



European network against racism

ENAR Shadow Report 2011-2012

Racism and related discriminatory practices in Cyprus

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**With the support of KISA – Action for Equality,
Support, Antiracism**

Racism is a reality in the lives of many ethnic and religious minorities in the EU. However, the extent and manifestations of this reality are often unknown and undocumented, especially in official data sources, meaning that it can be difficult to analyse the situation and to establish solutions to it.

The ENAR Shadow Reports are produced to fill the gaps in the official and academic data, to offer an alternative to that data and to offer an NGO perspective on the realities of racism in the EU and its Member States. NGO reports are, by their nature, based on many sources of data - official, unofficial, academic and experiential. This allows access to information which, while sometimes not backed up by the rigours of academic standards, provides the vital perspective of those that either are or work directly with those affected by racism. It is this that gives NGO reports their added value, complementing academic and official reporting.

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1. Executive summary

In the now established tradition of previous Cyprus reports, the present ENAR Shadow Report on Cyprus, which covers the period from March 2011 to March 2012, refers to the whole of the country, that is the government-controlled and non-government controlled areas or, interchangeably, southern and northern parts. Notwithstanding occasional problems that may arise with terminology, it is vital that human rights violations, institutional and societal discrimination and racism, racist violence and racist crime are discussed and addressed with reference to the entire country, despite the barriers of its division.

In the period under review, there were no significant changes as to the country's migration and asylum policies. If anything, political and administrative practices and the systemically discriminatory and often racist treatment of migrants and refugees reiterated time and again the philosophy and approach behind the migration model in place in Cyprus. In effect, this model prescribes a stringent, exploitative and unfair system, which denies respect of basic and working rights and marginalises and excludes migrants from society and all social processes.

In this framework, it is not surprising that rampant and still escalating discrimination and racism continued, as did the anti-migrant, anti-Islamic and unashamedly racist discourse of far right, extreme nationalistic and neo-nazi parties and groups but disappointingly also that of almost all mainstream political parties, other prominent figures such as the Archbishop, and the media, especially during the long presidential election period. The impact of the ever-deepening economic crisis, the unprecedentedly high for Cyprus levels of unemployment, the anger, frustration and fear of the first austerity measures and those to come after the pending troika bailout, as well as the stalemate of the ever-pervasive Cyprus Question, all these in combination further compounded the situation. As a result, in the period covered by the Report, migrants experienced a frenzy of scapegoating for all ills and problems of Cyprus, from high unemployment to rising criminality, for being responsible for Turkish expansionist plans and 'scrounging' on the welfare state. Living in fear and in an environment of constant racist attacks and violence, migrants could not expect and actually did not receive any protection from the law and the law-enforcement agencies, as racist violence and hate were largely under-investigated, whilst there was impunity of the perpetrators in the rare cases they were investigated.

The Report concludes with a number of recommendations that aim to contribute to the reversal of this volatile situation. To a greater or lesser extent, these recommendations point to the absolute need for Cyprus to re-evaluate and re-design its migration and asylum policies. This first step will provide a sound basis upon which to adopt and implement, in line with its international obligations, human-rights based and effective policies and measures to decisively combat discrimination and racism that plague the country.

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3. Introduction

Cyprus is still a divided country following the coup d'état and the Turkish invasion in 1974, which resulted in the de facto separation of the island: the government-controlled areas in the southern part and the non-government controlled areas in the northern part of the island¹. This report will cover both the northern² and southern parts of the country, despite the fact that in both areas, but in particular the non-government controlled areas, data and statistics on discrimination and racism are not available officially.

Despite Cyprus's accession to the EU in 2004 and the application of the rules on the free movement of persons as well as the implementation of EU immigration and asylum law, the protracted division of the island over a period of almost 50 years now³ is a major contributing factor to the presence and further growth of xenophobic, discriminatory and racist perceptions, attitudes and practices against migrants⁴ and other vulnerable groups at both societal and institutional level. This is mainly because the 'Cyprus issue' and its concomitant nationalism in both sides of the divide dominate the political arena, while issues such as discrimination and racism are not even close to be considered as worthy of any priority. Furthermore, the ethnocentric propaganda of the dominant communities⁵ in each part of the island around the Cyprus problem portrays each community as each other's victim, thereby avoiding, at least according to populist perceptions, any criticism over the treatment of other communities subject to racism and discrimination. As a result, racism and discrimination related matters are largely unchallenged in public discourse and remain highly un-researched⁶.

Whereas in the government controlled areas, in law discrimination and racism are banned and prohibited, particularly after the transposition of the Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, in national law in 2011⁷, their actual implementation is far from satisfactory. Despite some mechanisms established, such as the Equality Body, to monitor discrimination and investigate complaints, it could be

¹The term «Government-controlled areas» refers to that part of Cyprus, which is under the control of the Government of the Republic of Cyprus after the 1974 events, also referred to as the «southern part», while the term «the non-Government controlled areas» refers to that part of Cyprus under the effective control of Turkey since the 1974 events, also referred to as «northern part». It is also noted that, whilst the Republic of Cyprus as a whole is a E.U. member state since 2004 when Cyprus joined as a full member, the application of the *acquis communautaire* is suspended in the non-Government controlled areas in accordance with Protocol No. 10 to the Treaty of Accession of the Republic of Cyprus to the E.U.

² The northern side formed the "Turkish Republic of North Cyprus" in 1986. The "TRNC" is not a recognised state in international law and is only recognised by Turkey.

³ The division of Cyprus began effectively in 1963, three years only after independence from British colonial rule, as a result of serious inter-communal conflict.

⁴ The term "migrants" in this report is used to describe any category of non-Cypriots, i.e. EU citizens, third country nationals who are either workers or asylum seekers, refugees or persons with subsidiary protection, third-country students, et al.

⁵ Greek Cypriots and Turkish Cypriots in the southern and northern part of the island, respectively.

⁶ Trimikliniotis N., Demetriou C., Evaluating the Anti-Discrimination Law in the Republic of Cyprus: A critical reflection, *THE CYPRUS REVIEW* (VOL. 20:2 FALL 2008), p. 83.

⁷ *O peri tis katapolemisis orisemenon morfon kai ekdiloseon ratsismou kai xenophobias meso tou poinikou dikaiou nomos tou 2011* (Law No 134(I)/2011)

generally said that Cyprus has a very weak tradition and almost complete lack of political will to actually implement proper and effective antidiscrimination and antiracist policies, mainly due to the 'national issue' and the confusion in identity which results in violent and xenophobic attitudes towards all other communities and groups. Contrary to the adoption of antidiscrimination legislation in the southern part, in the northern part of the island, neither laws nor any other antidiscrimination policy have been adopted to date or envisaged to be adopted in the foreseeable future.

The only area with some positive developments in the government-controlled areas is that of gender equality which, however, are neither intended in principle nor do in practice include migrant women, whose position still remains extremely vulnerable. During the reporting period, apart from the vulnerability of third country migrants in general to racism and discrimination, a group identified as being particularly discriminated against is that of third-country migrant women whose children are Cypriot or EU nationals as will be further discussed below.

In the period under review, with the deepening economic crisis and soaring unemployment hitting even harder larger sections of the population in Cyprus, and en route to the presidential elections in early 2013, immigration and asylum found their way high on the agenda and discourse of all political parties, including parties of the extreme far right, conservative right, centre and, to a lesser extent, the governing left wing party, thus allowing the mainstreaming of a most negative, xenophobic and many times outright racist narrative around migrants and refugees. A number of politicians built political campaigns by constructing xenophobic and racist attitudes towards these most disadvantaged and vulnerable groups, with deliberate distortions of data of the Welfare Services department and misrepresentation of migrants and refugees as 'scourges' living off the welfare state. Almost in their entirety, the media played a decisive role in reporting these distortions and misrepresentations and in effect promoted these xenophobic and racist narratives, without giving the opportunity to migrants and refugees or to NGOs to present the true facts and their views. In response to this outrageous populism and in its attempt to curb an unprecedented attack by all but its own political parties, the left-wing government overreacted and responded with even more restrictive and controlling measures, which at times even applied, indirectly, to EU nationals, especially in relation to their access to the labour market. In light of the above, therefore, one can imagine the position of migrants and refugees, the pressure and climate of fear they live under.

In the year under review, violent incidents against migrants, marches and other events took place that coincided with the rise in support of ELAM, the extreme right wing, neo-nazi party and other ethnocentric groups against 'illegal' migrants and 'bogus' asylum seekers, as well as against human rights defenders, who allegedly collaborated with Turkey for un-Hellenizing the island. In many instances, people with Middle East background are automatically linked to Islam and therefore Turkey, making an explicit connection between the invasion in 1974 and the rise of migration flows to Cyprus as another kind of invasion.

The aim of this report is to identify racism and related discrimination in Cyprus, in the fields of employment, housing, education, health, criminal justice, access to goods and services, and in the media, in an effort to focus on vulnerable communities, especially amongst other because of islamophobia that has been on the rise recently, mostly due to the fact that many migrants in Cyprus happen to be Muslim.

Moreover, one of the main purposes of this report, which covers the period from March 2011 to March 2012, is to provide solid and practical recommendations to the Government, NGOs and society at large in Cyprus. Through presenting NGOs' good practices and responses, this report aims to demonstrate a holistic understanding of the current issues around the racism and discrimination status quo in the country, in a socio-legal context but also through a grass root approach as it describes the situation from the perspective of NGOs working on the ground.

The methodology used in the report is literature and statistically based, using both primary and secondary sources. Government statistics, where available, and legislation comprise the primary sources, whereas secondary sources include the experience of NGOs on the ground, academic articles, books, newspaper and other media reports.

The absence of official data and research in regard to discrimination (especially in the non-government controlled areas), is one of the main limitations of the report; hence, the need for more rigorous data collection and analysis by the authorities is also one of the final recommendations.

