitlement, access to public/private services) in order to influence their actions (for example, to not investigate a complaint, or to investigate a complaint), how likely do you think they would be to accept this advantage?**

**Table 8** The likelihood that a police officer would accept an improper advantage

	%
Extremely Unlikely	0.00%
Unlikely	20.68%
Neither likely, nor unlikely	27.58%
Likely	27.58%

Extremely Likely	20.68%
I do not wish to answer this question	3.45%

**What do you think may influence the likelihood that a police officer will accept a bribe?**

- i. Personal ties/relationship to the perpetrator

“PERP IS A FRIEND OR RELATIVE”

- ii. Low pay – monetary value of bribe/improper advantage

“The amount of the bribe and their position.”

“The austerity”

“Poor salaries”

“corrupt state of economic affairs of the country withholding individuals to subservience chains of power.”

- iii. Absence of accountability and oversight mechanisms / low likelihood of disciplinary action

“The feeling that it is "safe" to get bribed because no one would discover you”

“The chances of their bribery getting discovered.”

“IF IT CAN GO UNDETECTED”

- iv. Lack of adequate education and training (prior to joining the police force)

- v. Personal commitment to integrity

“Their integrity.”

- vi. Position within the police structure

- vii. Organisational culture / Existence of corrupt networks within the police

“I am afraid that the police department is not as controlled as it should have been and police officer often 'abuse' their powers considering that they have more powers than they really do.”

“The number of police officers involved in the bribe (the more people involved the lower the chance of discovery). The diligence and vigilance of their supervisor.”

“It's probably better today, but I have very little interaction with the police; Previously, particularly the Vice/Narcotics/Counter terror units were thugs with badges and very little oversight. I think the general beat policeman/traffic authority are fundamentally good, but trust in the Institution as a whole has been eroded by stories of scandals, violence, bribery etc.”

“The fact that they are basically corrupt. Or possibly desperate/compromised already.”

**A key duty of the police is to protect the public by detecting and preventing crime. To what extent do you think that police can carry out this duty effectively?**

**Table 9** The extent to which the police can detect and prevent crime effectively

	%
The police can carry out this duty in most circumstances.	19.98%
The police can carry out this duty in some circumstances.	49.95%
The police cannot carry out this duty in most circumstances.	16.65%
The police are unable to carry out this duty.	13.32%

**How well do you think police officers are equipped with the following?**

**Table 10** The extent to which the police have access to necessary equipment

	Very poorly equipped	Poorly equipped	Adequately equipped	Well equipped	Very well equipped	Not sure/Don't know
Well-maintained equipment (including police vehicles)	17.25%	10.34%	44.85%	13.79%	13.79%	0.00%
Technologically-equipped offices	17.25%	24.15%	31.05%	10.34%	6.89%	6.89%

Training in diffusing tense situations	13.79%	37.95%	17.25%	27.6%	10.34%	0.00%
Training in dealing with victims of crime	27.60%	31.05%	17.25%	17.25%	3.45%	10.34%
Training in dealing with witnesses of crime	20.68%	37.95%	17.25%	13.79%	3.45%	10.34%
Knowledge of the legal limits of their power	20.68%	34.50%	31.05%	6.89%	6.89%	0.00%
Knowledge of the laws they enforce	20.68%	31.05%	37.95%	10.34%	3.45%	0.00%

**What skills and trainings do you think the police is currently lacking to carry out their duties correctly?**

“Every skill enlisted in tabellar above.”

- i. Empathy towards victims

“THAT THEY ACTUALLY NEED TO CARE ABOUT VICTIMS”

- ii. Inclusivity and sensitivity

“I have seen how migrants, particularly those of sub-Saharan descent (black) are treated not just by the police, but also by other institutions. Additionally, I have seen the disdain that even female police officers have treated female family members of mine through tough situations. I think the police would greatly benefit from sensitivity training, and some kind of brainwashing that makes them see people of colour, women, and people of different religion, as equals in their search for justice.”

- iii. Regard for human rights
- iv. Technological skills
- v. De-escalation skills

“Methods on how to deal with people in tense situations (especially with a psychological background)”

- vi. Increasing public trust

- vii. Response time
- viii. Specialisation
- ix. Ethics/Morals

“For me it is around ethical/conduct issues - in UK trust is at an all time low because of high-profile incidents where serving officers have kidnapped/raped/murdered/abused mainly but not only women. And these are still dismissed as 'rotten apples', and it has been decades since the police were first branded institutionally racist and still these things happen. It is really basic stuff for most of us, that appears to disappear for many of these (mainly) men once given power....”

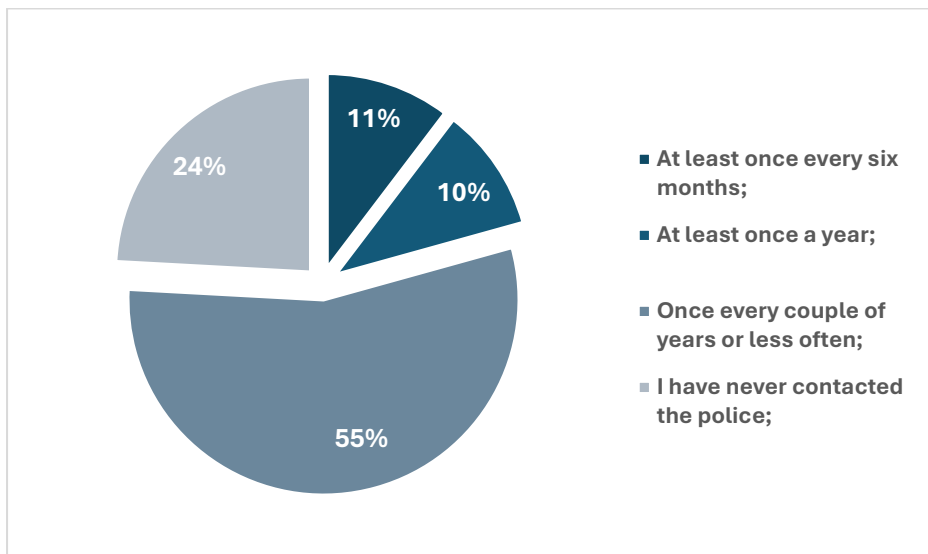
- viii. Training, including on:
  - a. mental health and mental illness
  - b. physical training
  - c. commitment to public service
  - d. managing trauma
  - e. interacting with victims
  - f. human rights
  - g. respect for civil liberties and individual freedoms
  - h. ethical capacity-building
  - i. integrity-building
  - j. research skills
  - k. digital competencies
- ix. Adequate policy procedures to deal with different case scenarios
- x. Legal knowledge

“who will be well aware of the laws they wish to enforce and with a view to make something beneficial for the society. They shall change their mindsets and focus on what shall be done so that they can regain the trust and respect of the public. They shall actively assist the public when needed and not just poorly performing their duties”

“Lack of knowledge of human rights law affecting the exercise of state power. Lack of knowledge in dealing with victims in delicate positions. Generally, in Cyprus, we lack in the culture respecting individual freedoms and civil liberties due to limited and deficient civic education. This affects police officers too.”

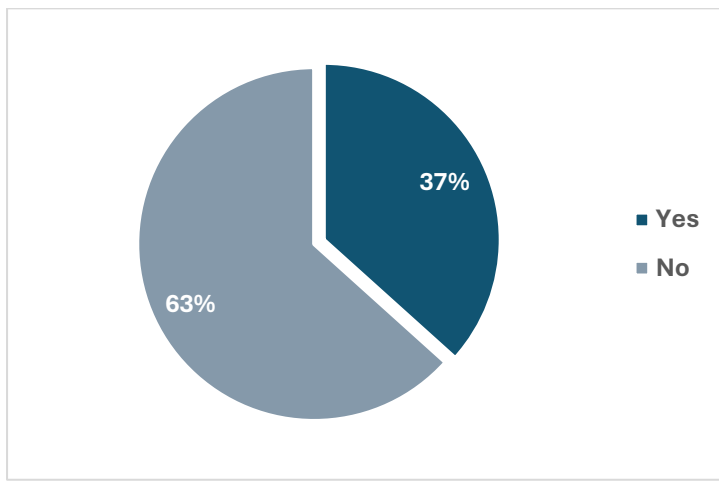
## How often do you contact the police?

Figure 1



## Have you ever considered calling the police to seek assistance or report a crime, but eventually decided not to?

Figure 2 Changing one's mind about seeking assistance from the police



## What made you decide otherwise?

- i. Fear of experiencing stigmatisation (racism, sexism etc.)
- ii. Previous experience of threats/intimidation at the hands of the police

“Racism, stigmatisation and past experience of being threatened if I went ahead in making a formal complaint.”

iii. Previous experiences of investigatory failures

“THE POOR CID INVESTIGATION OF A BURGLARY AT MY HOUSE WHEN I KNEW WHO HAD COMMITTED IT”

iv. Previous experiences of response times

“Because based on my experience they probably would not come at all, or in time, and they are busy and have other priorities.”

v. Unresponsive/passive approach

“Police would probably not do anything for a minor crime”

“They are unresponsive”

“Lack of trust that they will actually assist”

“The feeling that they would do nothing about it”

**To what extent do you think the following reasons influence a person’s decision not to contact the police for assistance or for the purposes of reporting a crime?**

**Table 11** The extent to which certain factors influence a person’s decision (not) to contact the police for assistance

	Extremely unlikely	Unlikely	Neither likely, nor unlikely	Likely	Extremely likely	Not sure/ Don’t know
The perception that the police are incapable of offering assistance.	0.00%	0.00%	13.32%	49.95%	36.63%	0.00%
The assumption that the police have more serious things to attend to.	9.99%	19.98%	19.98%	36.63%	13.32%	0.00%
Fear of not being taken seriously.	0.00%	6.66%	9.99%	46.62%	39.96%	0.00%

Fear of aggressive or intimidating police behaviour.	0.00%	13.32%	16.65%	36.63%	29.97%	0.00%
Fear of being discriminated against by the police.	3.33%	3.33%	13.32%	39.96%	36.63%	3.33%

**To what extent do you think that the police are likely to treat suspects differently because of their...**

**Table 12** The likelihood that police officers will treat suspects differently on the basis of their perceived personal characteristics

	Extremely unlikely	Unlikely	Neither likely, nor unlikely	Likely	Extremely likely	Not sure/ Don't know
Nationality	9.99%	0.00%	13.32%	33.33%	43.29%	0.00%
Race	9.99%	0.00%	9.99%	36.63%	43.29%	0.00%
Ethnicity	9.99%	0.00%	9.99%	39.96%	39.96%	0.00%
Religion	9.99%	9.99%	16.65%	36.63%	23.31%	3.33%
Gender	13.32%	3.33%	19.98%	39.96%	23.31%	0.00%
Disability	16.65%	6.66%	23.31%	36.63%	13.32%	0.00%
Activism	9.99%	6.66%	16.65%	29.97%	29.97%	0.00%

### **The State Prosecution**

**To what extent do you think that the decisions of the State Prosecution are guided by improper considerations and not guided by the public interest?**

**Table 13** The likelihood that the decisions of the State Prosecution are guided by improper considerations, rather than the public interest

	%
It is very unlikely that the decisions of the State Prosecution are guided by anything but the public interest.	0.00%



It is unlikely that the decisions of the State Prosecution are guided by anything but the public interest.	18.52%
It is somewhat unlikely that the decisions of the State Prosecution are guided by anything but the public interest.	14.81%
It is somewhat likely that the decisions of the State Prosecution are not guided by the public interest.	37.04%
It is likely that the decisions of the State Prosecution are not guided by the public interest.	18.52%
It is very likely that the decisions of the State Prosecution are not guided by the public interest.	11.11%

**If not guided by the public interest, what are some of the improper considerations you think may guide the decisions of the State Prosecution?**

- i. Likelihood of a successful prosecution

“They are guided by the likelihood of a successful prosecution, which isn't the same as being in the public interest.”

- ii. State agents' interest, governmental decision-making, and concerns for protecting the reputation of state agents and agencies

“Prosecutors are governed by the Minister, who is a part of the executive.”

- i. Political involvement

“Politics, extreme right involvement”

- ii. Bias

“SEXISM, RACISM, NATIONALISM”

- iii. Rigid interpretations of the law

“Disregard of public policy and too unyielding interpretation of the law”

- iv. Favouritism and nepotism

- v. Budget

## To what extent do you trust the State Prosecution?

**Table 14** Participants' trust in the State Prosecution

	%
I think that the State Prosecution are very trustworthy.	0.00%
I think that the State Prosecution are trustworthy.	19.98%
I think that the State Prosecution are somewhat trustworthy.	33.33%
I think that the State Prosecution are somewhat untrustworthy.	19.98%
I think that the State Prosecution are untrustworthy.	23.31%
I think that the State Prosecution are very untrustworthy.	3.33%

## To what extent do you think the following state institutions have an influence on the State Prosecution?

**Table 15** State institutions' influence on the State Prosecution

	No influence	Little influence	Some influence	Considerable influence	Total influence	Not sure/ Don't know
Executive Power (President and Government)	10.34%	6.89%	31.03%	34.48%	17.24%	0.00%
Legislative Power (Parliament)	10.34%	20.69%	24.13%	31.03%	13.79%	0.00%
The Judiciary	20.69%	13.79%	27.58%	24.13%	13.79%	0.00%
Other Organs of the State	13.79%	20.69%	20.69%	24.13%	13.79%	10.34%

## Is there anything else that you would like to add?

### i. Concerns over EU's credibility

“The European Union is about to lose its credibility if it does not initialise swiftly infringement procedures against Member state Belgium for its numerous provoked EU law violations, against EU Citizens. EU Citizens have meanwhile outgrown the circus of belgian numerous EU law violations, and do not want to serve furtheron as guinea-pig- victims in the established

laboratory of EU mutual trust myths. It's about time perhaps to return EU Citizen's citizenship status for the sake of EU Citizen's own well-being and protection against corrupt double standard acting of the EU Commission, neglecting its duties as Guardian of the Treaties in such crucial law fields of Human Rights enforcement enshrined in CFREU Rights."

"It is a disaster to look at the fact how the EU Commission takes a purely political point of view in case of the judiciary system in Poland"

ii. Prevalence of bias, unfairness, and differential treatment in the justice system

"I have taught my son that due to his ethnic origins he has to be extremely careful, consider in the future leaving Europe and work much harder than others of his age to barely expect to have the same rights. I have taught him, unfortunately, that the world is a very messed up place but yet to still be kind. And I have u-turned in an education of total faith in the system. The system is not fair. That has been for his protection, so not to be so naïf."

"THE MAYOR OF MY VILLAGE IS ANTI-BRITISH AND ANTI-ALL FOREIGNERS, MAKES SPECIAL DISCOUNTS ONLY FOR CYPRIOTS."

"THE POLICE ARE LAZY AND CORRUPTED BY BRIBERY AND FAMILY FAVOURS."

iii. Concerns about police workload

"In the question about the police — they are desperately overstretched guarding all Jewish kindergartens, schools, businesses and synagogues since October 7th, plus large numbers of new arrivals of asylum seekers (and extra criminal activity—roughly 50% of prison inmates are foreign) plus extra protests about the wars in Ukraine and Israel (pro and anti) and protests about migration (pro and anti) so currently shortage of police compared to a few years ago. I am concerned about talk of vigilante groups forming because of lack of police."



## **Annex 5: CRoLEV Dashboard – Survey findings (Pillar 4, Sub-Pillar 1)**

### **Pillar 4: Democratic Values in Cyprus and Beyond**

#### **Sub-Pillar 1: Media Freedom**

#### **Indicator: Freedom of Media as a Tool for Accountability within the Community**

**January 2025**

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Prof. Stéphanie Laulhé Shaelou, CRoLEV Director



Co-funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Commission. Neither the European Union nor the granting authority can be held responsible for them.

Media freedom is a key component of democratic societies. A free media constitutes the mark of an open democracy where media can express a plurality of opinions, even those (or perhaps especially those) that are critical to the government. Meaningful democracy requires that citizens have opportunities to inform and formulate their preferences as a precondition to political action. Without free access to independent information, citizens cannot make educated decisions about how they are ruled, or hold educated opinions about abuses of power which undermine the Rule of Law. Given that the media's role is precisely that of bettering both transparency and accountability by scrutinising government performance, informing the public about matters in their interest, and serving as a conduit between people and their representatives, free media constitute a constraint on the abuse of political power – a key component of the Rule of Law. If media freedom is adequately upheld, a variety of media sources will coexist independently, encompassing a range of perspectives and content that meets the interests of a diverse audience. In the absence of free media, dissent and government criticism are silenced, and government abuses become more likely. Checking political power, a key component of the Rule of Law, necessitates, then, a free media.