4. Significant developments in the country during the period under review

In the year under review, there were no positive developments or encouraging trends. On the contrary, there was a marked rise of racism and xenophobia, evidenced by the populist ethnocentric and xenophobic discourse and/or practice of extreme right and neo-nazi parties and groupings, the majority of mainstream political parties, other power centres and figures such as the Archbishop, and which discourse was abundantly reported, promoted and orchestrated by most mainstream conventional media⁸. In view of Cyprus's grave economic recession, the accompanying climate of insecurity and fear for the future, this discourse seemed to be gaining ground among the general public, who became more intolerant and in need of scapegoats⁹.

In the field of migration, the transposition of the Employers Sanctions Directive¹⁰, whereas in law it provided for more restrictive measures and penalties for the employers, in practice it did not change much in relation to the way the authorities handled illegal employment of third country nationals vis-a-vis employers. On the contrary, none of the rights of migrants provided for in the Directive were implemented properly by the authorities¹¹. Moreover, existing legislation continued to remain largely unimplemented and/or wrongly implemented in terms of recognising and granting rights to migrants, such as for example the Long Term Residence Directive and the Family Reunification Directive, which continued to be implemented restrictively for purposefully excluding migrants from the status and rights provided under these instruments rather than facilitating their integration in the country.

Current legislation on antidiscrimination, despite some good reports and interventions of the Equality Authority and the Antidiscrimination Authority¹², remained unimplemented as regards the provision of independent support to victims of discrimination, whereas victims remained, as in previous years, without any possibility of redress and no cases were brought before the Court.

A distorted and highly misleading discourse around irregular immigration was high on the public agenda, not mentioning the causes that led migrants to resort to irregular status and despite the fact that the numbers of asylum seekers and/or irregular migrants significantly dropped during the reporting period¹³.

⁸<http://www.guardian.co.uk/commentisfree/2012/mar/13/cyprus-political-racism-doros-polycarpou>, accessed 4 March 2012

⁹ <http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/cyprus/CYP-CbC-IV-2011-020-ENG.pdf> accessed 1 September 2012

¹⁰ Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals

¹¹ O peri Alloadapon kai Metanastefseos (Tropopoiitikos) Nomos tou 2012 (N. 100(I)/2012) (The Aliens and Immigration (Amendment) Law of 2012 (Law 100(I)/2012)

¹² Both of these authorities comprise the Equality Body under the antidiscrimination directives.

¹³ According to Eurostat Statistics ([http://epp.eurostat.ec.europa.eu/statistics_explained/index.php?title=File:Number_of_\(non-EU-27\)_asylum_applicants_in_the_EU_and_EFTA_Member_States_and_their_age_distribution,_2011.png&filetimestamp=20121012123334](http://epp.eurostat.ec.europa.eu/statistics_explained/index.php?title=File:Number_of_(non-EU-27)_asylum_applicants_in_the_EU_and_EFTA_Member_States_and_their_age_distribution,_2011.png&filetimestamp=20121012123334)) the number of asylum applications submitted in Cyprus for 2011 was only 1770, despite the situation in the neighbouring countries and the arab spring and the war in Syria, whereas in 2007 which scored possibly the highest rate was 6780.

According to the latest census in 2011, the demographic composition in the government-controlled areas consists of 75.9% Cypriot born people, but not necessarily Cypriot nationals, 12.6% citizens of other EU countries and 10.7% third country nationals¹⁴. The most vulnerable groups to racism and discrimination in the government-controlled areas were, as in other years, third country nationals with whatever legal status but also third country nationals' family members of EU and Cypriot citizens who have been systematically denied their residency rights, despite the provisions of EU law or national practice¹⁵. Also as a direct consequence of the economic crisis, EU nationals and particularly Bulgarian and Romanian nationals were mostly targeted as a group.

The exact demographic composition of the non-government controlled areas remained undisclosed in this reporting period as well. Turkish nationals and/or other migrants, victims of trafficking, refugees and asylum seekers, Maronites, Greek Cypriots and Roma still constituted the most vulnerable communities to racism in the northern part of the island. Furthermore, Turkish nationals of Kurdish ethnic origin that come to the northern part of Cyprus for university studies have been increasingly criminalised for their political views and activities. Also, there has been a significant increase in the number of asylum seekers arriving in the northern part of Cyprus, especially from Syria, as a result of the ongoing conflict and bloodshed in the region. Since the last ENAR Shadow report, no legal framework was introduced against discrimination and racism or one to regulate issues directly or indirectly related to discrimination, such as asylum, immigration or trafficking in human beings. Refusal to asylum seekers to enter as well as refoulement continued to be common practice. The Refugee Rights Association, from its own experience on the ground, reported that there had been a slight increase of understanding and tolerance in the public perception on asylum, especially against refoulement of asylum seekers from Syria.

¹⁴ http://www.mof.gov.cy/mof/cystat/statistics.nsf/populationcondition_22main_gr/populationcondition_22main_gr?OpenForm&sub=2&sel=2

¹⁵ It should be noted that the status of third country nationals, members of the family of Cypriot citizens, is not regulated at all under any law, as a result of which, the status of this category of persons is subject to complete arbitrariness on behalf of the immigration authorities.

5. Special focus: Islamophobia

The Muslim population in Cyprus is around 18%¹⁶; the statistics presumably include Turkish Cypriots as Muslims although a significant number of them are atheists and secular. According to various sources, the number of Muslims varies between 89,200 and 142,000¹⁷. Other Muslim communities include Palestinians, refugees and asylum seekers from different Muslim countries who flee persecution and wars.

Islamophobic elements are widespread in the Cypriot public discourse (politicians, media, opinion leaders), with several specific politicians even in mainstream political parties¹⁸, leading an open attack on Muslims, associating them in many instances with Turkey and its plans to change the demographic composition of Cyprus and presenting them as invaders and 'bogus asylum seekers'¹⁹. *"Some of them bring their children and their wives because they have discovered our leniency in giving them benefits"*, said a Member of Parliament at a seminar organised by KEA²⁰, an extreme right nationalistic grouping. Asylum seekers are repeatedly linked by far right groups and parties to Muslims who "exploit the Cypriot welfare system and cost to the state millions of Euros each year amidst the crisis". This is the mainstream discourse in the media which adhere very often to such narrative without giving an objective account of the realities in Cyprus and, therefore, promoting this discourse on behalf of the interests of some institutions and actors, including the Cyprus Orthodox Church, whose Archbishop openly admitted on TV news that he supported the causes of ELAM, an extreme right neo-nazi party, closely affiliated to the Greek Golden Dawn.

The area in which discrimination against Muslim communities is more prevalent is education, where the dominant Hellenic-Christian Orthodox-centric educational system does not acknowledge the need of Muslim students or of students of other religions to learn about their religion and practise their religion freely at school.

In relation to Turkish Cypriots, a positive development was the approval by the Council of Ministers of the recruitment of a Turkish-speaking person at the Ministry of Transport and Works, so as to facilitate the provision of information in the Turkish language to Turkish Cypriots interested in taking the tests for drivers in the Turkish language, which in any event is one of the official languages of the state²¹.

On the other hand, institutional discrimination continued to be practised directly by the Council of Ministers in relation to the acquisition of Cypriot

¹⁶ <http://www.minorityrights.org/?lid=1873>, accessed 1 September 2012

¹⁷ <http://www.red-network.eu/?i=rednetwork.en.countries&id=3&view=racismAtlas&s=DEMOGRAPHICS#stands-nav>, accessed 1 September 2012

¹⁸ http://www.youtube.com/watch?v=S6uGsE_5FcM, accessed 1 September 2012

¹⁹ <https://www.youtube.com/watch?v=1d6YaSL7iuo>, accessed 1 September 2012

²⁰ Kinima Ellinikis Antistasis – Movement for Greek Resistance, accessed 1 September 2012

²¹ 2011 Report of the Equality Authority, available at [http://www.ombudsman.gov.cy/Ombudsman/ombudsman.nsf/All/6AD260B3C371550BC2257AD3002A32AB/\\$file/Book%20Isotita%202011%20GR.pdf?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/ombudsman.nsf/All/6AD260B3C371550BC2257AD3002A32AB/$file/Book%20Isotita%202011%20GR.pdf?OpenElement)

nationality by children born to one Turkish Cypriot parent and a foreigner (in most cases Turkish nationals). The Data Archives Law of 2002²², regulating amongst others issues of Cypriot citizenship, provides as a general rule that children who have at least one parent with Cypriot nationality are automatically considered Cypriot nationals²³. However, there is a discriminatory exception to this rule, according to which this does not apply in case any of the parents entered or resided illegally in Cyprus, as a result of which the acquisition of Cypriot citizenship is not automatic but granted on discretion by the Council of Ministers. These provisions were introduced in order to restrict citizenship to children born to Turkish Cypriots and Turkish settlers after the Turkish invasion of 1974²⁴. This discretionary power of the Council of Ministers is in itself discriminatory as it excludes from automatic citizenship mainly children of Turkish Cypriots, but it also has the effect of denying citizenship to children of Greek Cypriots married to migrants who happened to enter or stayed illegally in Cyprus at any point in time.

Moreover, the way this discretionary power has been exercised for years by the Council of Ministers is arbitrary and on the basis of un-transparent criteria and with long delays, taking on average three years to examine a case, as a result of which many children or adults applying subsequently for citizenship do not have access to basic rights as citizens, such as access to health care, EU citizenship, etc²⁵. In its Fourth Report on Cyprus²⁶, ECRI “noted that there continue to be legal obstacles for children of Cypriot citizens married to Turkish nationals. This is explained by the authorities as a legitimate attempt to prevent radical changes in the demographic composition of Cyprus. The subject continues to be a controversial political issue at the heart of the “Cyprus problem”, and invariably arouses xenophobic feelings”. The report also highlighted that ECRI “regrets that the situation of five years ago has not evolved in a more favourable way and is particularly concerned that children are paying the price of an unresolved political conflict and discrimination based on the nationality of one of their parents”. The Authority against Discrimination, in a report²⁷ issued on the basis of complaints submitted by Turkish Cypriots, did not address the issue of discrimination as such but the issue of the procedures followed.

In the northern part of the island, as the dominant communities are Muslim, islamophobia is not a concern.

²² O peri arheiou plithismou nomos (N. 141(I)/2002) (The Data Archives Law of 2002 (Law No 141(I)/2002).

²³ Section 109 of the Law.

²⁴ Trimikliniotis N., EUDO Citizenship Observatory, Country Reports, Cyprus, January 2010, Revised April 2010, available at <http://eudo-citizenship.eu/admin/?p=file&appl=countryProfiles&f=Cyprus.pdf>

²⁵ (AKP 33/2008 κ.ά.)

²⁶ COE, ECRI REPORT ON CYPRUS (fourth monitoring cycle), Adopted on 23 March 2011

Published on 31 May 2011 available at <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Cyprus/CYP-CbC-IV-2011-020-ENG.pdf>

²⁷ AKP 33/2008 κ.ά.

6. Access and full participation in all collective areas of society

The definition of community referred to in this report is any social group of any size that resides in a specific locality, shares government and often has a distinct common cultural and historical heritage²⁸. Although there are significant legal and other differences between ‘community’ and ‘minority’, a definition of the latter may lend assistance as to the understanding of how the term ‘community’ is used in this Report. According to the Permanent Court of International Justice²⁹ “‘minority’ is a ‘group of persons living in a given country or locality having a race, religion, language and tradition in a sentiment of solidarity, with a view to preserving their traditions, maintain their form of worship, ensuring the instruction and upbringing of their children in accordance with the spirit and traditions of their race and mutually assisting one another.’”

In a country like Cyprus, where the dominant narrative renders migrants and minorities invisible, the mere membership of a certain community provides a good enough reason to be discriminated against and experience racism. The majority of the population is comprised of Greek Cypriots and Turkish Cypriots, the great majority of whom live in the southern and northern part of the island, respectively, as well as the established ‘religious groups’ of Armenians, Maronites, Latins and Roma. It must be noted that these groups are not considered as minorities under the Constitution of the RoC. The first three communities are considered as religious groups that adhered to the Greek Cypriot Community, while the Roma population was altogether excluded and was not recognised as a religious group, as they were perceived to belong to the Turkish Cypriot Community because of the assumed religious and linguistic affinities between the two communities. According to the Constitution of the RoC, religious groups have some special rights in relation to their religious, educational and cultural rights, although they are largely silent about voicing them³⁰.

The Republic of Cyprus was, according to the constitution established with independence in 1960, based on a rigorous bi-communal system of governance. However, this proved to be extremely difficult to implement and it eventually collapsed as a result of the bi-communal conflicts between the Greek Cypriot and Turkish Cypriot communities in 1963-64 and the de facto division of Cyprus in 1974, as a result of the Greek Junta led coup d’état and the Turkish invasion. Cyprus has always been a multicultural island but this has become more visible after the early 1990s, when migrants were first given permission to enter and work and, subsequently, after EU accession in 2004,

²⁸ <http://dictionary.reference.com/browse/community>, accessed 2 September 2012.

²⁹ Cited in the report “Minority rights: Solutions to the Cyprus conflict”, authored by Nikolas Kyriakou and Nurcan Kaya, London and Nicosia, March-April 2011. The report was part of a wider project entitled “Minority rights: A contribution to the Cyprus problem”, funded by the EC and implemented by MRG (Minority Rights Group International) and KISA – Action for Equality, Support, Antiracism. The report can be downloaded at MRG’s website at

<http://www.minorityrights.org/10663/reports/minority-rights-solutions-to-the-cyprus-conflict.html>

³⁰ The Cyprus Constitution, Article 2 defines them as religious groups

when more third-country migrants and EU citizens as well as asylum seekers sought protection in the country in large numbers.

One of the main problems that vulnerable communities face is that migration, especially coming from countries and regions with the Muslim religion, is perceived as a threat to or a 'distortion' of the country's demographic composition and linked to the misconstrued idea that Turkey is using these people to alter the demographics of the island in order to establish its influence over the whole of the country. The mass media have also been largely in favour of this speculation, as shown by their constant misreporting of situations regarding migrants, giving the opportunity to extreme right wing and ethnocentric politicians and representatives to express their views, whilst denying the same opportunity to human rights activists and representatives of migrant communities. Another problem that can be categorised as a policy-induced one, is that migrants are explicitly portrayed as temporary and transient to the Cypriot society. As a result, apart from language courses, until very recently there had not been any effective programmes for the integration of migrants, even for those who for whatever reason are in the country for longer periods, sometimes as long as 15, 20 years or longer. It is noted, however, that some migrants have been able to integrate quite well despite the difficulties.

In line with the general stage of development of civil society in the country, very few NGOs and agencies are active in the fields of migration and asylum, and none concerning the human rights of Turkish Cypriots and Roma. Other than the public rhetoric about Turkish Cypriots being equal with Greek Cypriots, which is largely, apart from the left, dictated by "political correctness", anybody seriously concerned with or voicing support for the rights of Turkish Cypriots is considered to be collaborating with Turkey and as a traitor to the Greek Cypriot community, which clearly illustrates the effects of the division of the island on the political and social environment in the southern part of the country.

During the reporting period, extreme right nationalistic groupings, such as KEA, and the neo-nazi ELAM party have gained prominence, especially after the rise of Golden Dawn, and their election into parliament, which had as its central discourse anti-immigration rhetoric and policies³¹. Such groups have support from politicians in mainstream political parties as well as the Archbishop, who as previously reported has admitted in an interview that "most of ELAM's views are crystal clear and I identify with them"³².

The demographics in Cyprus have been changing in recent years due to factors that have been mentioned above. The population in the government-controlled areas of Cyprus was estimated at 862,000 at the end of 2011 when the latest census took place, recording an increase of 2.6% from the previous census. Of those, 398,000 were Cypriots, 106,000 EU citizens, 64,113 third

³¹ http://www.non-discrimination.net/content/media/2011-CY-Summary%20country%20Report%20LN_final.pdf, accessed 2 September 2012; it is also noted that ELAM's name and slogans were found in a number of posters and other graffiti during the election campaign of the Golden Dawn in Athens in May 2011. [I have some photos, can we use them?]

³² <http://www.inews.gr/116/pleistes-apopseis-tou-elam-einai-krystallines-kai-me-ekfrazoun-archiepiskopos-kyprou.htm>, accessed 2 September 2012.

country nationals and 2,626 not stated³³. In the reporting period, it was unofficially estimated that there were also some 25,000 to 35,000 undocumented migrants, whose entry could have been through trafficking or smuggling, or overstayers after their visas expired, cancelled or rejected, and so on. As it can easily be deduced from the above data, Cyprus is a multicultural country, a fact that is being deliberately denied by the majority of the mass media, politicians and society at large, preferring instead to use vulnerable communities as a source of cheap labour, employed in precarious and hazardous jobs, with limited if any rights at all and using them as scapegoats and disposable whenever necessary as in the case of the present economic crisis.

In relation to migrants in the government controlled areas, it may be said that not all of them face the same problems and exclusion, as their treatment mainly depends also on their economic and social situation. For example, if a person comes from a rich investing family from Qatar, it is highly unlikely that she/he will face any kind of discrimination, if not actually treated in a totally positive manner, at least by government and institutional level. The same applies to the thousands of Russians, some with substantial properties and investments, that have formed communities especially in Limassol and Paphos related to their economic activities on the island. In such situations, racist references may be made at times in some media, these people do not face any real problems during their stay in Cyprus and are easily facilitated with long term residency status even if they are non-citizens as long as their economic affluence is maintained. As a matter of fact, in October 2011, the government proceeded to giving rich investors and business people citizenship status almost at request, as long as they make large investments in Cyprus and comply with other such criteria³⁴.

Asylum seekers, especially Palestinians from Iraq, have been heavily under attack during the reporting period. This group of people have been presented as “very problematic” by certain politicians, who criminalize them at the moment they enter Cyprus and insist on referring to them as irregular migrants rather than refugees. They have been forced to live in asylum reception centres that, as reported by KISA, other European and international agencies and NGOs, are isolated and mostly unsuitable for decent living, and which very often do not correspond to their family situation and needs, instead of being able to choose their accommodation as other asylum seekers may do.

In addition, newer migrant communities in Cyprus that are not organized, such as the Vietnamese, Moldovans and Ukrainians, face multiple discrimination, and are in fact preferred by many employers because they most probably will not complain about working or living conditions to anybody.

³³

http://www.mof.gov.cy/mof/cystat/statistics.nsf/populationcondition_22main_en/populationcondition_22main_en?OpenForm&sub=2&sel=2, accessed 2 September 2012.

³⁴ Council of Ministers Decision dated 10.10.2011, Criteria and Conditions for Naturalisation of Foreign Investors / Entrepreneurs by Exemption on the basis of para. 2(f) of the Third Schedule of the Civil Registry Laws 2002-2011, published in the Ministry of Interior's website in three languages:<http://www.moi.gov.cy/moi/moi.nsf/All/80699B28B90D70CFC2257A7D0036613F>

In the Turkish army controlled areas in the northern side, the most obvious victims of discrimination and racism are Greek Cypriots as well as other communities such as Kurds and Alevies. Several Greek Cypriot priests, for example, have been denied the right to practise their religious beliefs in the northern part of the island clearly showing racial and religious discrimination.

6.1 Racism and related discrimination in employment

6.1.1 Manifestations of racism and related discrimination in employment

According to the 2011 Report of the Equality Authority, 67% of complaints submitted for discrimination in employment on all grounds were from Greek Cypriots, 15% from EU citizens, 14% from third country nationals and 3% from Turkish Cypriots or members of religious groups³⁵. The report highlighted that the unprecedented economic crisis in the country had led to a considerable rise of complaints submitted by EU and third country nationals. Complaints for discrimination on grounds of national origin comprised 23% of all complaints submitted, whereas complaints on grounds of race and language comprised 2% each.