### ***Engagement with Media***

Participants' preferences in modes of engaging with news media are fairly consistent irrespectively of the international or domestic scope of the news outlets, with strong preferences being observed for online news portals (in 100% of the cases concerning international media and 87% of the cases concerning domestic and local media), followed by TV news reports (43.5% and 34.8% respectively) and radio news reports (26.1% and 26.1% respectively). Less than 13% and 8.7% of respondents claim engaging with international news media and domestic news media via print newspapers. As can be deduced from the columns titled "Percent of Cases" in Table 1 below, most participants consume news media via more than one channel.

**Table 1** *Participants' Preferences of Media Sources*

	<b>International Media</b>		of	<b>Domestic and Local Media</b>	
	Percent	Percent Cases		Percent	Percent Cases
<b>Print newspapers</b>	6.8%	13.0%		5.3%	8.7%
<b>Online news portals</b>	52.3%	100.0%		52.6%	87.0%
<b>Radio news reports</b>	13.6%	26.1%		15.8%	26.1%
<b>TV news reports</b>	22.7%	43.5%		21.1%	34.8%
<b>Other</b>	4.5%	8.7%		5.3%	8.7%
<b>Total</b>	100.0%	191.3%		100.0%	165.2%

When asked to select the topics in which they are most interested when engaging with the news (please see Table 2), all participants expressed an interest in politics and international affairs, almost 48% expressed an interest in environmental issues, and over 43% expressed an interest in entertainment. These preferences were followed closely by health-related news (39.1%), science and business and finance (both selected by 34.8% of participants), lifestyle (30.4%), and sports (26.1%). On average, each participant expressed interest in three or more topics.

**Table 2** *Topics of Interest*

	<b>Percent</b>	<b>Percent of Cases</b>
<b>Science</b>	9.8%	34.8%
<b>Politics and international affairs</b>	28.0%	100.0%
<b>Business and finance</b>	9.8%	34.8%
<b>Environment</b>	13.4%	47.8%
<b>Health</b>	11.0%	39.1%
<b>Lifestyle</b>	8.5%	30.4%
<b>Sports</b>	7.3%	26.1%
<b>Entertainment</b>	12.2%	43.5%
<b>Total</b>	100.0%	356.5%

When asked how often they engage with international media, 66.7% of participants reported engaging “once or more a day”, 16.7% reported engaging “3-4 times a week”, 4.2% of respondents reported engaging “1-2 times a week”, and 8.3% of respondents engage with the news “every couple of weeks”. An additional 4.2% of respondents chose not to answer the question. With respect to the frequency of their engagement with domestic media, 70.8% of participants declared engaging “once or more a day”, 8.3% declared engaging “3-4 times a week” and “1-2 times a week” respectively, and 12.5% of participants do not engage with local news media.

Participants were then asked to assess the importance of *ease of accessibility*, *free content*, *unbiased reporting*, and *ethical reporting* in both domestic and international media (please see Table 3). Overall, *ease of accessibility* was deemed to be the most important factor in determining participants’ decision to access either domestic or international media, followed by domestic media’s *unbiased reporting* (38.1%) and international media’s *ethical reporting* (30.4%). *Ease of accessibility*, *free content*, and *ethical reporting* were deemed by respondents to be more important in informing their decision to access international media compared to domestic media.

**Table 3** *Considerations in Engaging with International and Domestic News Media*

		<b>Very Important</b>	<b>Important</b>	<b>Of Some Importance</b>	<b>Not Important</b>
<b>Ease of Accessibility</b>	Domestic Media	66.7%	4.8%	0%	28.6%
	International Media	69.6%	4.3%	4.3%	21.7%
<b>Free Content</b>	Domestic Media	47.6%	14.3%	14.3%	23.8%
	International Media	52.2%	8.7%	17.4%	21.7%
<b>Unbiased Reporting</b>	Domestic Media	38.1%	38.1%	9.5%	14.3%
	International Media	26.1%	47.8%	17.4%	8.7%
<b>Ethical Reporting</b>	Domestic Media	19.0%	33.3%	23.8%	23.8%
	International Media	30.4%	21.7%	26.1%	21.7%

Participants were also provided an opportunity to note other factors which they take into consideration in choosing which domestic and international media outlets they engage with. With respect to their choices of domestic media outlets, respondents noted the following as important factors:

- “credibility” of the media outlet;
- “reputation” of the media outlet and/or journalist;
- “accuracy of the information” presented;
- presence of a “detailed depiction” of the events and phenomena;
- the assessed “trustworthiness” of the media outlet and/or journalist;
- the media outlet’s overall “reasonable alignment” with the participants’ “political views”;
- the condition that the media outlet is “not funded by the government”.

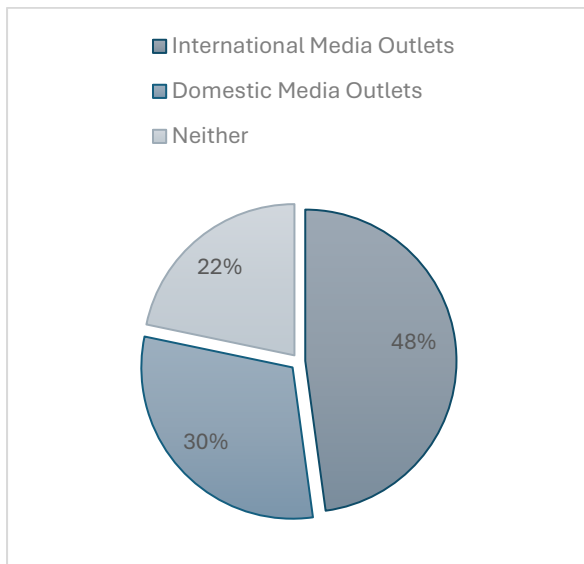
With respect to their choices of international media outlets, participants also noted credibility, reputation, alignment with political views, financial independence, and accuracy of the information presented as equally important factors. In addition to the aforementioned, choices of international media outlets were also determined by:

- “quality” of reporting;
- “scope” of reporting, in relation to both issues of interest and the geographical breadth of the coverage;
- “transparency”;
- “diversity” of views presented, with participants expressing preferences for outlets which represent a wide variety of different peoples, interests, and concerns;

- “impartiality”, assessed in view of the outlet’s use of neutral language and approach to reporting;
- “reliability”; and
- “popularity”, which was often regarded as an indicator of reliability, credibility, and reputation.

When asked to express a preference for either international news media, domestic news media, or neither (please see Figure 1), 47.8% of participants stated that they preferred international news media, 30.4% of participants stated a preference for domestic news media, and 21.7% did not prefer either.

**Figure 1** *Preferences for International or Domestic Media Outlets*



***Representation in the Media***

As a means of ascertaining whether the media adequately represents the interests of the public, participants were asked to assess whether both domestic and international media adequately represent issues of *gender, sexual orientation, race, religion, ethnicity, and disability* (please see Table 4 below). Overall, participants agreed that international media is significantly more representative of diversity than domestic media.

**Table 4** *Representation in Domestic and International News Media*

	Strongly agree	Agree	Neither agree,	Disagree	Strongly disagree	Not sure
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		<b>nor disagree</b>					
<b>Gender</b>	Domestic Media	13.0%	39.1%	34.8%	13.0%	0%	0%
	International Media	8.7%	60.9%	21.7%	8.7%	0%	0%
<b>Sexual Orientation</b>	Domestic Media	8.7%	21.7%	47.8%	17.4%	4.3%	0%
	International Media	8.7%	47.8%	26.1%	8.7%	4.3%	4.3%
<b>Race</b>	Domestic Media	13%	21.7%	34.8%	26.1%	4.3%	0%
	International Media	8.7%	47.8%	21.7%	17.4%	0%	4.3%
<b>Religion</b>	Domestic Media	17.4%	26.1%	26.1%	26.1%	4.3%	0%
	International Media	13%	43.5%	21.7%	17.4%	4.3%	0%
<b>Ethnicity</b>	Domestic Media	8.7%	34.8%	17.4%	34.8%	4.3%	0%
	International Media	13%	39.1%	26.1%	21.7%	0%	0%
<b>Disability</b>	Domestic Media	4.3%	13.0%	56.5%	17.4%	8.7%	0%
	International Media	8.7%	26.1%	30.4%	21.7%	8.7%	4.3%

When asked to explain their views concerning representations of diversity in domestic media, a number of respondents noted that the media – due to its foremost concern with accruing funding – is oftentimes concerned with subjects which are either popular (in that they appeal to majority groups and their interests) or have the potential to gain popularity due to their outrageous nature. In this latter scenario, participants noted that “[the media] do not care about minorities unless put into a poor light”. Respondents also noted that they thought that domestic media either severely “miscalculate what the public consists of” or “just don’t care about representation [because] it is easier for them not to bother” addressing public concerns. By comparison, international media outlets were regarded as “making an effort to be representative, but this [goal] is not always achieved”.

Participants who declared to engage with domestic news media on a regular basis were further asked to rate the extents to which it reflects *the interests of citizens and residents* and *the concerns of citizens and residents* respectively (please see Table 5). The results show that while all respondents think that the media reflects the interests of citizens and residents at least to some extent, 4.2% of participants believe that domestic news media rarely reflects the concerns of citizens and residents. Further variances can be seen in whether participants assess the representation of *interests* and *concerns* by the media to be “to a good extent” or “to some extent”. Significantly fewer respondents indicate that the *concerns* of citizens are reflected by the media “to a good extent” by comparison to their *interests*.

**Table 5** *Domestic Media’s Representation of the Citizens’ and Residents’ Interests and Concerns*

	<b>To a great or full extent</b>	<b>To a good extent</b>	<b>To some extent</b>	<b>Rarely</b>
To what extent does domestic news media adequately reflect the interests of citizens and residents?	8.3%	37.5%	41.7%	0%
To what extent does domestic news media adequately reflect the concerns of citizens and residents?	8.3%	25%	50%	4.2%

Participants note that while the “plurality of sources generally ensures that many types of stories are covered”, “the outlets are politicised in their coverage” and find themselves “influenced” by funders and partisan concerns. One participant noted that this political influence is so prominent that the media becomes a mere “reflection of the establishment talking to itself...and has no interest in broadening [the scope]” of reporting. Another participant, who noted that they were a media insider, observed that “it is not in [the media’s] interest to reflect what people want, as opposed to what they [powerful élites] want”. It was also noted that, at times, media outlets may make efforts to reflect the interests and concerns of citizens and residents, but that it may simply be “too difficult to incorporate the views of a very diverse population”.

***Public Discourse***

When asked about the extent to which they thought that public discourse shapes political and legislative decisions, 37.5% of respondents noted that this is generally the case, while 12.5% declared that this is almost always the case. The remainder 50% of respondents answered as follows:

- 20.8% noted that public discourse sometimes shapes political and legislative decisions;
- 20.8% noted that public discourse rarely shapes political and legislative decisions;
- 4.2% noted that public discourse almost never shapes political and legislative decisions;
- and
- 4.2% refused to answer the question.

Participants were then asked to assess the significance of *mainstream news outlets*, *politicians*, *non-governmental organisations (NGOs)* and *citizens* in setting the topics in public discourse (please see Table 6 below). Politicians (30.4%) and mainstream news outlets (21.7%) were deemed to be most significant, whilst NGOs and citizens were thought to be of least significance in setting public discourse.

**Table 6** *Significance in Setting the Topics in Public Discourse*

	Significant	Somewhat Significant	Neither Significant, Nor Insignificant	Somewhat Insignificant	Insignificant
<b>Mainstream News Outlets</b>	21.7%	30.4%	26.1%	13.0%	8.7%
<b>Politicians</b>	30.4%	21.7%	13.0%	26.1%	8.7%
<b>NGOs</b>	0%	30.4%	52.2%	17.4%	0%
<b>Citizens</b>	0%	30.4%	39.1%	8.7%	21.7%

Respondents were also asked to assess the significance of *mainstream news outlets*, *politicians*, *non-governmental organisations (NGOs)* and *citizens* in determining how issues are treated in public discourse (please see Table 7). Citizens (4.3%) and NGOs (0%) were deemed to be of least significance, while mainstream news outlets (39.1%) were regarded as most significant, followed by politicians (30.4%).

**Table 7** *Significance in Determining How Issues are Treated in Public Discourse*

	Significant	Somewhat Significant	Neither Significant, Nor Insignificant	Somewhat Insignificant	Insignificant
<b>Mainstream News Outlets</b>	39.1%	34.8%	13.0%	0%	13.0%
<b>Politicians</b>	30.4%	26.1%	8.7%	21.7%	13.0%
<b>NGOs</b>	0%	21.7%	56.5%	17.4%	4.3%
<b>Citizens</b>	4.3%	26.1%	39.1%	21.7%	8.7%

### **Media Freedom**

As a means of examining perceptions of media freedom, participants were asked to rate the extent to which they thought *international media outlets* and *domestic media outlets* have a

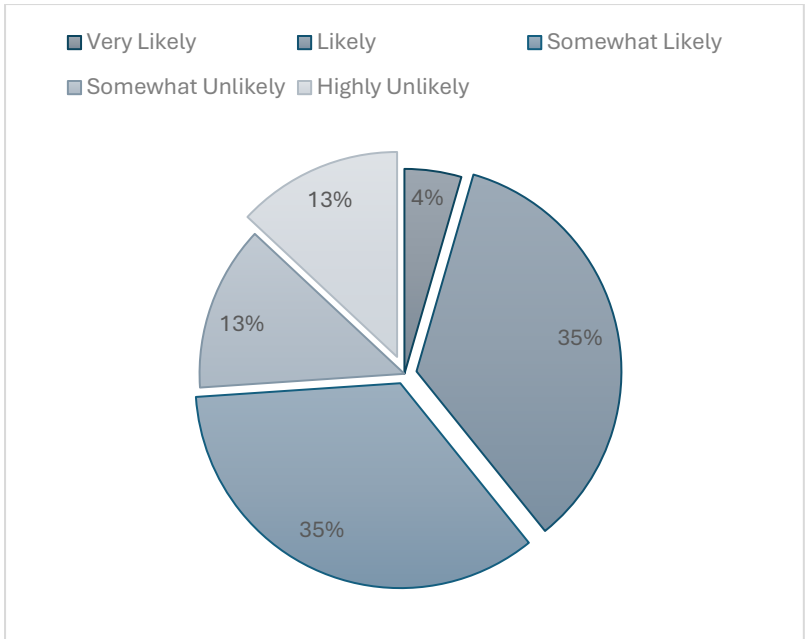
positive role in upholding government transparency (please see Table 8). Overall, participants agreed that international media outlets are more likely to have at least a somewhat positive role in upholding transparency, as they are less likely to be “directly influenced by [any one] government”, be “politically affiliated”, have “conflicts of interest” which may impede their reporting, be subject to “nepotism”, or be “ beholden to corporate actors, who have interests that go beyond those of the public”.

**Table 8** *Media’s Role in Upholding Government Transparency*

	Have a Very Positive Role	Have a Positive Role	Have a Somewhat Positive Role	Rarely Have a Positive Role	Almost Never Have a Positive Role	Not Sure
International Media Outlets...	8.3%	33.3%	54.2%	0%	0%	4.2%
Domestic Media Outlets...	0%	33.3%	45.8%	12.5%	4.2%	0%

When asked about the likelihood that domestic media outlets hold the government’s decisions and actions to account (please see Figure 2), a third of respondents agreed that this is *likely*, another third deemed it to be *somewhat likely*, 12.5% noted that it is *somewhat unlikely*, another 12.5% deemed it to be *highly unlikely*, and 4.3% found it *very likely*. Domestic media was seen as often being “paid [by the government] to do journalism”, lack adequate “security/protection of journalist sources” and access to credible “information by government sources”, all of which severely impede its ability to uphold governmental accountability.

**Figure 2** *Likelihood that Domestic Media Hold the Government’s Decisions and Actions to Account*



Irrespective of their responses to the previous question, participants were then asked about the extent to which they thought that domestic media outlets are able to critique the state without negative consequences. Their responses, presented in Table 9 below, show that three quarters of participants deem that the media enjoy some degree of freedom to critique the state, with 25% of respondents noting that the media enjoy full freedom to critique the state.

**Table 9** *Domestic Media’s Ability to Critique the State*

	Percent
The media enjoy full freedom to critique the state.	25.0
The media enjoy some freedom to critique the state.	50.0
The media are not generally free to critique the state.	16.7
The media almost never free to critique the state.	4.2
Total	95.8
No Response	4.2

Participants note that “media sometimes superficially covers more problematic issues but rarely points out obvious mistakes or problems by the government or the disapproval of the public, likely due to some fear of censorship” and loss of funding, which is often reinforced by “previous records [which] show the government does not take kindly to official media outlets

outright questioning their decisions”. Respondents also acknowledged that the media may be reluctant to critique the state when “there is political uncertainty - ie [*sic*] a potential change of government which the media outlet may not be wish to happen”.

In upholding the media’s role of reinforcing governmental transparency and accountability, participants called for:

- “stronger protective legislative frameworks” for both journalists and sources, including “laws protecting freedom of speech” and a legal “framework against censorship”;
- transparency surrounding media ownership and the placement of restrictions on state’s ability to fund media sources;
- an encouragement of independent media;
- the widening of, and “stronger international collaborations”;
- an encouragement for “wider diversity” in media; and
- “better education for the general public” in issues of information literacy and critical thinking so as to enable individuals to grasp poor quality reporting and disinformation.

When asked about the extent to which media ownership is transparent in their country (please see Table 10), 45.8% of participants agreed that this is “often transparent”, 16.7% deemed it “fully transparent”, 20.8% noted it is “rarely transparent”, and 4.2% regarded is “almost never transparent”.

**Table 10** *Media Ownership Transparency*

	Percent
Media ownership is fully transparent	16.7%
Media ownership is often transparent	45.8%
Media ownership is rarely transparent	20.8%
Media ownership is almost never transparent	4.2%
Don’t know/Not sure	8.3%
No response	4.2%

Participants were then asked to rate the extent to which they thought that the *executive power, legislative power, judicial power, private individuals, businesses, and organised criminal groups (OCGs)* have an influence on the media (please see Table 11). The judicial power and organised criminal groups are regarded as more likely to have no to little influence on the media, whilst the executive power and businesses are generally considered to be most influential.

**Table 11 Influences on Media**

	No influence	Little influence	Some influence	Considerable influence	Total Influence	Not Sure
Executive Power	0%	8.7%	43.5%	34.8%	8.7%	4.3%
Legislative Power	4.3%	21.7%	43.5%	21.7%	4.3%	4.3%
Judicial Power	17.4%	26.1%	21.7%	21.7%	8.7%	4.3%
Private Individuals	8.7%	34.8%	21.7%	21.7%	8.7%	4.3%
Businesses	4.3%	17.4%	26.1%	39.1%	8.7%	4.3%
OCGs	21.7%	39.1%	0%	21.7%	0%	17.4%

***Trust in the Media, Misinformation, and Disinformation***

When asked about the extent to which they trusted the information presented in international media and domestic media respectively (please see Table 12), more participants were likely to report fully trusting the information presented in international media (4.3% compared to 0% in the case of domestic media) or generally trusting the information presented in international media (47.8% compared to 30.4% in the case of domestic media). Conversely, a higher percentage of participants claimed to sometimes distrust (13% compared to 8.7% in the case of domestic media) and fully distrust (4.3% compared to 0% in the case of domestic media) the information presented in international media.

**Table 12 Trust in the Media**

	International Media	Domestic Media
I fully trust the information presented in...	4.3%	0%
I generally trust the information presented in...	47.8%	30.4%
I sometimes trust the information presented in...	21.7%	34.8%
I neither trust, nor distrust the information presented in...	8.7%	21.7%
I sometimes do not trust the information presented in...	13%	8.7%
I generally do not trust the information presented in...	0%	4.3%
I fully distrust the information presented in...	4.3%	0%

When asked what would improve their trust in the media (irrespective of whether it is domestic or international), participants noted:

- “transparency” and “diversity” in ownership and funding;

- “diversity in journalists/sources”;
- “less political interference”;
- a “more politically neutral approach to reporting and ability to criticise government missteps”;
- “declarations of interests”; and
- a “more politically neutral approach” and “less ideological dependence”.

Generally, participants regard international media as less likely to be influenced by the interests of the state; less likely to be subjected to censorship; less likely to be biased when reporting on events in respondents’ countries of residence; as having a more inclusive approach in reporting and better qualified staff; and as being quicker to report on issues of interest (please see Table 13).

**Table 13** *Comparisons between International and Domestic Media*

	Strongly disagree	Disagree	Neither agree, nor disagree	Agree	Strongly agree	Don’t Know
International news media is less likely to be influenced by the interests of the state.	17.4%	8.7%	30.4%	39.1%	4.3%	0%
International news media is less likely to be censored.	8.7%	17.4%	39.1%	30.4%	4.3%	0%
International news media is less biased when reporting on events in my country.	8.7%	21.7%	30.4%	34.8%	0%	4.3%
International news media has a more inclusive approach in its reporting.	0%	8.7%	26.1%	52.2%	13.0%	0%
International news media employees are more qualified.	8.7%	8.7%	39.1%	21.7%	13.0%	8.7%
International news media is quicker to report on issues of interest.	8.7%	17.4%	26.1%	34.8%	13.0%	0%

Over two thirds of respondents declared to engage in actions intended to verify the accuracy of the information they engage with in international media, with 76.2% of respondents verifying the accuracy of the information presented in domestic media outlets (please see Table 13).



**Table 14** *Verifying the Accuracy on Information Featuring in Domestic and International Media*

Do you take any actions to verify the accuracy of the information you engage with in...	Yes	No	No Response
<b>International News Media</b>	66.7%	29.2%	4.2%
<b>Domestic News Media</b>	76.2%	23.8%	0%

When asked about the actions taken to verify the accuracy of the information presented in the media, participants who had replied affirmatively to the previous questions declared to engage in a variety of techniques, the most common of which was “cross-referencing” the information by reading reports of the same events in other media sources (both domestic and international, where applicable), including by engaging with media outlets whose political stance is incompatible with participants’ own, or by actively searching for media outlets which are placed at the “opposing end of the political spectrum”. Respondents also note that they actively try to find the “original source of information”, check trusted journalists’ and “reporters’ social media profiles”, read the academic publication that the news publication references (where applicable), and either ask an expert on the matter – if they have access to one – or consult an acquaintance with professional knowledge on the subject matter to grasp whether the information is credible. Other participants also noted that they rely on their own knowledge and judgement, and use logic to ascertain whether the facts presented raise any doubts. Should the latter be the case, then participants would engage in one or more of the aforementioned techniques in ascertaining the credibility of the information.



## **Annex 6: CRoLEV Dashboard – Survey findings (stage 2), Pillar 4, Sub-Pillar 2**

### **Pillar 4: Democratic values**

### **Sub-Pillar 2: Public responses to crises in Cyprus and the EU+**

**February 2025**

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Co-funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Commission. Neither the European Union nor the granting authority can be held responsible for them.

**Please rate your government’s response to the COVID-19 pandemic in relation to the issues below on a scale from 1 to 10, with 1 meaning a very poor response, and 10 signifying a very good (or excellent) response. The response was:**

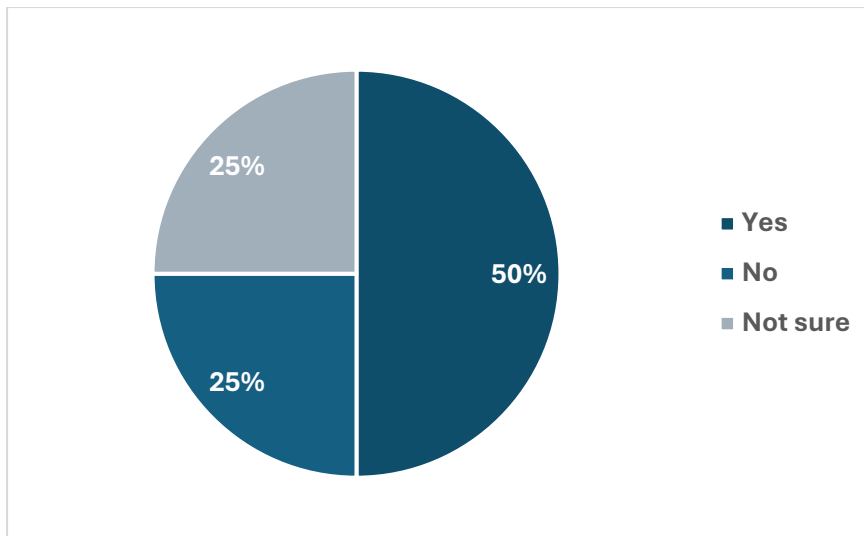
**Table 1** Ratings of government’s response to the COVID-19 pandemic

	1	2	3	4	5	6	7	8	9	10	Not sure
Timely	0%	0%	0%	0%	0%	0%	0%	75%	0%	25%	0%
Adequate in addressing the causes of the crisis	0%	0%	0%	0%	0%	0%	0%	50%	0%	50%	0%
Adequate in alleviating the effects of the crisis	0%	0%	0%	0%	0%	0%	25%	25%	25%	25%	0%
Flexible and adapted to changing circumstances and conditions	0%	0%	0%	0%	0%	0%	50%	0%	0%	25%	25%
Formulated on the basis of expert knowledge from leading health professionals and researchers	0%	0%	0%	0%	0%	0%	25%	25%	0%	25%	25%
Aligned with that of other countries in the region	0%	0%	0%	25%	0%	0%	0%	25%	0%	0%	50%

**Please tell us what you think about your government’s response to the COVID-19 pandemic. [open question]**

- i. Lack of understanding of the impact of the measures on the general population
- ii. Lack of attempts to alleviate the impact of the measures on the general population
- iii. Measures not effectively implemented
- iv. Lack of adequate consideration of the “needs, abilities, and particular circumstances of underprivileged groups”, including:
  - a. “people in need of care”;
  - b. “single-parent families”;
  - c. “migrants (both from developed and developing countries)”;
  - d. asylum-seekers.

**Were the measures taken unnecessarily intrusive?**



**Please tell us about some of these measures and why they were intrusive. [open question]**

Participants note that they found the requirement to send an SMS prior to leaving their residences for any purpose to be an unnecessarily intrusive measure. Further, the requirement to note the purpose of the outing was regarded by a few participants as an invasion of their right to privacy. The added imposed limit of one SMS – and therefore, one outing – per day also exerted additional “pressures”, especially for those who had caring responsibilities or found themselves in strenuous and unpredictable circumstances due to the nature of their jobs or personal relationships.

**Were the measures taken applied in a discriminatory manner to...**

**Table 2** Were COVID-19 containment and prevention measures applied in a discriminatory manner to the following groups?

	Yes	No	Not sure
Residents of the state who did not hold citizenship status	50%	25%	25%
Asylum seekers	75%	0%	25%
Irregular migrants	75%	0%	25%
Other individuals who did not hold resident status (including tourists)	75%	25%	0%
Persons of lower socio-economic classes	50%	25%	25%
Single parents	50%	25%	25%
Racial minorities	75%	25%	0%
Religious minorities	50%	25%	25%

Ethnic minorities	50%	25%	25%
Individuals belonging to the LGBTQ+ community	25%	25%	50%
Persons with disabilities	75%	25%	0%
Persons suffering from chronic illnesses	75%	25%	0%
The elderly	50%	25%	25%

**Please tell us about the measures which were applied in a discriminatory manner and who they were discriminatory against. [open question]**

- i. “asylum seekers”:
  - a. “closing of reception centres” in the circumstances in which they were “already living under dire conditions”;
- ii. “migrants, including EU nationals, regardless of legal status”:
  - a. the compulsory SMS system did not “initially accommodate persons that did not have a Cypriot telephone number”;
- iii. the general population:
  - a. “the closing of checkpoints affected the Turkish-Cypriot community and those with relatives on both sides of the Green Line.

**Are there any other groups to whom the measures were applied in a discriminatory manner? [open question]**

Participants noted that some religious groups experienced positive discrimination as they “were exempted from masking requirements during service, [thus being] favoured without a valid and legitimate justification”.

**Were the measures taken respectful of the following human rights and civil liberties?**

**Table 3** Were measures taken in response to COVID-19 respectful of the following human rights and civil liberties?

	Yes	No	Not sure
Freedom of expression	25%	50%	25%
Freedom to seek, receive, and impart information	50%	25%	25%
Right to peaceful assembly (including the right to protest)	50%	25%	25%
Right to freedom of association	25%	25%	50%
Right to privacy	25%	50%	25%

Freedom of movement (including the right to move within a state, choose one's place of residence, and freely leave the state)	0%	75%	25%
Right to work (including the right to provide services)	25%	25%	50%
Right to family life	50%	25%	25%
Right to health	50%	25%	25%

**If applicable, please tell us how the measures taken violated one or more of the aforementioned human rights and/or civil liberties. [open question]**

The participants who chose to answer this open question noted that “given the novelty and urgency of the pandemic”, violations of human rights and civil liberties were to be expected. The “most invasive measure that might have violated the freedom of movement and right to privacy” was regarded to be “the requirement to send an SMS to get out of the house for specific activities”. Instead, a participants note that “the government could instruct people to leave their homes only for essential purposes without the need for a text message” – especially one which required specifying a reason for leaving one's residence.

Respondents also note that the measures' impact on human rights and civil liberties “were subject to debate” in the public sphere, with citizens, non-governmental organisations, and media outlets noting violations and demanding redress or the identification and implementation of alternatives which would reduce their negative effect. Nevertheless, “there was never a clear authoritative response by the authorities to people's concerns over the protection of their rights”.

**Did the response to the COVID-19 pandemic restrict people's ability to...**

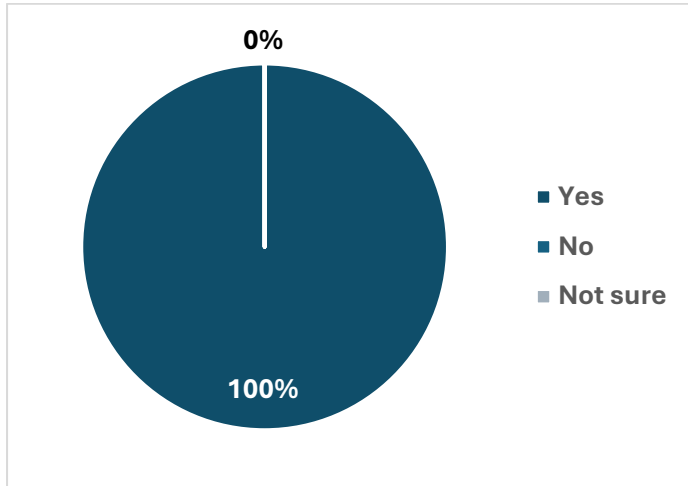
**Table 4** Did the response to the COVID-19 pandemic restrict people's ability to engage in the following actions?

	Yes	No	Not sure
Vote	33.33%	33.33%	33.33%
Be part of (and active in) labour unions	33%	0%	67%
Be part of (and active in) civil society organisations	67%	0%	33%
Be part of citizens' assemblies	67%	0%	33%
Access independent media	0%	67%	33%
Access education	67%	33%	0%

Access health	33.33%	33.33%	33.33%
Access other public goods	67%	0%	33%

**Did responses to the COVID-19 pandemic restrict the activities of the civil society?**

**Figure 1** Did responses to the COVID-19 pandemic restrict the activities of the civil society?



**Please tell us about these restrictions and their effects on the civil society. [open question]**

Participants noted:

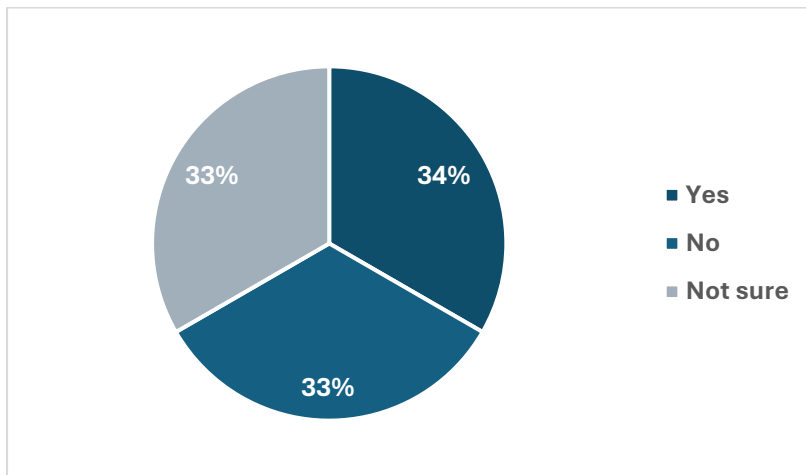
- i. “restrictions on gatherings”;
- ii. “cancellation of events”;
- iii. “limited opportunities to meet with others and interact”,

which severely limited communities’ abilities to “engage in social and civic activities”. As noted by participants, beyond the immediate need to adjust to new working conditions, reframe actions, and cancel a number of initiatives, “the full effect is not clear yet because we are still processing the impact of the pandemic on our social life and psychology”.