Cyprus, being gripped by the global economic crisis, is expected that it will have to resort to the troika bailout programme. The country has been included in the top three countries along with Greece and Spain with the highest unemployment rates, raising from 6.9% in March 2011 to 10% in March 2012³⁶, something which was believed to be impossible two years earlier. The statistics include Cypriot citizens that reside permanently in Cyprus and abroad, foreign nationals of Cypriot origin (Cypriot mother or father), citizens of an EU member state, persons with international protection (recognized refugees and subsidiary protection) and foreign nationals married to Cypriot citizens.³⁷ These statistics however do not include migrants from third countries as they cannot remain unemployed because their residence permit always depends on their employment permit with a specific employer. If they leave their employer, they are immediately irregular and subject to deportation measures against them, which is in violation, amongst others, of the ILO Convention No 43 for migrant workers ratified by Cyprus. One example of such policies and its detrimental effects on third country nationals is the case of a migrant domestic worker, who was the victim of sexual harassment by her employer and who, when she reported the incident and complained to the authorities, deportation measures were taken against her before even examining her complaint as the Labour dispute committee considered that this was a criminal offence and could not examine it (*sic*), whereas the Police decided that it was a labour dispute and did not examine it either. In a relevant report, the Equality Authority found violations of the rights of domestic workers in general in that respect and discriminatory treatment and suggested that Equality Labour Inspectors investigate such violations and complaints and that any deportation measure should be suspended while the investigation is

³⁵ 2011 Report of the Equality Authority.

³⁶ http://epp.eurostat.ec.europa.eu/cache/ITY_PUBLIC/3-02052012-AP/EN/3-02052012-AP-EN.PDF, accessed 4 September 2012.

³⁷ *Ibid.*

taking place. It also suggested that such procedures be regulated by law and not followed as a matter of practice³⁸.

Third country nationals can only change their employer only with his/her permission and with the permission of the Migration Department, which is arbitrary and at will, but normally have only one month to find a new employer. During this period, they cannot register as unemployed and do not have access to the Labour Offices of the Ministry of Labour and Social Insurance. They are therefore forced to depend only on private employment agencies which usually exploit migrants in various ways³⁹. In view of the migration model and practices in place, the majority of the population consider this to be 'normal' but the denial to third country migrants to equal access to the labour market shows direct and systemic discrimination on behalf of the Government of Cyprus.

The view of the average Cypriot at the moment is that there are fewer jobs with every day passing and that people who are prepared to work for less, such as third country migrants and Europeans, mostly from Bulgaria and Romania, are in direct competition with citizens of the Republic. Cypriots have a strong opinion as to who comes first in the country, and the economic crisis is ideal for further fermenting racism and discrimination against migrants, as well as against Europeans mainly from the countries mentioned above. The mass media are not helping to clear the situation out since they extensively report and promote arguments of politicians with xenophobic and racist rhetoric, and no real debate on these issues exists at the moment⁴⁰.

Most third country migrants resort to employment agencies to obtain employment in Cyprus, mostly in low paid, low skilled or unskilled jobs, with domestic work being the most common job for women and agricultural labour for men. In the case of recognized refugees, the law provides for equal rights with Cypriots as regards access to employment and terms and conditions of employment, whilst those with subsidiary protection are only allowed to work in specific jobs such as in agriculture and animal farming, manufacture, construction, trade and repairs, and other low-paid, low-skilled areas, at least for the first year from the recognition of the status, after which they have equal access to the labour market as refugees⁴¹. Despite, however, the provisions of the Refugee Law providing for equal treatment of recognised refugees and persons under subsidiary protection after the first year in the labour market, most of them cannot access employment, let alone employment according to their qualifications, as many other laws restrict access to specific professions only to Cypriot or EU nationals. For example, following a complaint submitted by KISA on behalf of a recognised refugee for not being allowed to be registered as a contractor on grounds of nationality, the Equality Authority concluded that this violated the principle of non- discrimination⁴².

³⁸ AKI 67/2010

³⁹ http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmlsearch_en?OpenDocument, accessed 4 September 2012.

⁴⁰ <http://www.sigmalive.com/news/458748>, accessed 4 September 2012.

⁴¹ http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmlemploymentasylum_en?OpenDocument, accessed 4 September 2012.

⁴² AKI 33/2011.

Asylum seekers are not entitled to work in any sector in the first six months of their application; subsequently, they are allowed to work in the same areas as those under subsidiary protection⁴³. It is worth noting that in many cases, asylum seekers' documents take anything from six months to over two years to be processed and, if declined, the applicant is allowed to file an administrative recourse and then also file a case to the Supreme Court. After rejection of their application for protection, they are not allowed to work or entitled to any welfare benefit. Under the circumstances, asylum seekers are forced into taking any job they can find, which is more likely to be undeclared, grossly underpaid and with very precarious conditions. In an earlier report on the matter, the Ombudsman identified this as discrimination on the part of the state⁴⁴. In the case of foreign students, the Ministry of Labour and Social Insurance has decided that in order to be allowed to work, they should be full-time students attested to by their universities or colleges, and they can only work as petrol-station and car-wash attendants, care givers in homes for old people, workers in agriculture/farming, fishing and bakeries, fast-food delivery drivers⁴⁵. Therefore, students in Cyprus are deprived of the opportunity to work in their own university or college, as in other countries, or in jobs related to their fields of study to gain practical experience, which would also be beneficial in their later professional career. This limitation is something that not only does not seem to bother anyone but it actually sounds logical to the general public, conveniently forgetting their own experience or that of their children who, when in other countries as students, are allowed to work in any field they choose to.

The overwhelming majority of people in Cyprus believe that Cypriots are dismissed from their jobs or cannot find a job because third country migrants and European nationals take their jobs and/or are obtaining benefits and other support from the government, which is far from the truth and in direct contrast with the immigration and other policies and practices of the Government, which in practice effectively exclude migrants from Social Insurance related benefits, such as unemployment benefit and pensions, and welfare benefits. This view has been cultivated among the public by extreme right and neo-nazi parties such as ELAM and other elements that have developed a line of rhetoric connecting migrants and the alleged high benefits that asylum seekers receive directly with unemployment and hence the economic crisis⁴⁶, promoting in this way a clear racist speech and direct or indirect violence against migrants⁴⁷. This narrative is reinforced by the adoption of its fundamental points by the mainstream media and most mainstream political parties, especially during electoral campaigns. The Orthodox Church of Cyprus has also adopted a very similar line in some instances, scandalously aligning itself with extreme right wing organizations and using explicitly racist and anti-communist rhetoric. Thus, the public are led to believe that they are victims of discrimination in employment, and although they speculate that it is

⁴³ *Ibid.*

⁴⁴ Equality Body, Ombudsman, Report regarding the Limitations to the Right to Work of Asylum Seekers (original in Greek: Έκθεση της Αρχής Ισότητας αναφορικά με τους Περιορισμούς στο Δικαίωμα Απασχόλησης των Αιτούντων Άσυλο). Nicosia. 21 Dec. 2007.

⁴⁵ http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmlemployment_en/dmlemployment_en?OpenDocument, accessed 4 September 2012.

⁴⁶ http://www.gnomionline.com.cy/files/8313/3718/2820/74_GNOMI_27.05-2-06.2011.pdf, accessed 4 September 2012.

⁴⁷ Trimikliniotis N., Demetriou C., Labour Integration of Migrant Workers in Cyprus: A Critical Appraisal, Chapter in Mojca Pajnik and Giovanna Campani (2011), Precarious Migrant Labour Across Europe, MIROVNI INŠTITUT, Ljubljana 2011, pp. 73-96

most probably because employers prefer cheaper labour from third country migrants and Europeans, their proposed solution is to get rid of those who are exploited instead of demanding accountability from those employers who engage in discriminatory exploitation. For example, in the hotel industry, the Equality Authority concluded that EU nationals were discriminated against as their terms and conditions of employment as well as their salaries, on the basis of individual employment agreements, were worse than those applied to Cypriot workers, on the basis of collective agreements. As a consequence of this practice and tolerance of double standards in employment, collective agreements may be severely undermined and social cohesion and solidarity disturbed⁴⁸. In view of this onslaught, the government issued a number of press releases stating the falseness of this fear and anger⁴⁹ but, due to the heated political climate in Cyprus during the reporting period, these did not seem to have had any serious impact or change the general perception⁵⁰. Trade unions in general are in favour of further restrictions to the access to the labour market by third country migrants and they support measures that would indirectly discriminate also against European citizens, as for example providing for language requirements in the tourist industry so as to exclude the majority of EU citizens from working in that industry. On the other hand, employers' associations want flexibility in the labour market, so that migrants can fill the jobs that Cypriots are not willing to do. However encouraging this may sound, the real intentions of the employer side are revealed on the ground as they discriminate against both European citizens and third country migrants as they do not apply equal pay and equal benefits rules, and with most employers violating the relevant collective agreements and paying much lower rates and other benefits⁵¹.

NGOs such as KISA reported that, during the period under review, the economic crisis and the rise in unemployment as well as the rise of xenophobic and racist narrative did not leave any room for access to the labour market to asylum seekers and refugees. Despite their limited access to certain employment areas such as agriculture and farming, asylum seekers were either routinely not referred to employment positions by the Labour Offices or rejected by employers solely on grounds of their asylum status. At the same time, refugees and persons with subsidiary protection status faced the same difficulties, since employers preferred outright to employ Cypriots if they were to provide the same salaries and terms and conditions of employment, but the Labour Offices did not take any measures against employers for discrimination.

One major issue that seems to be still underestimated is the labour trafficking situation in Cyprus, as documented in many reports and studies of national, European and international agencies and organisations⁵². It is noted that in

⁴⁸ AKI 1/2011

⁴⁹ <http://www.sigmalive.com/news/local/275151>, accessed 4 September 2012.

⁵⁰ <http://www.sigmalive.com/simerini/news/local/459155>, accessed 4 September 2012.

⁵¹ <http://www.peo.org.cy/gr/index.php/boithitikagrafia/grafiometanaston/213-apofasi>, accessed 4 September 2012.