Participants also noted that the government generally refused to acknowledge and address the concerns of the civil society pertaining to some of the measures taken in response to COVID-19 – in particular, the “closing of checkpoints” and the “handling of asylum seekers and refugees”.

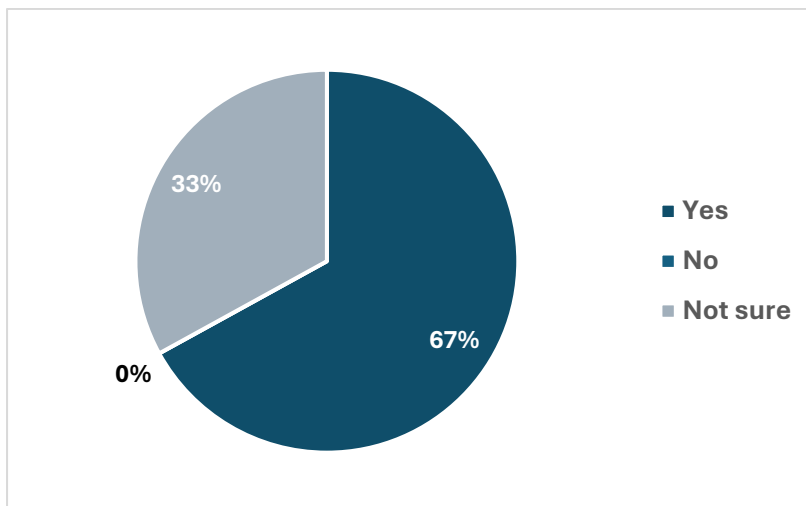
**Did responses to the COVID-19 pandemic restrict the activities of independent media outlets?**

**Figure 2** Did responses to the COVID-19 pandemic restrict the activities of independent media outlets?



**Did responses to the COVID-19 pandemic restrict the activities of independent academic institutions?**

**Figure 3** Did responses to the COVID-19 pandemic restrict the activities of independent academic institutions?



**Please tell us about these restrictions and their effects on independent academic institutions. [open question]**

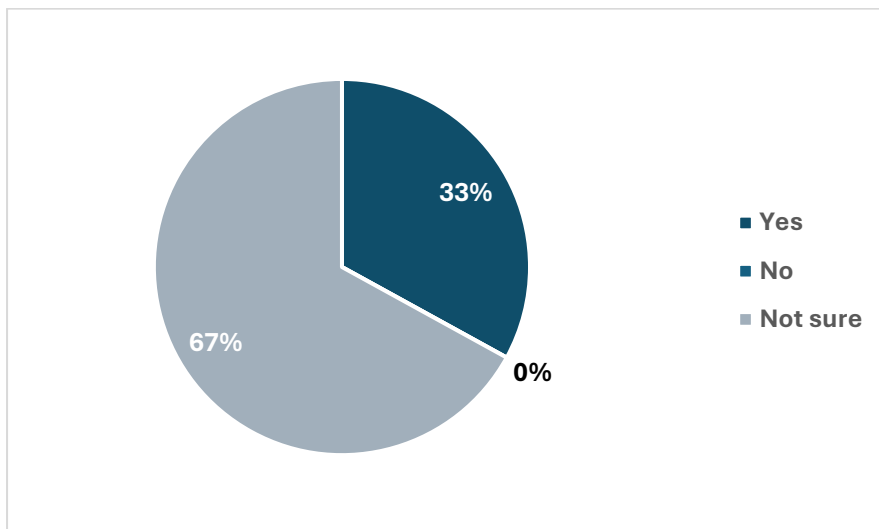
Participants acknowledge that the “activities of academic and other educational institutions were restricted”, with many having had to “shift” their modes of teaching and delivery. An



“immediate effect” was, therefore, “the emergence of a new educational paradigm. Nevertheless, participants note that they expect long-term negative effects of the restrictions to also emerge in the foreseeable future.

**Did responses to the COVID-19 pandemic restrict the activities of independent researchers and experts?**

**Figure 4** Did responses to the COVID-19 pandemic restrict the activities of independent researchers and experts?



**Did the response to the COVID-19 pandemic restrict the operation of...**

**Table 5** The response to the COVID-19 pandemic restrict the operation of...

	Yes	No	Not sure
The parliament	33.33%	33.33%	33.33%
Local government	33.33%	33.33%	33.33%
The judiciary	33.33%	33.33%	33.33%
Law enforcement	33.33%	66.66%	0%
Inter-communal dialogue	66.66%	33.33%	0%

**What do you think the effects of these restrictions were? [open question]**

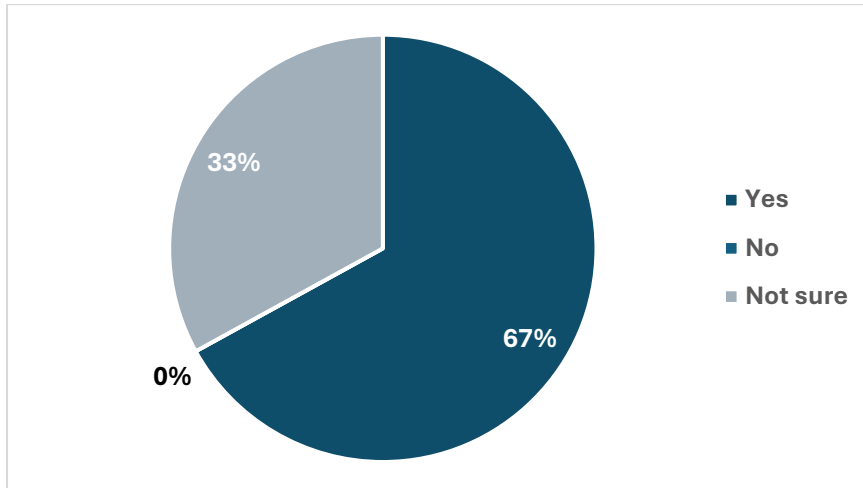
Respondents noted a further reduction in “transparency” and “accountability”.

**Are there any other state institutions that were affected by the response to the COVID-19 pandemic? [open question]**

Participants mentioned “public hospitals”.

**Are there any lasting effects of the government’s response to the pandemic?**

**Figure 5** Are there any lasting effects of the government’s response to the pandemic?



**Please tell us what these lasting effects are. [open question]**

i. Health:

- a. an increase in “mental health problems”;
- b. “inactive residents”;

ii. Public trust in state authorities:

- a. “the rise of conspiracy theories, primarily anti-establishment, which have become more mainstream”, including perceptions of “elaborate, secret schemes to”:
  - i. “control the masses”
  - ii. “reduce the population”
  - iii. “test citizen obedience”

via the means of restrictions on movement, testing, and vaccinations;

- b. “general distrust in authorities”, be they “health [or] political” institutions;
- iii. Increases in polarisation and populist sentiment, precipitated by the aforementioned distrust and rise in conspiracy theories, and further aggravated by the use of social

media for the dissemination of such sentiments (and, at times, disinformation) at a time when “social media became the primary outlet for non-work activities during the pandemic”;

- iv. Changes in social patterns and interactions: “there is growing concern over the effect of COVID isolation on children and teenagers growing up during the pandemic, especially regarding their socialization and ability to communicate with others in a civil way”.

**To what extent do you find these effects worrying, on a scale from 1 to 10, with 1 meaning they are of least concern and 10 meaning they represent imminent threats to democracy?**

**Table 6** The extent to which the effects of authorities’ responses to COVID-19 are worrying because they represent imminent threats to democracy

1	2	3	4	5	6	7	8	9	10
0%	0%	0%	0%	0%	50%	50%	0%	0%	0%

**To what extent do you find these effects worrying, on a scale from 1 to 10, with 1 meaning they are of least concern and 10 meaning they represent imminent threats to the rule of law?**

**Table 7** The extent to which the effects of authorities’ responses to COVID-19 are worrying because they represent imminent threats to the rule of law

1	2	3	4	5	6	7	8	9	10
0%	0%	0%	0%	0%	0%	50%	50%	0%	0%



## **Annex 7: Findings Report: CRoLEV Focus Groups on Civic Spaces and Responses to Crises in the Republic of Cyprus**

**November 2024**

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# 1. Introduction

The Jean Monnet Centre of Excellence for the Rule of Law and European Values (CRoLEV) investigates the relationship between the rule of law, democracy, and other European values in EU member states and neighbouring states. In undertaking this investigation in the Republic of Cyprus, CRoLEV has identified<sup>91</sup> several sets of indicators relevant to the measurement of the rule of law and European values, one of which is *civic engagement* – as indicated by *citizen empowerment* and the *protection and promotion of civic space*. For the purposes of measuring both citizen empowerment and the (extent of the) protection and promotion of civic space, CRoLEV conducted empirical research with a host of relevant groups, ranging from volunteers and members of non-governmental organisations (NGOs), to legal professionals, and to residents and citizens of the Republic of Cyprus. This report presents the findings of the preliminary exploratory focus group, conducted with volunteers and members of NGOs.

Yet another set of key indicators refers to the presence of *democratic values* – as indicated, amongst other factors, by the extent to which *public responses to crises* are compatible with and uphold democratic principles and the rule of law. For the purposes of measuring the presence of democratic values in situations of crisis, CRoLEV conducted empirical research with legal professionals and residents and citizens of the Republic of Cyprus. This report also presents the findings of the preliminary exploratory focus group, conducted with legal professionals.

## Disclaimer

The findings presented below are entirely representative of participants' statements during the focus groups, and were not corrected or in any other way altered by the researchers.

## 2. Methodology

### 2.1. Method

#### 2.1.1. Aims

In the exploratory stage of the research, CRoLEV conducted focus groups on two distinctive themes for the purposes of collecting expert data to be further used in informing other data

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<sup>91</sup> The identification of the aforementioned indicators was undertaken via a deep literature review, robust mapping of available resources and tools, thematic research discussions, and analysis of both primary and secondary data. Please see Laulhé Shaelou, S., Uibariu, A. M., Marcou, A. and Kalaitzaki, K. (2023). *CRoLEV Scoping Paper: Work Package 4 – Deliverable 2*. Retrieved from: [https://crolev.eu/wp-content/uploads/2023/03/CRoLEV\\_Scoping-Paper\\_D4.2.pdf](https://crolev.eu/wp-content/uploads/2023/03/CRoLEV_Scoping-Paper_D4.2.pdf)

collection instruments. The focus groups were semi-structured, so as to allow participants – which, from a research standpoint, are to be considered experts with valuable knowledge in the respective subjects – to express themselves freely and to discuss topics which are relevant to the subject of the focus group, but which the researchers may have overlooked. The aims of the focus groups were as follows:

- i. *the Focus Group on Civic Spaces* aimed to ascertain, by engaging with members of civil society organisations (CSOs):
  - a. What the past and current conditions for civil society are;
  - b. Whether the government attempts to (and is successful in its task to) protect and promote civic space;
  - c. Whether the government actively seeks the input of CSOs (as representatives of the citizenry or a community) in informing policy-making;
  - d. Whether the government actively seeks to meet the needs of CSOs as a means of supporting their operation;
  - e. Whether the government has a positive contribution to civic empowerment;
  - f. Whether the government has engaged in actions which hinder the work of CSOs, or otherwise negatively impact civil society.

The findings were used to inform the compilation of a survey on the aforementioned matters, which was distributed to wider publics from the civil society.

- ii. *the Focus Group on Responses to Crises* aimed to assess, by engaging with legal professionals, law enforcement officers, and members of CSOs:
  - a. Whether the government’s response to the COVID-19 pandemic (as well as other situations of crisis/emergencies) had been proportionate;
  - b. What the effects of such responses have been on the fundamentals of democracy (including democratic institutions and processes, civil and political rights, human rights etc.);
  - c. What the effects of such responses have been on the citizenry, those residing in Cyprus, minority groups, and vulnerable groups.

The findings were used to inform the compilation of a survey on the aforementioned matters, which was disseminated for completion to citizens and residents of the Republic of Cyprus.

### 2.1.2. Process

The focus groups were scheduled over a period of four weeks during May and June 2024 respectively, on working days, at midday EEST. Each focus group lasted for approximately one hour and was conducted virtually, via Microsoft Teams. Once all participants had joined the meeting, the researcher (moderator) proceeded to introduce themselves and reminded participants of the purpose of the focus group, its format, and procedure for withdrawal from the study. Once participants confirmed that they wished to proceed and that they had no questions, the moderator asked each individual to verbally confirm their consent and the return of the completed and signed consent form to the CRoLEV team. Thereafter, the first prompt was introduced and the discussion commenced.

Given the exploratory nature of the focus groups, the prompts were regarded by the moderators as flexible. Participants were informed that the focus groups are akin to open conversations, whereby they can propose new questions or areas of inquiry, refuse to answer questions which they found to be either irrelevant or intrusive, and speak freely about their expertise and experiences.

During the *Focus Group on Civic Spaces*, participants were asked the following questions:

- i. What do you think is the role of a state in protecting and promoting civic space and the civil society?
- ii. To what extent does the state fulfil this role? (...and what are some of its failures?)
- iii. In your experience, how do the government and other public institutions enable the work of CSOs?
- iv. In your experience, how do the government and other public institutions hinder the work of CSOs?
- v. Have you/the CSO you represent ever been consulted by state agencies in the process of policy-making?
- vi. Has the state attempted to consult with you on your needs? If yes, were the results of the consultation taken into account in the process of policymaking?
- vii. Are your needs being met by the state in other ways?

- i. What situations of crisis has your country dealt with recently?

Thereafter, on a case-by-case basis:



- iii. Do you think that these responses were effective?
- iv. How do you think they may have impacted democracy?
- v. What do you think were the effects of such responses on the citizenry?
- vi. What do you think were the effects of such responses on the civil society?
- vii. Is there anything else that you would like to add?
- viii. Is there anything else that CRoLEV should focus on?

Participants in both focus groups were asked to complete a demographics form prior to their participation, so that their responses could be better contextualised. The form contained questions regarding participants’:

- i. Gender;
- ii. Age group;
- iii. Profession;
- iv. Highest educational level obtained to date;
- v. Whether they self-identified as a minority racial, ethnic, or religious group in their country of residence; and
- vi. Whether their country of residence was different from their country of

While participants had the possibility to refuse answering all or some of the questions on this form, all respondents filled in the demographics form in full.

## 2.2. Recruitment

Participants were recruited via virtual announcements on the CRoLEV network, in the form of an email newsletter. Several organisations and individuals partnered with CRoLEV also disseminated the participant call to their own networks. The emails provided information concerning CRoLEV, the purpose of the research, and the procedure through which the focus groups would be conducted, as well as a link to a Google Form where interested individuals could select the dates and times of the focus group sessions which they wished to attend, and leave their contact details (in the form of an email address) for the purposes of ensuring further

The inclusion criteria for the *Focus Group on Responses to Crises* was:

- i. legal professionals working in the Republic of Cyprus, irrespective of their domain or place of work;
- ii. who were aged 18 and over at the time of registering their interest to participate in the research; and
- iii. who are comfortable expressing themselves in English.

No conditions were placed as to the citizenship status of the participants.

The participant population for the *Focus Group on Responses to Crises* had the following demographic characteristics:

- i. all participants identified as women;
- ii. participants were aged between 41-60;
- iii. all participants had completed at least one cycle of higher education;
- iv. participants did not consider themselves to be part of a minority group, be this racial, ethnic, or religious.

The inclusion criteria for the *Focus Group on Civic Spaces* was:

- i. paid members, employees, or volunteers of a NGO operating in the Republic of Cyprus;
- ii. who were aged 18 and over at the time of registering their interest to participate in the research; and
- iii. who are comfortable expressing themselves in English.

For the purposes of this research project, an NGO was defined in accordance with the United Nations criteria<sup>1</sup> for the recognition of NGOs, namely an organisation which:

- i. is not sponsored by a government body or state institution;
- ii. is non-profit;
- iii. is not criminal in scope;
- iv. is not a political party, guerrilla group, or any other formation that threatens or aims to destabilise the ruling government in a nation state;
- v. does not employ violent means for the purposes of achieving their

The participant population for the *Focus Group on Civic Spaces* had the following demographic characteristics:

- i. all participants identified as women;
- ii. participants were aged between 31-50;
- iii. all participants had completed at least one cycle of higher education;
- iv. participants did not consider themselves to be part of a minority group, be this racial, ethnic, or religious.

Two sessions were conducted for each of the two focus groups, with a total of seven participants as follows: three participants in the Focus Group on Responses to Crises, and four participants in the Focus Group on Civic Spaces.

### **2.3. Ethical Concerns**

The researchers were committed to ensuring that no participant was at risk of harm as either a direct or indirect consequence of participating in the research, and that individuals' rights were upheld after the study had finished, throughout its dissemination. This research study obtained a favourable ethical opinion from the National Bio-Ethics Committee of the Republic of Cyprus, reference number EEBK EΠ 2023 01 327.

#### *2.3.1. Informed Consent*

The researchers were committed to ensuring that participants maintained their right to self-determination throughout the research process and that they were provided with sufficient information about the study, which had been written in a language and using a vocabulary they understood, as the basis for informing their decision to participate – thus warranting the

potential for full, informed consent. Potential participants had full access to information concerning the subject of the research and the potential consequences of their involvement in the study (and an opportunity to contact the CRoLEV team for further information), how the findings were to be disseminated, and how their data would be protected via a participant information sheet. Additionally, no material rewards were offered for participation, thus removing the possibility of participation as result of indirect coercion due to the experience of financial difficulties.

Consent was sought as soon as potential participants had read the information sheet and informed the CRoLEV team of their agreement to take part in the study. A consent form was sent via email, with instructions relating to its completion and return to the CRoLEV team prior to the commencement of the selected focus group session. As soon as the focus group session commenced, verbal consent was sought once again and audio recorded.

Participants had the opportunity to withdraw without giving any reason, at any point during the focus group or up to five working days from the completion of the focus group, by simply informing the CRoLEV team that they wish to withdraw, either verbally (if done during the focus group session) or via email.

### 2.3.2. Anonymity and Confidentiality

Researchers took extensive steps to protect participants' anonymity and confidentiality, as follows:

- i. Participants' personal email addresses were only recorded for the purposes of ensuring contact up to the point of data collection, as a means of enabling scheduling the focus group. Once participants had signed the consent form, they were assigned an individual ID, comprised of the second letter of their first name; the third letter of their surname; the date of their first contact with the researcher; and the month of their first contact with the researcher. This ID was thereafter used during the transcription and analysis of the data so as to protect their identity.
- ii. An anonymisation log of all personal data and the associated identifiers was created, ensuring that – should an individual wish to withdraw – the researcher would be able to identify the participant's contributions in the transcripts for the purposes of deletion. This log was encrypted and stored separately from the audio recordings and the transcripts to ensure the protection of participants' anonymity.

- iii. upon transcription, the audio recordings of the focus groups were be anonymised via a software which applies a masking algorithm to the audio file, ensuring that participants cannot be identified by means of voice recognition.

### 2.3.3. Data Protection, Management, and Storage

All data was handled in accordance with the General Data Protection Regulation (GDPR), national legal provisions in Cyprus as may be applicable, the data privacy policies of CRoLEV, and overseen by its Director and/or by the University of Central Lancashire in Cyprus, via its Data Protection Officer (DPO).

All data will be handled and stored in accordance with the relevant legislation as follows:

- i. files containing personal data were stored on the UCLan server;
- ii. copies of personal data were encrypted immediately after collection, employing an AES 256-bit key algorithm, and stored on a password-protected laptop and a password-protected USB drive;

Personal data was only used for the specific purpose for which it was collected and was deleted immediately once that purpose was fulfilled. Published research outputs do not contain any personal data or reference to personal data.

## 2.4. Analysis

Upon completion of each focus group, the data was transcribed verbatim and participants' identities anonymised. The transcripts were then imported into NVivo and analysed once the withdrawal period for the specific session had ended.

For the purposes of ensuring that participants' experiences truly informed the findings, the researchers analysed the data line-by-line, using *in vivo*, descriptive, process, and concept coding. This mixture of codes had captured not only the meanings inherent to participants' experiences, but also a sense of how these originated, evolved, and related to broader conceptual constructions in contemporary society.

## 3. Findings

### 3.1. Responses to Crises

When asked to consider situations of crisis experienced by the Republic of Cyprus either presently or in the recent past, participants named the *COVID-19 health crisis* and what is

presented as a *refugee “crisis”* noting that, with respect to the latter, they found politicians’ employment of the term “crisis” to be problematic.

### 3.1.1. The State’s Responses

#### 3.1.1.1. The COVID-19 Pandemic

Participants agreed that the government adopted a number of crucial measures to ensure that the **“health priorities of the community were upheld”**, which were reasonably successful given the relatively low mortality rate by comparison to a vast majority of EU member states. Nevertheless, a number of participants observed that the measures were **“very cautious”**, oftentimes **“inspired”** by those taken in friendly neighbouring states, and therefore adopted more tardively than elsewhere. While participants’ overall appreciation of the government’s response to the COVID-19 health crisis is positive (noting that this may well be also at least partially attributed to Cyprus’ “island status”), three areas of critique arose during the focus group. These are: i. the state’s failure to engage in meaningful public discourse; ii. the lack of comprehensive legal guidance; and iii. abuses of power by law enforcement.

Participants noted that the politicians and other state agents – in particular, the representatives of critical institutions in containing the COVID-19 pandemic, such as public health and law enforcement – persistently *failed to engage in meaningful public discourse* as a tactic for supporting lawmaking in containing the crisis. This led to a situation whereby many residents failed to grasp the importance of abiding by the new regulations in lieu of enjoying daily freedoms. In a participant’s words, as a result, **“issues of lockdown and vaccines were not easily widely accepted”**. This led to a number of **“public demonstrations against these measures”**.

Additionally, participants noted a *lack of comprehensive legal guidance* concerning crucial aspects of the state’s responses to the pandemic. One participant observed that **“there were no comprehensive legal rights or documentation on managing the rights of others to say ‘no’ [to the vaccine] and still maintain freedoms to move, travel, and access public services”** and **“engage in democratic discourse”**. On the one hand, this led many to feel that their rights had been violated and unfairly restricted, leading to public expressions of discontent and anger with state institutions and outright refusals to comply with the measures. On the other hand, this lack of comprehensive legal guidance also left law enforcement agents uncertain as to how to respond to sensitive or complex situations. Participants noted that, at times, this led law

enforcement agents to be rigid and have no acknowledgement of pertinent personal circumstances, or to engage in *abuses of power*.

One example of such abuses of power was the **“excessive and unwarranted use of force”** during peaceful protests (against corruption, graft, and the pandemic restrictions). These culminated with the employment of **“tear gas and water cannons to disperse protesters”** and, as a result, a number of individuals were severely injured, required specialised medical treatment, and at least one protester was left with a permanent injury. Participants also noted, however, that this police response cannot be solely attributed to the lack of comprehensive legal guidance. Rather, it is likely also the outcome of a persistent lack of law enforcement training in matters of managing protests.

#### 3.1.1.2. The Refugee “Crisis”

Participants acknowledge that **“Cyprus has always been the centre of people moving around in the South Mediterranean”** and that therefore, migration – especially for the purposes of evading regimes and conflict zones which pose an imminent threat to life – is **“not something new”** to the country. In a participant’s words, **“the refugee crisis did not start one year ago; it has been here [in Cyprus] for many decades, if not centuries”**. Nevertheless, despite the consistent influx of refugees, the state appears, in participants’ opinions, to be persistently

- i. bureaucratic processes which are fit for purpose, efficient, and timely, in processing applications;
- ii. securing adequate resources – including, but not limited to, appropriate housing, as well as basic goods for refugees;
- iii. offering opportunities for refugees to integrate in their home community by having access to language courses, skill and creative learning opportunities, participation in (inter-)cultural events, and adequate employment;
- iv. the development of a host community which is accepting and appreciative of their presence and contributions.

As such, participants noted that the refugee crisis is, at least in part, a **“self-inflicted crisis”**, caused by the aforementioned state failures.

Despite having previously experienced many waves of refugees – including internally-displaced persons – the state appears to **“react just to react, without a proper strategy”**. Participants observed state agencies’ systemic failures to respond **“in a coordinated and consistent manner”**, leading to a situation whereby even the most basic human needs of refugees – such as shelter, access to food and water, and security – remain unfulfilled. In particular, participants noted the **“ghettoization”** process, through which refugees are forced to **“concentrate in dilapidated buildings”** due to:

- i. the lack of a comprehensive housing policy;
- ii. governmental delays in paying homeowners, which results in their reluctance to rent their premises to beneficiaries of state benefits;
- iii. refugees’ inability to otherwise afford ever-increasing rent prices.

Such buildings are often structurally unsafe and lack basic amenities such as running water, thus making daily tasks difficult, time- and resource-consuming, and at times outright dangerous, posing serious risks to health.

Additionally, participants noted that refugees are also generally rejected by employers who **“need and want to employ third country nationals [due to Cyprus’ aging population] ... but not refugees”**. In relation to this issue, participants believed that the state should have a dual responsibility: firstly, to **“allow refugees to learn new skills”** by providing training free of charge; and secondly, to **“motivate employers to employ refugees”**. As it currently stands, however, refugees **“end up working illegal jobs for little pay, ... which leave them open to abuse”**. Many work in precarious conditions, perform hard labour without adequate equipment and access to healthcare, are paid significantly less than their white counterparts, and can be fired without notice or observation of regular legal procedures, since a legally-binding contract of employment does not exist. In the workforce, participants observe that refugees are **“only wanted to the extent to which they can be devalued”**. In turn, the consequences of the aforementioned state failures are often relegated to NGOs – in a participant’s words, **“obligations are now placed on the civil society to address the government’s failure to adequately handle the refugee situation”**.

The crisis is deepened by the state’s tolerance for **“a few, loud, right-wing politicians [who] take control of the public conversation [around migration]”**. In participants’ opinions, it is precisely these populist politicians who exacerbate the crisis, by engaging in nationalist



discourse which entices citizens to fear **“cultural dilution”** and the imminence that **“their way of life will be jeopardized”**. Participants note that **“people are afraid of losing their culture, traditions, sense of nationality”**, and thus reject refugees who do not share the same characteristics – in particular in terms of whiteness and Christianity. A similar political rhetoric is used to instil yet another kind of fear – that for the safety of the local community. Refugees are often labelled as **“criminal”** and presented as imminent threats to physical safety and property.

Additionally, participants noted the state’s lenience to these actions, who **“allows this to happen, without proper consideration”** for their short- and long-term effects. Such lenience, participants argued, is also often regarded by extremist groups as an **“implied endorsement”** of their views and a **“tacit encouragement”** to continue – and, at times, to escalate – their actions which otherwise amount to hate offences. Participants also observed that, as reported by the media, on a number of occasions, actors which held public office were witnessed attending protests against refugees and participating in the chanting of hateful slurs, thus further ingraining the notion that such behaviours were not only acceptable, but also desirable. As law enforcement officers appear to perpetually fail to prevent, adequately record, and investigate verbal and physical threats and attacks against **“refugees, third state nationals, and even Cypriots who were mistaken as refugees”** and their property, an increasing number of such incidents are reported by the media. Yet attacks are also launched against NGOs who seek to protect the rights of refugees – by the state, law enforcement, and extremist factions of the citizenry.

### 3.1.2. Impact and Consequences

#### 3.1.2.1. The COVID-19 Pandemic

Participants noted that the state’s responses to the COVID-19 pandemic, which left many unaddressed popular grievances, appears to have brought about consequences which have extended well beyond the initial crisis. In particular, participants noted the deepening of citizens’ distrust of state agents and agencies, which in turn affect the ways in which – and the extent to which – they interact with these institutions. Distrust may result in apathy or a reluctance to engage with these institutions, or manifest through acts of disobedience – with legal requirements, obligations, or with instructions emerging from law enforcement agents – whose consequences could be harmful to the individual or society.

### 3.1.2.2. The Refugee “Crisis”

Participants noted that the effects of the exposure to extremist rhetoric which actively demonises refugees and the state’s lenience towards those who engage in such actions, combined with the relative lack of alternative discourse, are multi-fold.

- i. *Public avoidance*: refugees are “rejected by the locals” and therefore “lacking in opportunities to learn the language and otherwise integrate within the local communities”. As a result, they find solace in spending time exclusively with others who share the same exclusionary fate. As communities of refugees become larger – and therefore more noticeable – fears that they “change the demography of the local community” and pose real dangers to safety are further amplified through extremist rhetoric.
- ii. *Employment*: employers are more likely to discount refugees from the selection process because of their portrayal as untrustworthy. This leaves refugees in precarious economic positions, which are unsustainable for a healthy life.
- iii. *Housing*: as above, property owners may be reluctant to consider refugees as tenants out of fear they may not pay their rent on time, adequately care for the property, or perhaps conduct illegal activity on the property. As the availability of rental properties decreases while the arrival of refugees remains unchanged, rental prices increase exponentially, leaving many with little choice and at severe risk of homelessness.
- iv. *Protests*: increasing numbers of individuals, including public officials, participate in protests against refugees, reinforcing the idea that extremist beliefs are widely held by the local community. While this may not necessarily prompt a vast majority to actively participate in the protests, it does have the effect of instilling distrust and suspicion. Additionally, as refugees feel increasingly unwelcome, they are naturally more likely to avoid engaging with the local communities – a reasonable response to mistreatment. Nevertheless, participants observe that this action is likely to be interpreted as “unwillingness” and a sign of the stark “differences” between these populations, thus labelling them as permanent outsiders.

- v. **Attacks:** at times, the aforementioned protests have resulted in spurs of violence, manifested via physical attacks on refugees and their property, leaving victims in even more precarious health and/or economic states.

When combined with the state's persistent reticence to allocate necessary resources in supporting refugees and to amend inaccessible and exclusionary bureaucratic procedures, the consequences of the aforementioned actions and inactions are pervasive – and bring about almost imminent threats to the life and security of refugees in Cyprus.

## 3.2. Civic Spaces

All participants agreed that, since the existence of a functional civic space is a basic precondition for (and feature of) any democracy, then democratic states have an obligation to promote and protect the civil society. Nonetheless, in Cyprus, participants observed that this is not the case – **“the state is not only failing to actively protect the civic space, but often also encouraging attacks on it”**, thus **“effectively undermining it”**. One participant noted that the state **“appears...not to want a strong civil society who is able to monitor it”**, and therefore examples of positive engagement with the civil society are, by comparison, minor, infrequent, and far between.

### 3.2.1. Positive Engagement with the Civil Society

When asked to consider the positive means through which the state supports the civil society, participants noted the recent re-appointment of the *Commissioner for the Citizen*, who was regarded as **“a positive step, given that they are also responsible for outreach to the civil society”**.

The online platform *“Citizen's Voice”* was also considered similarly positive, due to its function of collecting data concerning the general public's opinions on a variety of issues pertaining to proposed draft laws. While participants viewed this as an encouraging step in widening access to democracy in Cyprus, they also recognised a number of faults which will be later explored in Section 4.2.2.

Participants also mentioned the *two draft laws pertaining to public consultations and a citizen's initiative* which, if implemented, could provide CSOs (alongside the general public) with **“new tools to participate in the decision-making process”**. Nevertheless, in one participant's words, **“what generally happens, is that in Cyprus we have great and comprehensive laws, but they lack in implementation. If there is no monitoring of their implementation, it is**

**like they were never voted for to begin with... and this is what we need to improve”.** Further, one participant noted that since **“there seemed to be no honest effort to consult the civil society”** with respect to the contents of the two aforementioned laws, **“the two laws have more to do with what the state may think the civil society wants, rather than an effort of the state to understand the civil society and their needs, and to settle them”**.

Finally, one participant commended instances of collaborations between NGOs and the police, which often focus on better enabling law enforcement to respond to and provide better support in cases of homophobic attacks and domestic violence. Whilst these initiatives were regarded as encouraging, participants noted that such **“collaborations do not happen often”**.