⁵² GRETA, Council of Europe, Report concerning the implementation of the Council of Europe Convention on Action against

Trafficking in Human Beings by Cyprus, Strasbourg, 12 September 2011; US Department of State - Trafficking in persons report 2011,

http://cyprus.usembassy.gov/tip_2012_cyprus_en_jun12.html, accessed 6 September 2012; Trafficking for Labour in Cyprus, a report in the frame of the EU-funded project: "Combating trafficking in human beings - going beyond", coordinated by CCME and authored by C.

the last few years there has been some progress in terms of the authorities recognising that trafficking does not only occur for sexual exploitation but also for labour exploitation, as well as for other reasons as per the amended legislation of 2007⁵³. The authorities have actually taken some steps in the right direction for combating the phenomenon, as for example the setup of the Office of Combating Trafficking in Human Beings of the Police in April 2011. However, there are still major obstacles in addressing the issue effectively, as a result of which a very large number of migrants subjected to labour trafficking remain unprotected and without the necessary support, in contrast to people, mostly women, subjected to sexual exploitation, who in the last few years enjoy at least limited protection. Although the legal framework on trafficking is quite comprehensive, the approach of the authorities is such that leaves migrants vulnerable to trafficking, mostly in domestic work, agriculture and animal farming, where the terms and conditions of employment, seasonal work and labour practices applicable to third country migrants, including their contracts, issued by the competent government services, and the collective agreement in force in the farming sector, increase their vulnerability. NGOs are particularly concerned that children of asylum seekers and migrants are very vulnerable to prostitution. This concern is compounded in the case of children of irregular migrants, whose vulnerability increases because they are criminalized for lack of legal status⁵⁴. For the second consecutive year, according to the 2011 US Department of State Report Cyprus is on the Tier 2 Watch list for trafficking situations, since the government was not able to show improvement in these issues. A point worth noting is the wide variety of origin countries of victims, and that in two cases that the state could act decisively against this phenomenon, according to KISA, the traffickers were treated leniently. The fact that existing provisions and mechanisms to effectively prosecute traffickers are not properly implemented resulting in impunity is a big obstacle to eliminate the phenomenon.⁵⁵ In relation to labour trafficking, the authorities often refuse to recognize victims of trafficking and relegate the cases as just 'labour disputes' or 'violation of labour rights'⁵⁶.

The Ministry of Labour and Social Insurance, which is the authority competent for the protection of the rights of all workers are employed in Cyprus, displays in its website the policy which ensures that Cypriots, EU and Non EU citizens know their rights. The Ministry is also responsible for examining and resolving labour complaints for all the above. The complains received from third country migrants are resolved through a mechanism whereby District Labour Relations offices receive complaints which have to be examined and resolved within three weeks.

Despite the fact that this system theoretically seems to be efficient and localized enough to address the issues more effectively, there are many deficiencies that result in serious violations of migrants' rights. A most critical factor of such deficiency is that this system does not allow third country

Christodoulou, A. Diamantopoulou, V. Dourida, A. Michalakieli, M. Papantoniou-Frangouli, Athens, Feb. 2011; Global Report on Trafficking in Persons, UNODOC, UN.GIFT, Feb. 2009;.

⁵³ Combating of Trafficking and Exploitation of Persons and the Protection of Victims Law of 2007

⁵⁴ <http://www.amnesty.org/en/news/irregular-migrants-treated-criminals-cyprus-2012-06-18>, accessed 4 September 2012.

⁵⁵ http://cyprus.usembassy.gov/tip_2012_cyprus_en_jun12.html, accessed 4 September 2012.

⁵⁶ Hami Natalie, "More needs to be done to combat trafficking", Cyprus Mail, 14 September 2011 .

migrants who work in Cyprus to change sector of employment, employer or occupation. Thus, it protects and reproduces the already stringent migration system in place in Cyprus. In addition, the system seriously lacks transparency since it is not regulated by law or decree, there are no procedural guarantees or a checks and balances mechanism that migrants can resort to and, lastly, the staff involved are not trained or sensitised to identify potential situations of trafficking, which results in their treating almost all complaints and reports by migrants and NGOs routinely as labour disputes.

The minimum wage in Cyprus, which applies to eight occupations⁵⁷ whose holders are deemed to be particularly vulnerable, was in the year under review set at €855, increasing to €909 after continued service of 6 months with the same employer⁵⁸. However, despite the obvious vulnerability of migrants, the minimum wage does not apply to the great majority of jobs that migrants do⁵⁹. Jobs such as domestic work and farm labour are not covered by the minimum wage decree. In such sectors, many employers act arbitrarily and discriminatorily. NGOs report many cases, where employers register, for example, a migrant woman as domestic worker so that the minimum wage would not apply and instead make the person work in an old people's home or in a shop. In line with the general institutional discriminatory practices against migrants, their wage levels are also highly discriminatory. So, the wage for domestic workers and farm labourers, where the majority of migrants are employed, according to the contract issued by the government as well as the collective agreement in the farming industry, respectively, is 325 Euros. In the latter case, the collective agreement was negotiated between trade unions and employers, in the complete absence of migrants and/or NGOs working in the field. This salary is well below the minimum wage, which purports to ensure a dignified standard of living. In addition, neither the contract nor the collective agreement provide for any salary increases or any protective measures that would take into account the precarious situation in which all these people are forced to work, leaving thus employers in a position of absolute power to act arbitrarily against migrants. In addition, and irrespective of the fact that migrants are disbarred from it, it is noted that this salary is also below the welfare benefit level set by the state also aiming to secure a minimum dignified standard of living.

Social protection matters are under the competence of the Social Insurance Department of the Ministry of Labour and Social Insurance⁶⁰. Employers and employees must contribute in order for the department to be able to offer social protection to all employees. However, social protection benefits, notably unemployment benefit and pension, are denied to migrants who are, in effect, net contributors to the Social Insurance Fund. In relation to pensions, the law provides that a pension may be transferred to another country only if there is

⁵⁷ The seven occupations the minimum wage applies to are: clerks, shop assistants, nurse assistants, nursery assistants, school assistants, security guards and employees with sanitation and caring duties in clinics, private hospitals and homes for the elderly.

⁵⁸ <http://www.cypsexpat.co.uk/article/id:136/employment-in-cyprus--remuneration>, accessed 6 September 2012.

⁵⁹ Ministry of Labour, Employment Guide, available at: [http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/All/3FA318672CAB10D5C22575D8003D278E/\\$file/Employment%20Guide.pdf?OpenElement](http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/All/3FA318672CAB10D5C22575D8003D278E/$file/Employment%20Guide.pdf?OpenElement), accessed 15 March 2012

⁶⁰ Ministry of Labour, Employment Guide, available at: [http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/All/3FA318672CAB10D5C22575D8003D278E/\\$file/Employment%20Guide.pdf?OpenElement](http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/All/3FA318672CAB10D5C22575D8003D278E/$file/Employment%20Guide.pdf?OpenElement), accessed 10 March 2012

a bilateral agreement signed between Cyprus and the country concerned. It is interesting to note that so far Cyprus concluded such bilateral agreements only with countries to which Cypriots emigrated years ago such as Australia⁶¹.

In the northern part of Cyprus, during the period under review, the rules and policies with regards to employment remained basically unchanged and labour trafficking continued to be a persisting problem. Asylum seekers and refugees are exempted from the requirement of having to have a work permit that third country migrants are obliged to have prior to their arrival in the northern part of Cyprus. However, this practice is not based on any legislation and is implemented as a policy.

In 2011, the number of undocumented migrant workers was estimated to be 27,000⁶². At the end of 2011, the authorities introduced a decree for granting amnesty to 'illegal' migrants. The decree in effect legalised those that could pay the necessary fees for a temporary period but failed to provide a long term solution.

6.2 Racism and related discrimination in education

6.2.1 Manifestations of racism and related discrimination in education

As reported in previous ENAR Shadow reports, in law access to public education is free of charge for every person, irrespective of nationality, religion or legal status. Everybody can and actually is obliged to attend primary and secondary education up to the age of 15, free of charge, irrespective of their financial situation, racial or ethnic origin, colour or religion or belief.

What is problematic, however, is that in practice, access to education of migrant children and particularly undocumented migrant children may be hindered by immigration controls and policies and the lack of effective integration measures. It is worth mentioning that the 2004 circular of the Ministry of Education, requesting school authorities to report to the immigration authorities all students whose parents were living irregularly in Cyprus reported in previous Shadow Reports, was only recalled in February 2012, after a decision of the Council of Ministers and after a second report issued by the Authority Against Discrimination⁶³. Taking into account the reluctance of the school authorities not to refrain from reporting such students between the first and second report, one may have doubts as to whether the withdrawal of the circular will be having any significant effect as the "duty" to report is already embedded in school authorities. Migrant children are excluded from the integration process, a fact that led MIPEX⁶⁴ into classifying access to education by migrants in Cyprus as unsatisfactory, despite some

⁶¹ http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmlbilateral_en/dmlbilateral_en?OpenDocument

⁶² <http://www.kibrissondakika.com/kktc/kktcode-kacak-isciler-600-tl-ile-aftan-yararlanacak.htm>, accessed 31 December 2012

⁶³ AKP AYT 2/2009, AKP 66/2010

⁶⁴ MIPEX: Migrant Integration Policy Index (I, II and III) published in 2004, 2007 and 2011, respectively. A EC-funded project, led by Migration Policy Group and the British Council. KISA was a partner in MIPEX III. <http://www.mipex.eu/>

positive changes towards the integration of migrants into public schools. Inefficient integration in education more often than not results in the exclusion of such children or to bullying or to early drop outs.

The content of education and of the school curriculum in Cyprus has been one of the most important issues around education in the last few years in light of the educational reform, which started in 2003 and was intensified during the last couple of years. Progressive scholars have highlighted the importance that should be given to anti-discrimination, whilst more right wing quarters and the Church have been endorsing the idea of strengthening the Hellenic character of education. The content of education is predominantly Greek Orthodox and Hellenocentric. For historical reasons and because of the rigorous bi-communal system of governance provided in the Cyprus Constitution, education has always been a matter under the separate jurisdiction of each community, namely the Greek Cypriot Community and the Turkish Cypriot community. Historically, the Greek Orthodox Church of Cyprus has claimed an unduly high share of influence over education and has, therefore, always played and continues to play today an important role in educational matters.

The educational reform reported in previous Shadow Reports continued to be implemented in public schools but up to date no objective evaluation, at least made known to the public, has taken place so as to be able to have measurable results and assess the realisation of its goals and objectives. Despite the reform and its much publicised 'modernisation' goals, the still dominant Hellenic-Greek Orthodox-centric character of public education seemed to remain intact during the reporting period. This is also evident from the report of the Authority Against Discrimination in relation to the practice of public schools to invite priests in schools in order for the students to do their confession during school hours⁶⁵. The Authority concluded that this practice could not be considered in line with freedom of religion and the principle of the neutrality of the state towards any religion, whereas it could lead to conditions of discrimination and violation of the right of each person to freedom of religion.

According to the ECRI Fourth Report, there is a disproportionately high concentration of Turkish Cypriot and Roma pupils in particular schools, while some Roma children are denied access to education. The Roma children living at the Polemidia housing settlement outside Limassol, established by the authorities, cannot access school as the nearest school village is too far to go by foot and there is no access by public transport. The failure to meet the educational needs of these children constitutes an effective denial of their right to education. The Authority Against Discrimination corroborated these findings with a report⁶⁶ on the education of Roma children in Cyprus, which found that the school system did not take into account the particular cultural and language needs of the Roma children. More specifically, the report concluded that by offering lessons of the Turkish language and additional Greek language courses, the system did not acknowledge the fact that the

⁶⁵ AKP 42/2010

⁶⁶ AKP 18/2008

Roma children in Cyprus have their own language⁶⁷. Moreover, the special cultural characteristics of the Roma children could not be identified and promoted in the educational programmes offered which, in addition to the other gaps in the education of the Roma children, resulted in a high percentage of drop outs.

There is no specific school where Muslim children can attend, and normally because in the government-controlled areas the population is predominantly Greek Orthodox, the government pays private school fees of any Turkish Cypriot child who wants to attend school in the southern part of the country. The only “mixed” public school is the Ayios Antonis school, which is situated in an economically underdeveloped part of Limassol⁶⁸. The situation of this school today is appalling and does not even come up to standards of a mainstream school let alone a mixed school⁶⁹. The school fails to meet the educational needs of the children concerned as a result of which the pupils are effectively being denied the right to education on grounds of their race and national origin as the school is now almost exclusively for Turkish Cypriot, Roma and a small number of migrant children, whereas G/C children progressively leave there to attend other schools.

A programme of Education Priority Zones (EZPs), directed at areas with people with lower socio-economic position, was launched in 2003 on a pilot basis and by 2006 it was established as part of official policy, while in 2011 it was expanded to cover some 10% of the whole pupil population⁷⁰. The EZPs programme is considered as one to provide psychological services and extra care to pupils for improving their school success and reducing early school leaving. Interestingly enough, these areas have a high concentration of migrant and Roma children (although officially there is a denial of segregation as to who lives where). According to the Ministry of Education and Culture, the introduction of support for foreign-speaking students is considered as having a positive effect since it reduces the number of pupils dropping out of school and improving their results.

In the northern part of Cyprus, it has been reported that migrant children have barriers in accessing education. Although the right to education is safeguarded in the 'constitution' for everyone, current practices may not allow the registration of children of undocumented migrant parents in secondary and higher education, because they do not possess a work permit upon which the Chief Alderman (mukhtar) can issue a certificate for residence that is required by schools in order to register students at school. Although the 'constitution' safeguards the right to free education, students are required to pay a 'contribution' fee at registration as well as for their books, which may add up to considerable amount. As migrants are usually very poor, they are not always able to afford these costs. Larger families also may not be able to pay these costs for all their children and may prefer their sons to be educated,

⁶⁷ “The Cyprus Roma, who are known in the Turkish Cypriot community as “Kurbet/ Gurbet” have their own unwritten language “Kurbetcha”, quoted in “Minority rights: Solutions to the Cyprus conflict”, op. cit., p. 19

⁶⁸ In 2006 this school was a prize winner in the Commonwealth Education Good Practice Award for actions that enhanced access to quality education for the good of all.

⁶⁹ See Fourth ECRI report on Cyprus

⁷⁰ http://www.moec.gov.cy/minoffice/2012/pdf/2012_05_28_synedrio_zep.pdf

therefore leading to further gender discrimination. During the preparation of this report no policies were introduced to overcome these disparities.

Primary and secondary schooling is provided to the Greek Cypriot Community in the Karpaz area in the northern part of Cyprus. The appointment of teachers and payment of their salaries, provision of books, school equipment and the curriculum are all decided and carried out by the Ministry of Education of the Republic of Cyprus. There is no schooling provided to the Maronite community residing in Kormacit village, despite the repeated requests of the community.

Compulsory religion and morality classes that include the Hanefi-Sunni teachings remained a controversial issue during this reporting period as well, especially amongst Alawi people, whose right to freedom of religion and conscience is clearly contradicted by these teachings. As mentioned in the previous reports, history books that were changed in 2009 by the ruling party UBP⁷¹ to a more nationalistic, militaristic, ethnocentric and dogmatic fashion remained unchanged.

⁷¹ Ulusal Birlik Partisi (National Unity Party)

6.3 Racism and related discrimination in housing

6.3.1 Manifestations of racism and related discrimination in housing

Housing is an issue which still remains highly discriminatory for the majority of non-Cypriots and especially third country nationals. Most migrants still live in housing conditions that are often not up to basic health and safety standards, paying highly exploitative rents. According to unofficial data from the experience of NGOs, migrants are likely to pay from 20% to 30% or even higher rents.

There is no official policy which confines migrants to certain areas of stay; however de facto, migrants tend to concentrate in run-down urban areas, where owners cannot rent their dilapidated houses or other accommodation dwellings to Cypriots and therefore it is much easier for migrants to find rented accommodation in those areas.

Another result of the temporary migration model of Cyprus is the exploitative mechanism in place in terms of the housing needs of migrants, who are also considered temporary and it is, therefore, assumed that there is no need for either developing a housing policy for migrants or to include them in existing public housing policies. Nevertheless, this lack of housing policy affects migrants who for whatever reasons manage to stay much longer than the fixed term of four years or are on a long term basis in the country as well as asylum seekers and recognised refugees. It has been embedded in the public's opinion that migrants are not worth a decent and dignified standard of living as they are only temporary in the country.

In relation to asylum seekers, there are at the moment three reception centres which cover about 50-70 people each. One of the reception centres is located at Kofinou (which is the only one state-owned Reception Centre and started operating in December 2003), which is in a rural area away from housing areas and with a bus line running every day. However, most of the people accommodated there have no money to travel towards the cities since they are only entitled to a small amount of pocket money and they do not have access to the labour market either. The others are located in former low-standard hotel buildings and retaining the original hotel names, which were turned into reception centres. One is called Onisillos RC (started operating on 1/3/2011) and is situated in Larnaca near the city centre, and the other is Agapinor RC (started operating on 11/4/2011), which is situated in the city of Paphos. The rooms in these reception centres seem quite inadequate and small for families.

Contrary to popular belief that Cyprus has no homeless people, the experience of NGOs suggests that there are in fact people who have nowhere to stay. It is far more likely for a migrant or an asylum seeker to be homeless than a Cypriot national. The reason why nobody can see people sleeping in the streets or parks or other such public spaces is because there is a tradition of solidarity amongst members of migrant communities to accommodate

people from their own communities. More often than not, however, migrants cannot host their fellow nationals for long periods of time, so homeless people are likely to switch residencies until they find something more permanent. Since nobody can see people in the streets, it is assumed by most that Cyprus has no problem with homelessness.

Despite the fact that once a political refugee is recognized in Cyprus is supposed to enjoy the same rights as a Cypriot citizen, public housing schemes and plans continue to exclude them. The government schemes however do apply to EU nationals, provided they have lived in Cyprus for at least 5 years, which again is indirectly discriminatory and against EU law prohibiting discrimination on grounds of nationality.

The Roma live in invisibility and total segregation. Greek Cypriots believe that, because they are considered to belong to the Turkish Cypriot community, the Roma are under the responsibility of the authorities in the northern part of the country, hoping that they will eventually go back to the northern part of Cyprus. In the southern part of the island, Roma live in dilapidated and derelict slums, whereas many Roma families live in a special settlement in Polemidia near Limassol, in a de facto segregated situation from the majority population. In its last report on Cyprus, ECRI⁷² suggested that consultations with the Roma community living at this settlement should be undertaken by the Government with a view to closing it down and moving the inhabitants to standard housing, but nothing has been done to that effect.

Since the last reporting period there have been no developments in the northern part of Cyprus in terms of the living conditions of migrants and other groups vulnerable to discrimination, and the administration did not develop a housing policy during the reporting period. Migrant workers and Roma continued to reside in inadequate and inappropriate housing conditions. In relation to asylum seekers, no reception centres were available since the administration has neither developed an asylum policy nor any legislation has passed to that effect. During the reporting period, asylum seekers and those recognised as refugees by UNHCR in the northern part received financial help from UNHCR through the Refugee Rights Association for their housing needs, provided they did not have adequate finances.

⁷² COE, ECRI REPORT ON CYPRUS, op. cit., p. 8

6.4 Racism and related discrimination in health

6.4.1 Manifestations of racism and related discrimination in health

Cyprus has been in the process of introducing a new “National Health Insurance System” for the last ten years, albeit unsuccessfully to date. In terms of discrimination, the law regulating the future National Health Insurance System includes, among others, an anti-discrimination provision which prohibits unfavourable treatment (direct or indirect) on the basis of gender, religion, ethnic or racial origin, colour of skin, philosophical and political affiliations. However, the basic right of access to health care regardless of legal status is not mentioned at all in the law⁷³.

At the time of reporting, access to the healthcare and coverage is not the responsibility of one single central authority. There are different types of health coverage which include public healthcare provision in public facilities, either free of charge or co-paid, health coverage funded by employers and trade unions, mainly in private facilities, and private health insurance schemes, which apply mostly to migrants and Cypriots who may not be entitled to public health care schemes.

The public health care scheme has two types of cards. Depending on income level, ‘medical card A’ gives access to healthcare free of charge and ‘medical card B’ is a co-paid scheme by the patient and the state. Migrants in general, however, do not have access to any of the above mentioned public health schemes solely on grounds of their nationality. The only categories entitled to free of charge public health care are asylum seekers and victims of trafficking, whereas refugees and persons under subsidiary protection are entitled to the same access as Cypriots, depending on their income.