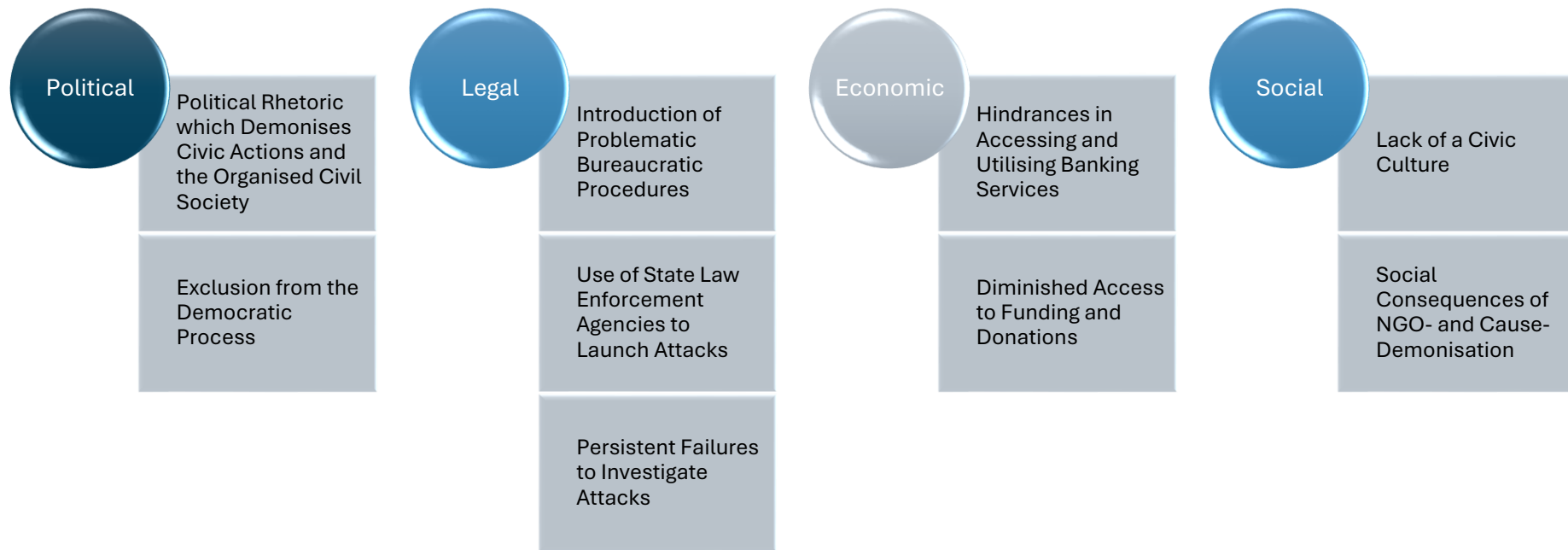
### 3.2.2. Obstacles to the Development and Functioning of the Civic Space

The current landscape for the civic space is, in participants’ opinions, fraught with obstacles for CSOs, their members and volunteers, and supporters from the general public alike. These obstacles, summarised in Figure 1, are political, legal, economic, and social in nature, and impact all areas of civic life.

Whilst many of the aforementioned obstacles are not new developments – but rather, have been introduced progressively, over the past two decades – some especially sustained efforts to **“suppress the civil society”** have ensued in the past few years, in particular since the outset of the COVID-19 pandemic which, like in many other countries, gave rise to an increase in civic activity as a means of protesting government policies, pushing back on abuses of power by law enforcement agencies, and demanding more transparency.

**Figure 1**

Obstacles to the Development and Functioning of the Civic Space



### 3.2.2.1. Political Obstacles

Political obstacles, as experienced by participants, are twofold. Firstly, *political rhetoric which demonises civic actions and the organised civil society* is often employed in relation to protesters and CSOs who “**actively and loudly**” oppose the government’s policies. Such political speech often questions the legitimacy, moral capacity, and motives of the targeted individuals, and labels them “**as dangerous and untrustworthy**” in an attempt to further civic suspicion and divisiveness, dismiss their concerns – not by considering and addressing them, but by classifying them as egregious and misguided), and minimise the reach – and potential benefits – of alternative discourse, which is an intrinsic component of democratic dialogue.

Secondly, participants observed a selective *exclusion from the democratic process* which was often applied to CSOs. Such exclusion rarely manifested overtly, however; rather, CSOs were technically given the opportunity to comment on draft laws, but the process lacked any attempts to:

- i. adequately and systematically inform the civil society about the existence of the consultation, so “**many organisations remained unaware**”;
- ii. provide “**sufficient time for giving feedback**” on draft laws;
- iii. respond to any of the comments made by the civil society, or provide explanations as to “**why suggestions were not adopted**” (which further negatively impacts the civil society’s ability to comprehend the democratic process and adjust their suggestions accordingly for future consultations); and
- iv. be “**inclusive**”.

In turn, CSOs “**do not feel that they are included in democratic dialogue and are often reluctant to engage as there is little indication that their opinions are even considered, let alone used to inform policy-making**”.

### 3.2.2.2. Legal Obstacles

Participants considered the legal obstacles to be the most problematic by far, since they entail the active use of state apparatus – and its monopoly on law-making and the use of legitimate force – to undermine the civic space in Cyprus. The systematic employment of these complex

measures for the purposes of impeding the work of the organised civil society (in particular) is, in participants' opinion, a clear indication that the state seeks to restrict civic space. Legal obstacles are threefold: the introduction of problematic bureaucratic procedures; the use of state law enforcement agencies to launch attacks; and the persistent failures to investigate attacks against factions of the organised civil society.

The *introduction of problematic bureaucratic procedures* refers to the adoption of a series of regulations as follows:

- i. Law on Preventing and Combating Legalisation of Income from Illegal Activities of 2007 (*Ο περί της Παρεμπόδισης και Καταπολέμησης της Νομιμοποίησης Εσόδων από Παράνομες Δραστηριότητες Νόμος του 2007*), amended in 2021.
- ii. Laws on the Prevention and Legalisation of Income from Illegal Activities 2007-2021;
- iii. Guidelines Regarding the Registry of Real Beneficiaries of Associations, Foundations, Federations or Unions, Charitable Foundations and Non-Governmental Organisations with Legal Personality, Guideline under article 61B, Regulatory Administrative Act K.D.P. 119/2021, 19 March 2021.
- iv. Law on Organisations and Foundations and Other Related Matters of 2017 (*Ο περί Σωματείων και Ιδρυμάτων και για Άλλα Συναφή Θέματα Νόμος του 2017*) N. 104(I)/2017, adopted July 2020.

The regulations itemised under points i.-iii. above essentially regard CSOs as profit-making companies and require them to engage in filing duties otherwise expected of company shareholders and ultimate beneficiaries. If organisational records are not up-to-date, then authorities can impose fines and refuse (and, indeed, according to participants, have refused) to provide them with certified copies of their statutory documents. In the absence of these certified copies, organisations may have their bank accounts frozen or become ineligible for funding, alongside suffering the steep cost of the fines. Given that most NGOs lack the technical knowledge and capacity to fill in the necessary forms, and rarely have the resources to acquire this expertise, participants' experiences dictate that the regulations have actively contributed to the dissolution of a number of organisations.

The Law on Organisations and Foundations and Other Related Matters of 2017 (listed under point iv. above), was amended in 2020 as part of new anti-corruption efforts. The amendment was prompted by the 2019 Moneyval assessment of Cyprus, which noted inadequate knowledge of the NGO sector and an inability to adequately identify risks for money laundering activities. In light of the amendment, the Ministry for Interior notified, via an announcement on its website, some 3000 organisations who had failed to amend their statutes that they would be dissolved within two months. As previously noted, lacking the time and other capabilities to comply with the regulations, many organisations found themselves in a position where continuing their work was unfeasible.

These state actions, in participants' opinions, have created a **“discouraging legal environment, [marked by] harsh legal litigations that small and big civil society organisations alike have to deal with”**. The horizontal imposition of such obligations, **“without consideration of the particularities or these organisations, their annual turnover, or other issues”**, without an **“adjustment to the size of the civil society organisation”**, and in the absence of a **“risk assessment approach”** is regarded by many participants as onerous, unfair, and unnecessary, having **“discouraging effects on both the civil society organisations, but also on individuals who would like to be part of these organisations”**.

The *use of state law enforcement agencies to launch attacks* refers to the practice of employing police intimidation and threats against **“those who actively (and loudly) oppose the government”**, be they members of NGOs or citizens who participate in a protest. Such actions ranged from verbal attacks to illegitimate arrests and the excessive use of physical force, all of which had lasting impacts on both their targets and the wider public.

Lastly, the *persistent failures to investigate attacks* refer to both the failures of oversight agencies to investigate the aforementioned excessive (mis)uses of force by the police against NGOs and protesters, and to the failures of the police to investigate civilian attacks against NGOs, their members, and their volunteers. Participants noted a number of examples of verbal and physical violence against individuals associated with NGOs, as well as destruction of NGOs' headquarters, where **“law enforcement lacked in offering protection”**. In these cases, **“when complaints were filed, it did not seem that the police undertook a thorough investigation”**. Participants noted that this failure to protect CSOs may well be regarded as being a sign of **“tacit support for and normalisation of”** the attacks, which **“allows and**



**enables [offenders] to continue acting in these ways and to escalate these attacks, since they are...acceptable”.**

#### 3.2.2.3. Economic Obstacles

Participants noted two major economic obstacles which severely impede their work, namely: hindrances in accessing and utilising banking services and diminished access to funding and donations. With respect to the *hindrances in accessing and utilising banking services*, participants observed that the application of anti-money laundering practices had led **“banks to treat all NGOs as high risk”**, resulting in a situation whereby **“accounts are not opened easily, and when they are, they are also closed very easily”**. Further, **“delays from the district offices in issuing certificates means that banks will just close accounts without even informing the NGO”**. Aside from the economic strain these practices place on NGOs, they **“also reinforce the stigma against the [organised] civil society”**, given the rhetoric of suspicion and risk.

The issues of *diminished access to funding and donations* entail that NGOs often struggle to secure funds for the continuation of their operations. As it stands, participants observe that NGOs in Cyprus often rely entirely on governmental funding streams and resources, who are not exclusively open to CSOs, whose criteria for eligibility often lack transparency, and whose procedures are inaccessible. The reliance on governmental funding also often entails that NGOs **“cannot engage in some actions or support some causes which are at odds with the actions of the state”**. Given that a vast majority of NGOs work to address societal issues particularly because the state has failed to acknowledge the problems or refuses to allocate resources towards their resolve, this is particularly problematic, as it essentially entails that no governmental funding would be available where most needed. With respect to donations, participants noted that some NGOs have had their accounts frozen by their respective banks upon receiving donations of as little as €100 because the transactions were regarded as suspicious. Given the current financial climate, participants agree that **“most [NGOs] are using their efforts to survive financially”** and **“bureaucratically”**, and very few resources are left for advocacy and other work.

#### 3.2.2.4. Social Obstacles

Participants noted the existence of two social obstacles which underpin and reinforce the ways in which individuals and state agencies relate to each other and to the civil society. They noted a **“lack of a civic culture”** in Cyprus, explaining that civic education is neither part of the

curricula at any level of schooling, nor generally pursued by individuals in other means. This entails, according to participants, that there is no **“culture of protest”** in Cyprus, but rather one of apathy. Participants also recognised the persistent *social consequences of (the state’s engagement in) NGO- and cause-demonisation*, which render some individuals to regard CSOs and their activities with suspicion.

### 3.2.3. Impact and Consequences

The impact of the current conditions for civil society (please see Figure 2) are diverse, far-reaching, and extend beyond it, ultimately impacting the general public’s likelihood to engage in the civic arena. The consequences for democracy are, thus, dire.

#### 3.2.3.1. Impact on the Organised Civil Society and Non-Governmental Organisations

Participants noted that the organised civil society is severely impacted by the current conditions under which it seeks to operate. Firstly, the state’s treatment of CSOs (please see Section 4.2.2.), coupled with the limited opportunities for cooperation and the lack of open and continuous communication with the civic sector renders most NGOs *unable to cooperate with state agencies* on matters of societal concern. Secondly, the lack of access to reliable sources of funding and the potential consequences of accepting donations (which may lead to bank accounts closures) entail that many NGOs are *unable to achieve financial sustainability*. In turn, the permanent concern for financial survival entails that a vast majority of an NGOs’ resources – including human capital, labour, and time – are oftentimes reserved for identifying funding opportunities, compiling applications, and engaging in bureaucratic tasks intended to ensure that banking details are updated. In participants’ experience, these contribute to an overall reduction of the NGO’s *operations and scope of activities*.

The consequences of such actions are therefore extensive and, for many CSOs, debilitating, often bringing their activities to an end. However, their impact is not evenly distributed amongst the civil society. Participants noted that two categories of CSOs are most likely to be first to suffer losses. Firstly, small NGOs, usually operating at the local level, who often have very limited or **“no access to resources such as funding and who are run by volunteers”** (rather than paid employees), often **“shut down because they are simply unable to comply with the newly introduced legal obligations and bureaucratic processes”** since individuals **“may lack some necessary legal and financial knowledge”** and would not have the financial means to secure it otherwise. Secondly, NGOs who seek to address contentious or taboo issues – such as **“migration and the right of refugees”**; **“human rights”**; **“gender equality”** and

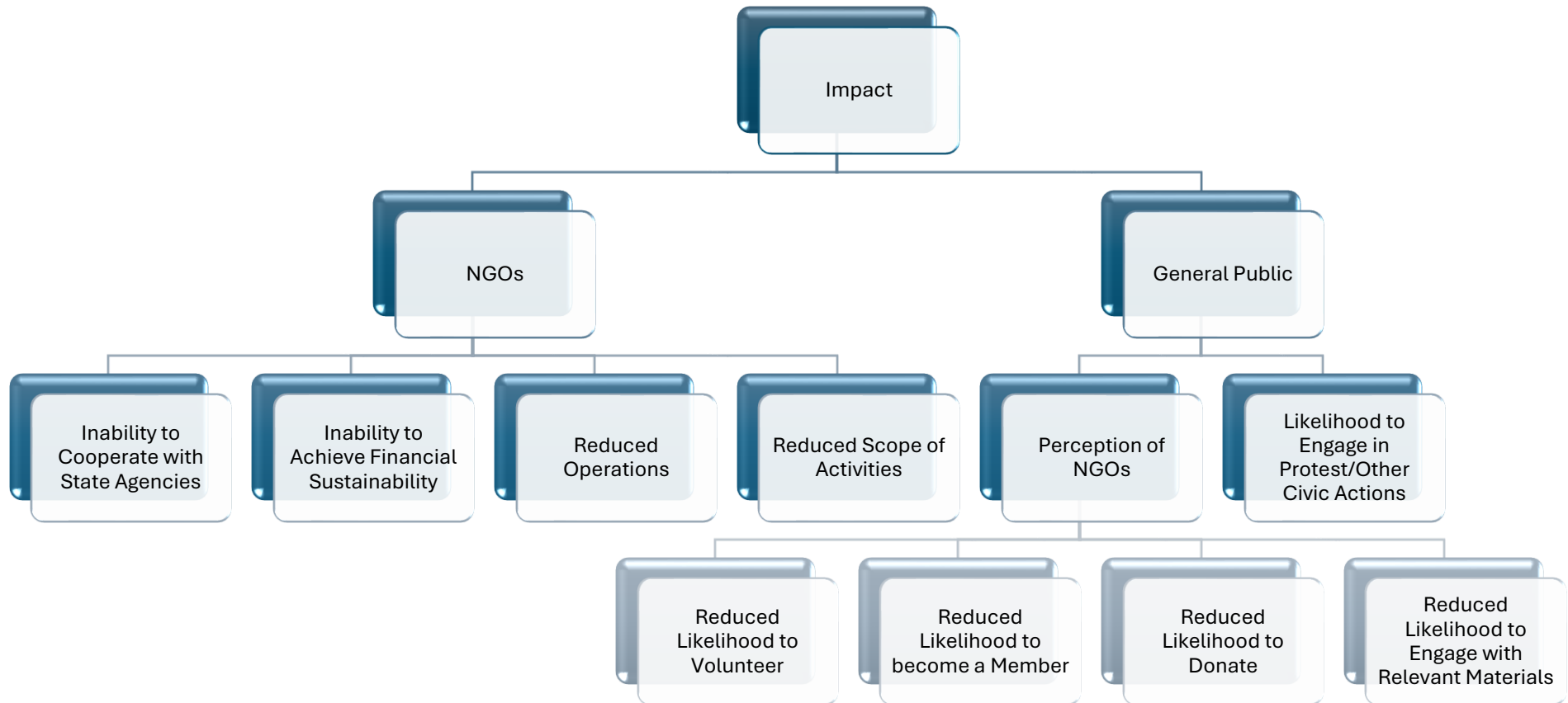
“**women’s rights**”; “**sexual rights**”; and the rights of the LGBTQ+ community – are often more likely to find themselves at odds with the state, and thus more likely to be scrutinised, pressured, or attacked by its institutions. Given their areas of operation, these organisations are also more likely to be regarded as a threat by various factions of the political right, and thus more likely to be the targets of their attacks. One participant explained that “**I volunteer for a sexual rights organisation. Last year we received a number of very frightening threats (mostly verbal) because of the sexual litigation in schools, to the point where people [in the organisation] felt fear to even go along to a workshop for example**”. Participants noted that individuals wishing to volunteer for, be employed by, or even found one such NGO “**would feel discouraged**” from doing so, especially when there appears to be no incentive for the police to protect them.