Undocumented migrants are not only discriminated against but they are in effect barred from public hospitals even when faced with serious health conditions, due to fear of arrest. However, at least in theory, some health services, such as emergency care, prevention and treatment of tuberculosis, sexually transmitted diseases and HIV, tests and treatment of thalassemia, blood tests linked to blood donations, immunization for preventive purposes, are provided free of charge to all residents irrespective of their legal status. In reality however, many of the above are denied to migrants, with or without documents, asylum seekers and other vulnerable groups, according to their status and sector of employment. A positive development during the period under review was the adoption of a circular by the Minister of Health, after the intervention of the Commissioner for the Protection of the Rights of the Child, according to which all children, irrespective of legal status, as well as pregnant women were entitled to access to free healthcare. The circular provided for the procedure to be followed from public hospitals in such cases. Despite the circular however, NGO experience reports that undocumented migrant children and pregnant women continue to face considerable obstacles

⁷³ O peri genikou systimatos ygeias Nomos tou 2001 (Law No 89(I)/2001)

to access public healthcare as very often they are faced with reluctance and/or unwillingness of hospital personnel to actually implement the circular.

Migrant workers employed in the building or hotel industry, and therefore organized in trade unions, are usually entitled to healthcare provided under trade unions medical insurance schemes. Migrants who are employed in other sectors as well as third country students are obliged to take out private insurance schemes. Migrants who are not covered by any trade union schemes are obliged to have private insurance, which they pay 50-50 with their employer to cover their health care costs. Domestic workers for example, who from the majority (about 64% of all third country migrants in Cyprus, the overwhelming majority of whom are women), need to pay a very high percentage of their salary (amounting to as much as one month's salary) for their health care, which does not usually include gynaecological examinations, ante and post natal care; thus, their access to healthcare is severely restricted.

An additional problem encountered by migrants in Cyprus, especially migrant domestic workers, is that of total lack of information about available health care facilities and their almost complete dependence on the employer in relation to the healthcare process. In the majority of cases, employers tend to act as 'go-betweens' or 'gatekeepers' in the healthcare process⁷⁴.

It is also noted that any migrants who wish to enter Cyprus whether to work or study are subjected to compulsory health tests before entering the country. Should they have an incurable disease, such as HIV or Hepatitis B or C, they are not allowed to enter the country under any circumstances. For migrant workers, these tests need to be renewed when they apply for a renewal of their residence and work permit and the fee must be paid by the employer. However, it is usually the case that the employer transfers the bill to the worker and deducts this from their salary. If the tests reveal any health problem, the authorities deport the migrant immediately without any access to health care in Cyprus.

For asylum seekers, the legislation states that they are allowed "free medical care in all public medical institutions, if they do not have sufficient resources" and which "includes, as a minimum, emergency care and necessary treatment". Asylum seekers in reception centres and some asylum seekers from especially vulnerable groups, such as unaccompanied children who are placed under the care of the Welfare Services, are automatically presumed not to have any resources and are therefore entitled to free medical care. Other asylum seekers need to follow the same procedures as Cypriots and have to prove that they do not have sufficient resources, including property in their country of origin, so as to be eligible for free healthcare.

The signs and other postings in public hospitals are written in English, as well as in Greek, which is more inclusive of people that have no knowledge of the

⁷⁴ Christina Kouta and Charis Kaita, ch. 9 "Health Issues among female migrant domestic workers", in David Ingleby et al (eds), *Health Inequalities and Risk Factors Among Ethnic Minorities*, COST Series on Health and Diversity, Vol. 1, Antwerp – Apeldoorn, Garant Publishers, 2012

Greek language, but there are no signs in Turkish, despite this being one of the two official languages in Cyprus.

In the non-government controlled areas, the only development in healthcare from the previous report was that the 'Ministry of Interior' adopted a policy which allowed asylum seekers and refugees to have access to healthcare on the same grounds as nationals. During the reporting period, the Refugee Rights Association has reported an incident of repeated racist attitude by medical personnel in the Public Hospital in Nicosia towards a pregnant asylum seeker, as a result of which the asylum seeking woman had complications at the birth of her child.

6.5 Racism and related discrimination in access to goods and services

6.5.1 Manifestations of racism and related discrimination with access to goods and services in the public and private sector

According to NGO experience, it remains typical that migrants are either not informed of their rights or are invariably given contradictory information by different public sector services. Most complaints in this respect concern the Civil Registry and Migration Department, the Social Welfare Services, the Labour Offices and the Social Insurance Services. In addition, all of these services are often reported for discriminatory behaviour towards migrants and especially third country nationals.

The Authority against Discrimination published many reports in relation to the discriminatory treatment by the Migration Department in many cases against both EU nationals and third country nationals in relation to services provided, such as issuance of residence permits for EU citizens and family members, failure to reply to various requests, the invariable refusal to answer the phone, etc.

In a press release on 13 May 2010⁷⁵ KISA reported that in two different cases officers of the Social Welfare Services, whose role is supposed to support and protect vulnerable groups, reported migrants to immigration authorities that duly proceeded to the arrest and detention of the said migrants for the purpose of deportation. The first case concerned the case of a domestic worker, who was pressurized to authorize the Social Welfare Services to give her baby for adoption, but when she decided to take her baby back she was threatened with deportation and arrested at the District Welfare Office in Limassol⁷⁶. The second case concerned a female asylum seeker, who was HIV positive. The woman was arrested at the District Welfare Office of Nicosia, where she had an appointment with her welfare officer. KISA reports

⁷⁵ KISA press release, 29 April 10

⁷⁶ Ipiresies Kinonikis Evimerias se Rolo Katastolea". KISA. 13 June 2010. www.kisa.org.cy/EN/news/638.html

Katherine Toumbourou, Welfare: You'll Get Your Baby Back If You Agree to Leave Cyprus. Cyprus Mail. 14 June 10; Stefanos Evripidou, Probe Ordered into Welfare Staff's Behaviour. Cyprus Mail. 15 June 2010

that the welfare officer, instead of carrying out the duties specified by law and professional code of ethics, called in the immigration police, who promptly arrested the woman and only verbally informed her, in breach of relevant legislation, that "she is illegal because her asylum application was rejected."

KISA's press release refers also to a third case, which concerns a female victim of trafficking for sexual exploitation, who is also a mother of two young children. The woman had been recognized as a victim of trafficking by the police and was a witness in a court case of trafficking in persons that lasted almost three years, without being accorded a residence permit. However, after the trial she was not informed by the authorities about her right to claim compensation from her traffickers, who were not convicted by court, nor was she aided to reintegrate into society, as provided for by the relevant legislation. Instead, the Social Welfare Services stopped the public assistance she had been receiving and asked the immigration authorities to route her repatriation simply because they stated that "she must leave Cyprus." The victim remained without any assistance, despite the fact that she had applied to the Family Court for ensuring legal aid for the recognition of the paternity of her child, whose father is a Cypriot citizen.

Moreover the Authority against Discrimination in a report⁷⁷ condemned the sexual harassment of a migrant woman by a taxi driver and found that this was discrimination in relation to access to goods and services.

In the non-government controlled areas, no data is being kept on access to goods and services in the public and private sector. The main barrier to accessing their rights in this area continued to be language for various migrant communities as well as for Greek Cypriots and Maronites living in the northern part of Cyprus. Amongst other migrant communities, the Kurdish Community is especially discriminated by the authorities in the northern part. This is mainly rooted in the 'Kurdish Issue' that has been persisting in Turkey. It has been reported that in March 2011, the Famagusta 'District Office' refused the application of a Turkish Cypriot family to name their new born baby "Jeyan" based on the name being Kurdish⁷⁸. During the same month, a Kurdish family residing in Risokarpazo could not obtain a birth certificate for their son named "Roşat" for the same reason⁷⁹.

6.6 Racism and related discrimination in political participation

Political participation of migrants and other vulnerable groups in Cyprus is almost non-existent. The 1960 Constitution of the Republic of Cyprus provides for the political participation of only the two dominant communities and some special political rights to the recognised religious groups.

⁷⁷A.K.I 58/2011

⁷⁸ "Kaymakamlık İsmi Beğenmedi", Havadis, 22 Mart 2011.

⁷⁹ Sonay, Meltem, "Roşat'a İsim Yasağı!", Yenidüzen, 26 Mart 2011

Third country nationals are not allowed to vote in any type of elections, whereas in accordance with EU law EU citizens are only entitled to vote in municipal and other local elections and for European Parliament elections. There is no access to electoral rights for any third country national, at any level or type of elections. Naturalisation of third country nationals, which could pave the way towards access to electoral rights, is purely discretionary and restrictive⁸⁰.

Cyprus signed the Council of Europe Convention on the Participation of Foreigners in Public Life at Local Level but never proceeded with its ratification. The political intention of the current Government to promote legislation to allow long term residents and those with permanent immigration permits to vote at local elections, in order to proceed with the ratification of the Convention, met with resistance from the House of Representatives and was eventually rejected. It is interesting to note that, according to the data provided by the Ministry of Interior during the discussion of the relevant Bill at the House of Representatives, the Bill would grant the right to vote only in local elections to two categories of third country nationals: The long term residents⁸¹ and persons with permanent immigration permits⁸², who numbered a total of 2644 persons at the time, therefore the law would only grant the right to vote in local elections only to a very limited number of persons. The Bill was rejected by all parliamentary parties apart from the governing AKEL party and the Greens, who have one representative, on grounds of not sufficient information brought forward by the Government as to the numbers who would acquire the right to vote and who, according to some representatives, would come up to “eight thousand” and possibly more. In addition, the discussion evolved around the “dangers” of opening the window for the acquisition of the right to vote to refugees, asylum seekers and irregular migrants as well as to the “millions” of asylum seekers and irregular immigrants who received Government welfare benefits (*sic*). The Greens were willing to vote the Bill if acquisition of the right to vote would be limited only to the long term residents, as they only numbered 161 persons. All parties considered that the Bill could not be voted in as they needed more information and it could not pass just before the Local Elections which were due very soon after, even if the electoral register was already closed for new registrations and the law, if passed, would only be applicable as from the next local elections. The only party who voted for the Bill was the party in Government AKEL (left wing). As a result the Bill was rejected⁸³.