#### 3.2.3.2. Impact on the General Public

The current conditions which impede the adequate operation of the organised civil society also impact the general public. The widespread demonisation of NGOs and their causes (as noted in Section 4.2.2.4) in political rhetoric which describes them as security threats is seen by participants as severely reducing citizens’ likelihood to volunteer for, become members of, donate to, or engage with educational and informative materials produced by NGOs. This further limits both the amount of, and potential beneficial impact of the work undertaken by NGOs – and its contribution to societal and democratic resilience. Whilst the lack of civic education (please see Section 4.2.2.4) would generally entail that citizens are unlikely to engage in civic action, the active “**discouragement from participating in the civic space – [which extends] from protests, to movements, to taking any other action against what the government does and wills**” and the mistreatment of protesters and their subjection to unnecessary uses of force and/or displays of abusive use of power further ensures that a vast majority will be reluctant to be active members of the civic space, thus further reducing its reach. Perhaps, even more crucial is the societal impact of these state (in)actions – in a participant’s words, “**irrespectively of whether or not we agree with these CSOs and protesters, and the way they do things, we have an obligation to allow them to speak freely; without this, we simply cannot have a democracy**” [emphasis added].

**Figure 2**

An Overview of the Impact on the Civil Society



## 4. Conclusions and Recommendations

The findings presented above suggest that participants in both the focus groups on *responses to crises* and *civic spaces* respectively, experienced and observed a number of problematic situations, instances of governmental inaction, and trends of increased public and political hostility, all of which are indicative of flaws in governance and the preservation (and advancement) of the rule of law. With respect to *responses to crises*, participants noted the following issues as being most pervasive (and, indeed, as having the potential to cause the greatest amount of harm):

- i. the lack of coherent and comprehensive strategies to be applied by state agencies in situations of crisis;
- ii. the apparent inability of state institutions to act in a coordinated manner towards the achievement of a shared purpose (in controlling and/or managing the effects of the crisis);
- iii. the relative disregard for human rights and fundamental freedoms;
- iv. the absence of democratic dialogue;
- v. the lack of comprehensive legal guidance on matters which affect the general population (or groups within).

Participants recommended that, for the purposes of limiting the effects of current situations of crisis, the following measures are taken:

- i. state agents make active and systematic attempts to engage in democratic dialogue with the general public, which is based on:
  - a. information-exchange;
  - b. active listening to the concerns and questions of the general public as well as minorities;
  - c. acknowledging public concerns and seeking to address them;
  - d. providing updates on adjustments and measures taken as a result of these public conversations;
  - e. providing explanations in those circumstances where measures taken in situations of crisis cannot be adapted or changed in light of public feedback.

- ii. legal guidance – even when adopted as a result of a state of emergency – should be comprehensive enough as to not allow its misinterpretation or misuse in implementation or application;
- iii. comprehensive policies should be compiled to ensure, at a minimum, that basic human rights are protected in situations of crisis, for all residents, irrespective of their status;
- iv. law enforcement officers should be further trained in dealing effectively with the potential repercussions of situations of crisis, specifically in handling public protests in accordance with the country’s obligations under the International Covenant on Civil and Political Rights.

In particular with respect to the refugee crisis, participants recommended the following:

- i. the state develops and implements a directed response, where various relevant organisations collaborate on a constant and continuous basis for the purposes of managing the crisis humanely and for the benefit of refugees;
- ii. hate crime legislation is amended and adequately implemented, and law enforcement officers receive additional training in processing, managing, and responding to hate offences and in supporting victims of hate crime;
- iii. comprehensive housing policies for refugees are developed;
- iv. the state actively engages with NGOs which help refugees on a habitual basis in order to:
  - a. better assess the needs of both refugees and the respective NGOs;
  - b. employ their expertise in formulating and/or amending policies;
  - c. initiate collaborative programmes;

- v. the state actively engages with local communities where refugees are present in order to:
  - a. develop voluntary cross-cultural integration programmes;
  - b. note and address concerns as they arise.

With respect to the *civic spaces* in the Republic of Cyprus participants noted the following issues as having an especially negative impact on the civil society:

- i. its selective labelling and treatment as a potential security risk;
- ii. the state's disinclination to acknowledge the benefits of a functional civil society, comprehend its needs, and otherwise engage in dialogue and consult with individuals and organisations which are part of this space;
- iii. the passing of laws which have a disproportionately harmful impact on civil society organisations, and their blanket application without consideration of the particularities of these organisations and their respective capabilities;
- iv. the opaque (and oftentimes, poorly publicised) nature of state agencies' attempts to engage with the civil society (be it in the context of public consultations or in that of securing access to funding);
- v. the absence of regular funding streams.

Participants recommended that, for the purposes of improving the current conditions for the civic space and citizen empowerment, the following measures are taken:

- i. laws concerning civic participation and the operation of NGOs are subject to consultation, at a minimum with the parties to which they apply;
- ii. steps are taken to improve the state's understanding of the civil society and its needs, for example by systematically engaging with NGOs and collating their input in a manner which accounts for differential requirements;
- iii. calls for consultations are adequately disseminated to relevant parties via the use of different communication methods;

- iv. consultations are inclusive, transparent, and require that officials respond to the feedback received from the public in a systematic manner;
- v. mechanisms of monitoring and accountability are employed to ensure the full implementation of laws concerning public consultations;
- vi. the framework for public consultations is expanded so as to ensure that CSOs can participate “from the beginning of the process, and in all stages of policy- and decision-making”;
- vii. collaborations between CSOs, local administrations, and state agencies are actively encouraged, and receive adequate support and resources;
- viii. available funding opportunities pertaining to NGOs are collated in a single funding mechanism, which is only accessible by these organisations, and has transparent criteria for eligibility.



## Annex 8: CRoLEV Infographics

### JEAN MONNET CENTRE OF EXCELLENCE FOR THE RULE OF LAW AND EUROPEAN VALUES



 University of Central Lancashire  
UCLan Cyprus

**CRoLEV**  
Centre for the Rule of Law and European Values,  
Jean Monnet Centre of Excellence (2022-25)

 Co-funded by the European Union

crolev@uclan Cyprus.ac.cy

### OUR WORK

**01 Research** We investigate the state of the rule of law and European values in EU Member States and neighbouring countries, and their deterioration in times of crisis via empirical research. 

**02 Measurement** We measure the state of the rule of law and European values in relation to indicators pertaining to:

- civic engagement;
- democratic governance;
- functionality of justice;
- democratic values.

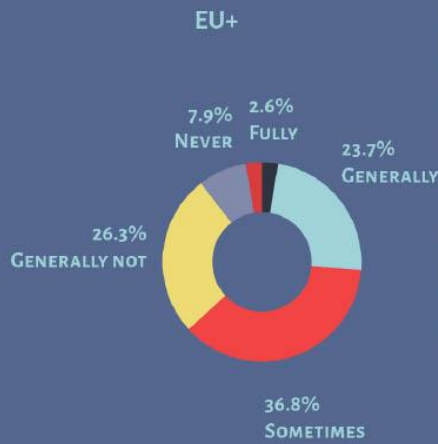


**03 Tracking** We track changes to the rule of law and democratic values in an interactive dashboard. 

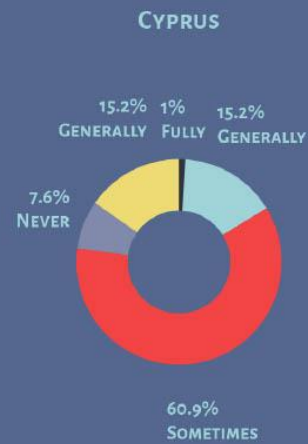
**04 Training and Workshops** We provide training and workshops for civil society organisations, academics, professionals, students, and the general public on a variety of themes. 

**05 Recommendations and Policy-Making** We publish recommendations for protecting the rule of law and European values and collaborate with policy-makers and civil society organisations towards their implementation. 

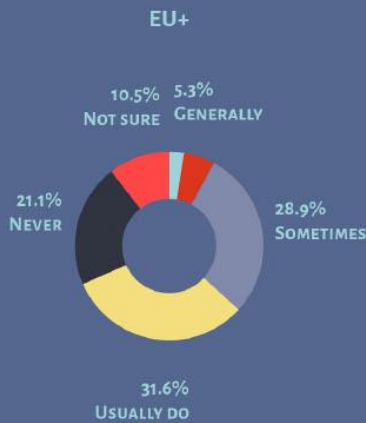
## TO WHAT EXTENT ARE YOUR INTERESTS REPRESENTED BY THE PARLIAMENT?



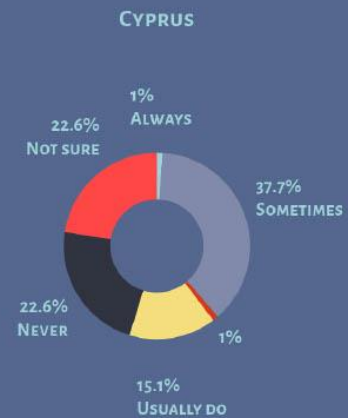
"POLITICIANS ARE TOO INTERESTED IN REPRESENTING OPINIONS THAT SATISFY THEIR OWN INTERESTS OR THE INTERESTS OF THE ELITE - WHETHER THAT BE FOR MONEY OR POWER"



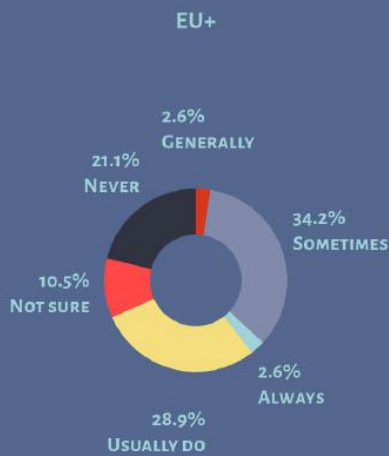
## TO WHAT EXTENT DO YOUR WISHES SHAPE THE PARTLIAMENT'S ACTIONS?



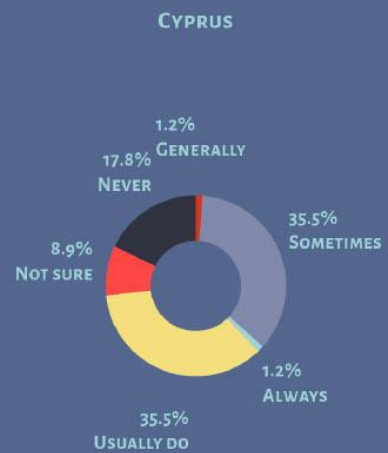
"IT'S GENERALLY UNDERSTOOD THAT THOSE THAT ACTUALLY WANT TO DO PUBLIC SERVICE WILL NEVER MAKE IT TO THE POSITIONS IN WHICH THEY CAN (FOR POLITICAL/NEPOTISTIC REASONS)."



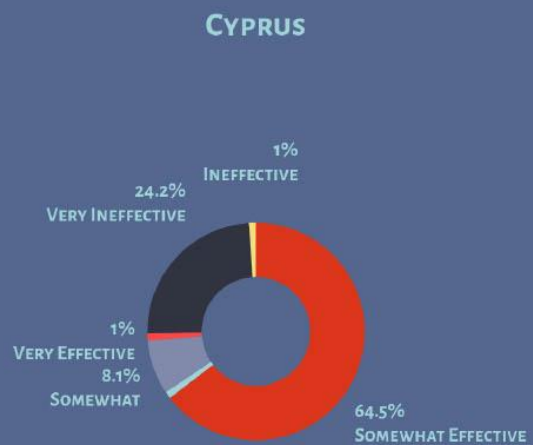
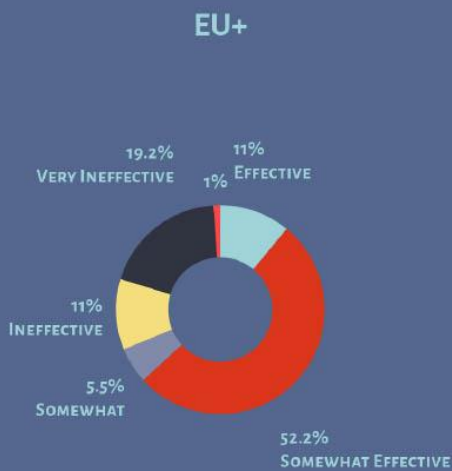
## TO WHAT EXTENT DO YOUR WISHES SHAPE THE ACTIONS OF YOUR LOCAL GOVERNMENT?



"LOCAL GOVERNMENT...STILL SUFFERS FROM THE SAME NEPOTISTIC AND CORRUPT ATTITUDE...WHILE OFFICERS IN LOCAL GOVERNMENT HAVE AN UNDERSTANDING OF THE REQUIREMENTS OF THE LOCAL REGION, THEY'RE STILL SUBJECT TO BACKCHANNEL DEALING BETWEEN POWERFUL STAKEHOLDERS WHO DON'T GENERALLY HAVE THE BEST INTERESTS OF THE PUBLIC AT HEART"

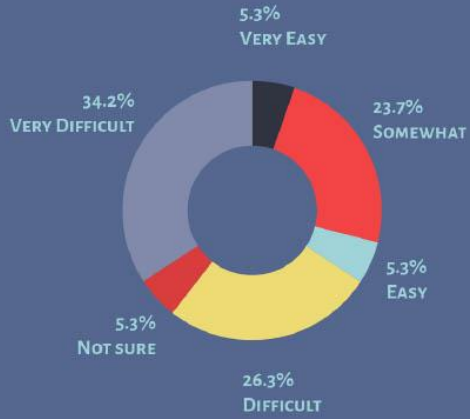


## TO WHAT EXTENT DO YOU THINK THAT TAKING A CASE TO THE COURT WILL BE EFFECTIVE?

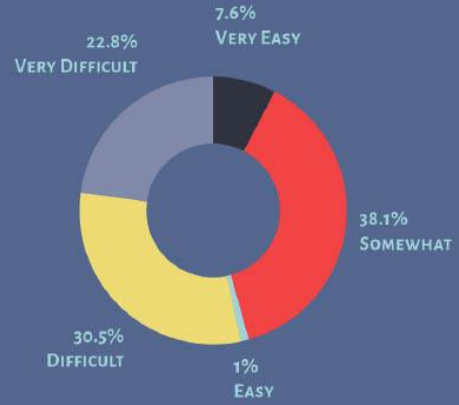


## TO WHAT EXTENT DO YOU THINK THAT TAKING A CASE TO THE COURT WILL BE EASY?

### EU+

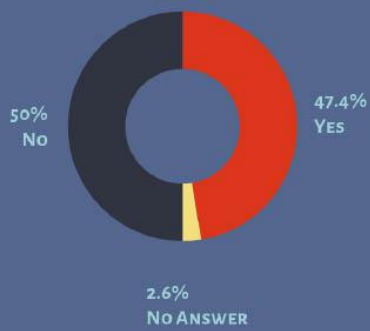


### CYPRUS

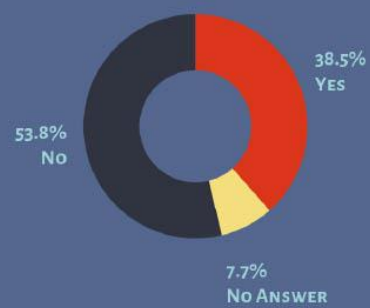


## HAVE YOU EVER THOUGHT ABOUT PURSUING A CASE IN COURT BUT EVENTUALLY DECIDED NOT TO?

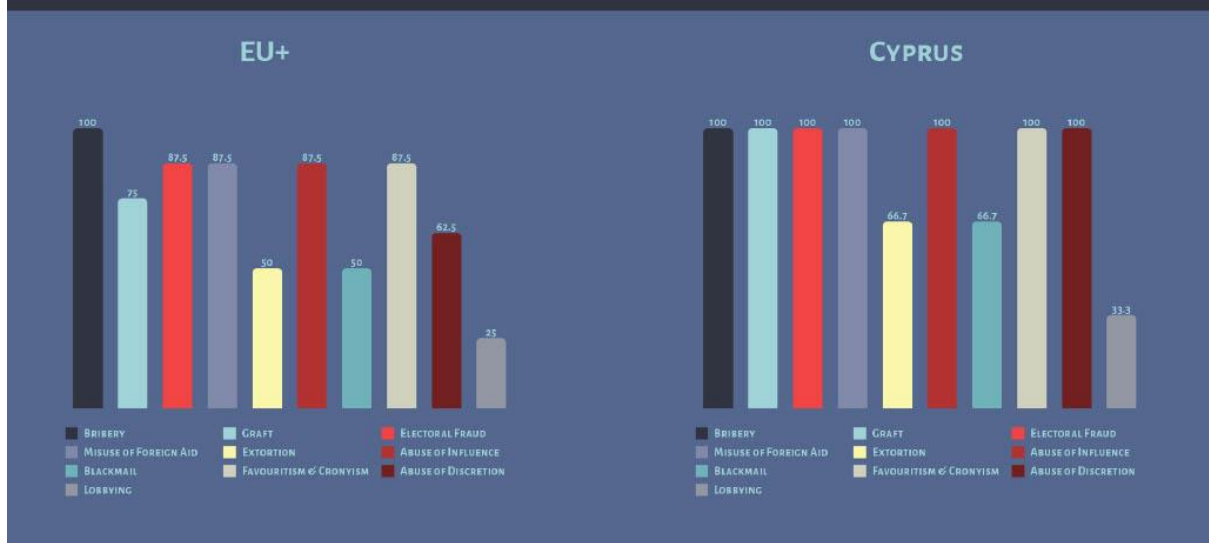
### EU+



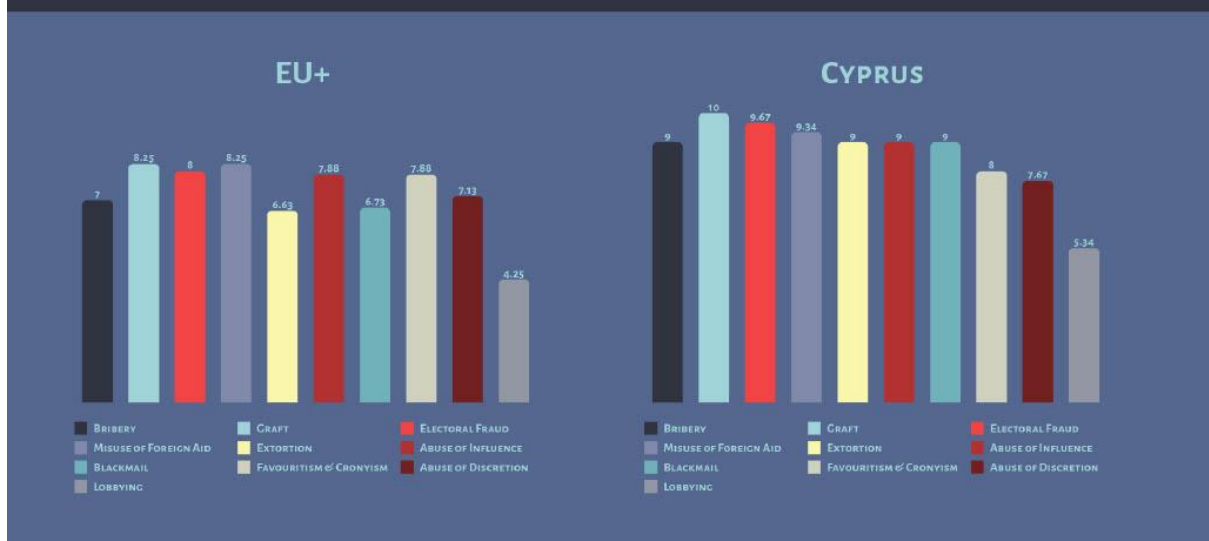
### CYPRUS



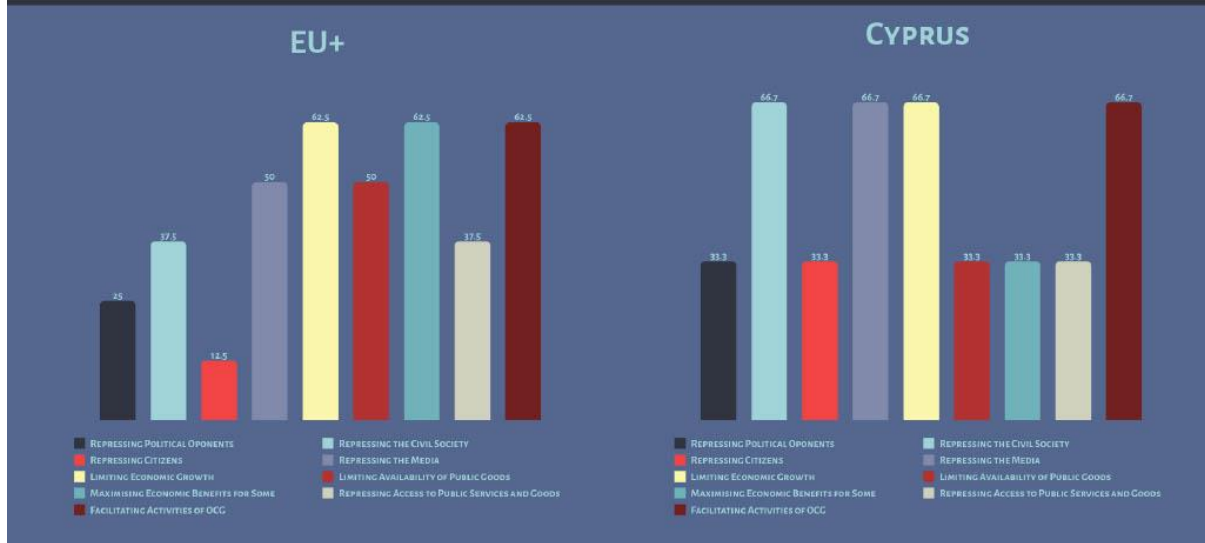
## WHICH BEHAVIOURS CONSTITUTE CORRUPTION?



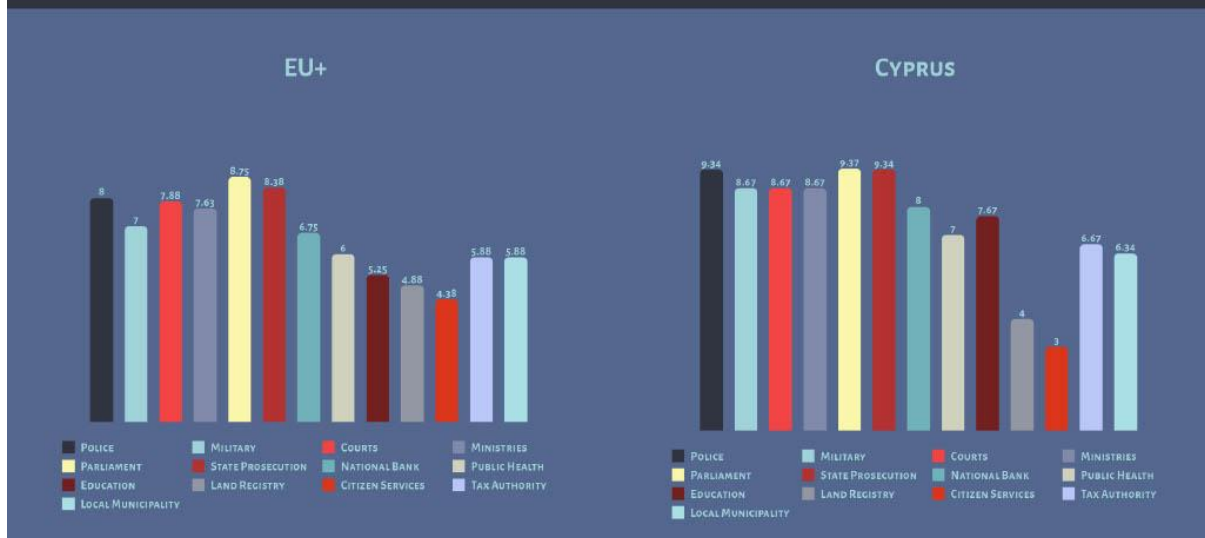
## ON A SCALE FROM 1-10, WHICH BEHAVIOURS POSE MORE OF A THREAT TO SOCIETY?



## WHICH OF THE FOLLOWING ISSUES DOES CORRUPTION CONTRIBUTE TO IN YOUR COUNTRY?

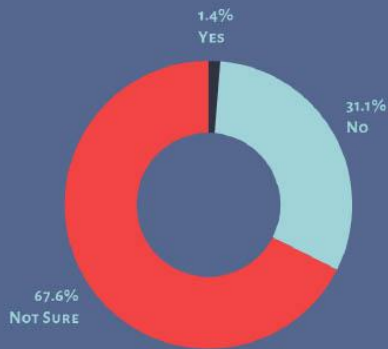


## ON A SCALE FROM 1-10, IN WHICH INSTITUTION DOES CORRUPTION POSE MORE OF A THREAT TO SOCIETY?

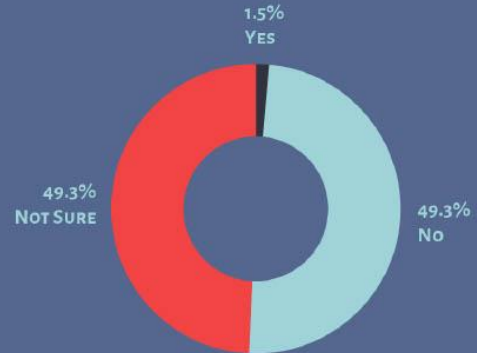


## ARE THE DUTIES AND RESPONSIBILITIES OF PUBLIC OFFICIALS CLEARLY PUBLICISED?

EU+

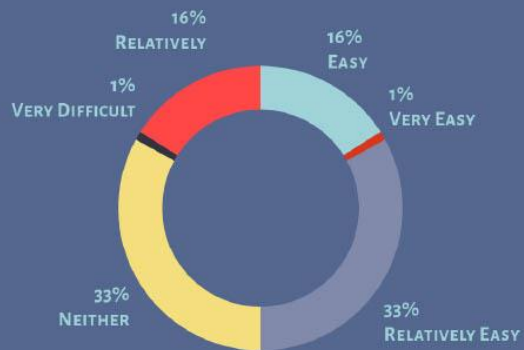


CYPRUS

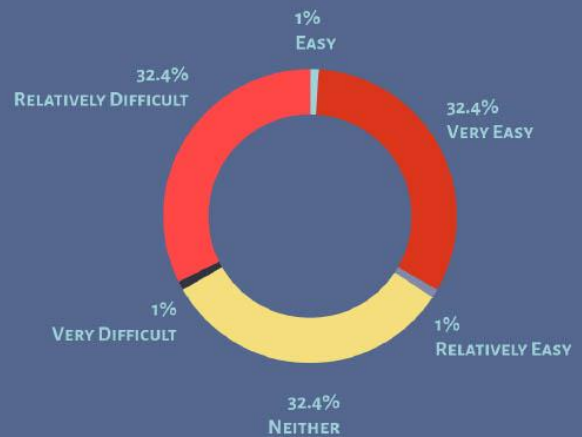


## HOW EASY IS IT TO FIND INFORMATION ON THE GOVERNMENT'S WEBSITE(S)?

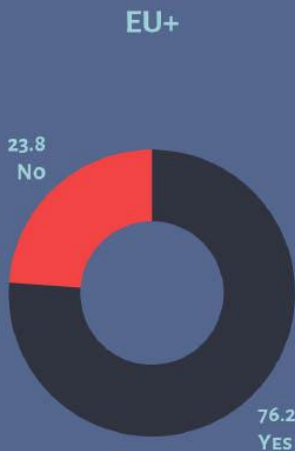
EU+



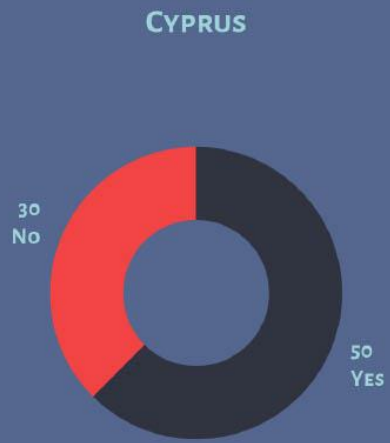
CYPRUS



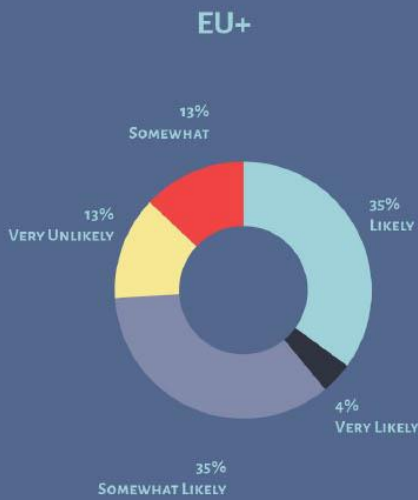
## DO YOU TAKE ANY ACTIONS TO VERIFY THE ACCURACY OF THE INFORMATION YOU ENGAGE WITH IN DOMESTIC NEWS MEDIA?



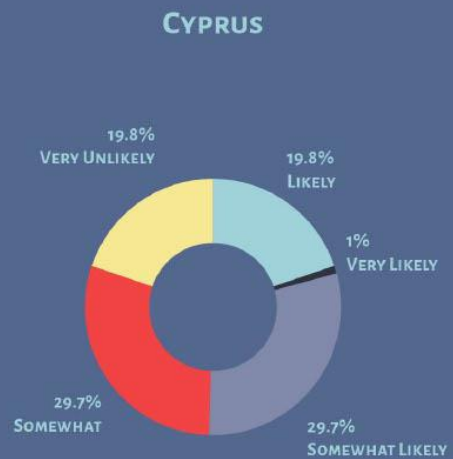
- ACTIONS:**
- CROSS-REFERENCING INFORMATION;
  - FINDING THE "ORIGINAL SOURCE OF INFORMATION";
  - CHECK TRUSTED JOURNALISTS' AND "REPORTERS' SOCIAL MEDIA PROFILES";
  - READING THE ACADEMIC PUBLICATION THAT THE NEWS PUBLICATION REFERENCES (WHERE APPLICABLE);
  - ASKING AN EXPERT ON THE MATTER OR CONSULTING AN ACQUAINTANCE WITH PROFESSIONAL KNOWLEDGE ON THE SUBJECT MATTER.



## LIKELIHOOD THAT DOMESTIC MEDIA HOLD THE GOVERNMENT'S DECISIONS AND ACTIONS TO ACCOUNT



"MEDIA SOMETIMES SUPERFICIALLY COVERS MORE PROBLEMATIC ISSUES BUT RARELY POINTS OUT OBVIOUS MISTAKES OR PROBLEMS BY THE GOVERNMENT OR THE DISAPPROVAL OF THE PUBLIC, LIKELY DUE TO SOME FEAR OF CENSORSHIP"





# FREEDOM TO CRITIQUE THE STATE

EU+



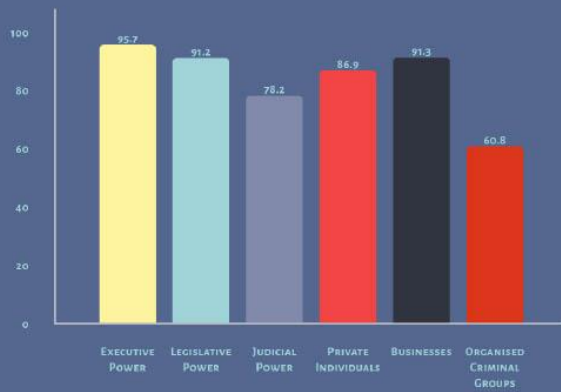
“PREVIOUS RECORDS SHOW THE GOVERNMENT DOES NOT TAKE KINDLY TO OFFICIAL MEDIA OUTLETS OUTRIGHT QUESTIONING THEIR DECISIONS”

CYPRUS

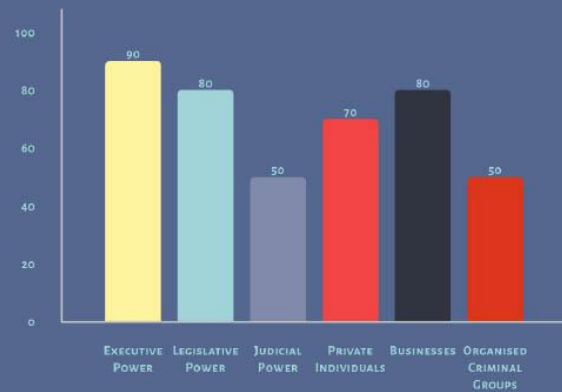


## INFLUENCES ON THE MEDIA

EU+



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# INTERNATIONAL VS. DOMESTIC NEWS MEDIA

## EU+

IS LESS LIKELY TO BE INFLUENCED BY THE INTERESTS OF THE STATE



IS LESS LIKELY TO BE CENSORED



IS LESS LIKELY TO BE BIASED WHEN REPORTING ON EVENTS IN MY COUNTRY



IS MORE INCLUSIVE IN REPORTING



IS QUICKER TO REPORT ON ISSUES OF INTEREST



## CYPRUS

IS LESS LIKELY TO BE INFLUENCED BY THE INTERESTS OF THE STATE



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## GET IN TOUCH!



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