Since 1974, Greek Cypriots are not allowed to participate in elections in the northern part as they are not citizens of the 'TRNC'. Instead, the Greek Cypriot minority residing in the northern part can participate in the elections in the Republic of Cyprus. Furthermore, Greek Cypriots living in the northern area, cannot elect their own representatives⁸⁴.

⁸⁰ Trimikliniotis, N., Country Report: Cyprus, EUDO Citizenship Observatory

⁸¹ According to the statistics given by the Government the status was given to 161 TCNs

⁸² According to statistics of the Government persons with permanent immigration permits at the time counted to 2483 persons in total, amongst which, EU nationals in their majority pensioners with secured income as well as persons who may have acquired already the nationality or have in the meantime died.

⁸³ Minutes of the House of Representative of 13 October 2011, No 5, available at www.parliament.cy/.../praktiko2011-10-13.doc

⁸⁴ Dayioğlu, Ali, *Minority Rights in Northern Cyprus*, Turkish Cypriot Human Rights Foundation Publications No:1, April 2012, Page: Page 47

Similarly, Maronites are not allowed to participate in elections in the northern part. Until 2005, Kormacit village, where still Maronites reside, had 2 village elders appointed by the respective authorities from the two sides of the divide. As from 2005, the Turkish Cypriot authorities no longer appoint an elderman and decided to carry elections. Moreover, it has to be noted that the Maronite minority has been excluded from inter-communal negotiations that have been going on since 1968⁸⁵. It is noted that this is the case also with the Armenian, Latin and Maronite minorities, as well as the Roma, who as a distinct ethnic group are totally excluded, in the southern part of the country.

In the northern part of Cyprus, political activism is often discouraged and sometimes criminalised. It is important to note that according to the law only citizens can protest, which denies the right of Greek Cypriots and Maronites as well as migrants to do so. It is also important to note that for the Kurds, especially due to the momentum gained by the Kurdish political movement after 1984 in Turkey, any left wing or progressive political activism by Kurdish people in the northern part of Cyprus has been regarded as terrorist activity. A positive development in 2012 was that after years of stalling the administration authorised a Kurdish Cultural NGO to be set up.

6.7 Racism and related discrimination in media

6.7.1 Manifestations of racism and related discrimination in the media, including the internet

The media's role and responsibility for the rising levels of xenophobia and racism in Cyprus is paramount. Almost in their entirety, both electronic and paper media are controlled by a handful of people that seem to have or adopt specific political agendas, in many cases utterly nationalistic and outright racist and xenophobic. There seems to be at least a tacit agreement if not outright collusion by the mainstream media and most political parties from centre to right that the political discourse as it is articulated by the neo-nazi and neo-fascist group ELAM as well as other far right nationalistic groups, is not only acceptable but also desirable and therefore promoted as the mainstream narrative. While on the one hand they sometimes portray ELAM and other such groupings as 'dangerous groups of thugs' or 'misinformed but understandably frustrated citizens', on the other hand, in the name of freedom of expression, they always provide them with a platform for airing their "voice" through their publications and programmes. The issue of irregular migrants is gaining much attention as the economic crisis deepens, and there is a group of politicians who are scandalously and regularly given time to present their xenophobic and racist views, without at least providing the opportunity to the opposite discourse, supported by human rights organizations, activists and some journalists and academics, to be heard.

⁸⁵ Dayioğlu, Ali, *Minority Rights in Northern Cyprus*, Turkish Cypriot Human Rights Foundation Publications No:1, April 2012, Page: Page 123-124

As already mentioned, in their majority the media do not provide an objective picture in relation to migration and asylum and they tend to focus on irregular migration, whereas they also fail to give prominence to any reports, press releases or other material sent by academics, NGOs and other organisations working in the field, and which refute the lies and misrepresentations and put forward a positive narrative. According to the experience of NGOs, confirmed by the writers, it is considered to be a success if a press release they issue is published by more than one newspaper or mentioned on one radio programme, with TV channels rarely giving the opportunity to NGOs to present their views on these matters. It is therefore to be almost expected that the media do not, as a rule, take a positive approach to migration or report on the positive aspects of migration or migrants' significant contribution to economic and social growth, or on the wealth and importance of diversity and cultural richness of migrant communities. The life of migrants on the island involves an extremely rich and diverse environment but the media portray a bleak image of migrants as a source of cheap, short term labour, disposable when not needed anymore, the image actually of migrants that has been shaped thus far by the model, policies and practice of consecutive governments and uncritically adopted by society at large.

Moreover, very often the media link migrants with rising criminality, rising unemployment and anything negative in society, thus actively contributing to the rising levels of xenophobia and racism in the country. Muslims are usually presented with hostility, connecting Muslim migrants, refugees and irregular migrants with Turkey and its alleged plan to de-Hellenize and control the island. Further, the media are prone to highlighting the 'clash of civilizations', Christian and Muslim, and suggesting in many cases that all Muslims adhere as potentially and likely to join to extremist and terrorist groups.

Racism and discrimination in the media persisted in the northern part, too. Similarly to the government-controlled areas, due to the economic crisis, the issue of irregular migration has been highlighted in the media and usually accompanied by a xenophobic tone. The media continued to deliberately confuse and use the terms 'asylum seekers', 'refugees', 'victims of trafficking' 'victims of smuggling' and 'undocumented migrants' interchangeably and people having those statuses continued to be referred to as 'illegal migrants'. The printed press was available in the northern part, mainly in Turkish but also publications in English and Russian were available. Furthermore, the press continued to report information such as places of origin of perpetrators of alleged criminal offences, even though this does not carry any newsworthy importance. People of Kurdish origin continued to be portrayed as terrorists in the media. Women continued to be underrepresented in the media and negative gender stereotypes continued to be perpetuated.

Social media is a relatively new type of media and is not regulated by specific legislation; hence it serves as a very good mechanism which is open to be exploited by extreme right organizations. It is also a way to understand and test the momentum of the dynamic of hate speech on the internet. In the period under review, the resurgence of nationalism and right wing extremist

hate speech in Cyprus found its way in numerous blogs and Facebook pages, most popular social media on the island, and which seemed to have attracted considerable popularity, especially and most worryingly among young people. In view of the minute size of the country, it is gauged that the same people are behind many of these media, but this does not negate that fact that there are many people who like and comment and follow these media, a factor that has to be taken into account and sound the alarm for their impact and future consequences. Instances and/or examples of this type of social media included numerous accusations and warnings to the “traitors of the nation”, those who “bring illegal immigrants to the country”⁸⁶, the urge to deny any rights to migrants due to their temporary status or just belonging to a minority.

Asylum seekers are portrayed in the conventional and social media as a ‘burden’ and ‘scroungers’ who come to Cyprus in order to “steal” tax payers’ money without contributing to the host country. One could understand such bogus claims to be floated around by social media, where anyone can do and say what they want, but one would expect conventional mass media to be more careful in allowing such hate speech and blatant lies without any research and investigation.

However, in parallel and at times in direct conflict with the above, there has been a welcome growth also of other social media pages that actively promote and voice a clearly anti-racist, anti-fascist, pro-migrant perspective and speech. Mostly led by young socially sensitive groups, cultural associations, mixed groups of Cypriots and migrants, but also including NGOs and other civil society associations, all these social media voice a totally different narrative that gives rise to hope for the future, with imaginative, playful but committed discourse and action and against discrimination, exclusion and racism.

6.8 Racism and related discrimination in criminal justice

6.8.1 Racist Violence and Crime

Racist violence and crime during the period under review were on the rise. Many incidents of violence against migrants were reported in the media and by NGOs, which resulted in the ab initio investigation from the Authority against Discrimination.

The Authority against Discrimination issued a report in relation to many violent attacks against migrants or persons perceived as migrants mostly by organized groups of young Cypriots. The report highlighted that the problem seemed to become more serious due to, amongst other reasons, lack of any reporting mechanism of racist attacks and violence and lack of any proper system for treating such incidents by the police and other competent authorities as well as the impunity of perpetrators as, in the majority of the

⁸⁶ Doros Polykarpou is a red banner figure to nationalists and human rights deniers in Cyprus. One member of Elam has called for his execution on facebook for ‘the good of the Greek Cypriots’. The picture and the suggestion is still online.

cases reported, the police claimed that it was not possible to trace the persons involved in the attacks. The report also added that it was the first time in Cyprus that a series of such serious and organized racist violence against migrants had taken place and did not rule out the possibility that many other incidents might have taken place but not reported to the police due to the failure of the system to address them as racist attacks. The Authority against Discrimination called for a decisive intervention by state authorities and for the adoption of effective policies and an action plan for combating racism and xenophobia so as to substantially deepen the rule of law and democratic principles in the country⁸⁷.

6.8.2 Hate speech

During the reporting period, in the context of the economic crisis and because of a long and difficult pre-election period leading to the presidential elections in early 2013, hate speech was quite prevalent on the public agenda, including of politicians, journalists, extreme right, neo-nazi groups and other public figures. Amidst this climate, the general public also took part in this through mainly social media and/or responding to radio programmes and discussions, and perhaps not fully realising that their narrative and views amounted to hate speech. Most often, hate speech was directed towards or directly against migrants but also against Turkish Cypriots and Muslims in general. For example, Pakistani, Bangladeshi, the majority of whom also happen to be Muslim, and Sri Lankans were the ethnicities that were more often targeted but also Vietnamese and Chinese migrant women, who are normally stereotyped as prostitutes.

Hate speech amongst football fans is a worrying trend, especially in view of the mushrooming of neo-nazi and neo-fascist groupings within the organised football fan associations. The issue gained prominence during the reporting period, since the Cypriot football was in the spotlight following the successes of some of the major Cypriot football clubs, such as ANORTHOSI of Famagusta, under occupation in the northern part of Cyprus, and more recently APOEL of Nicosia, in the European Champions League. It is noted that, as with almost all aspects of life, both of these clubs are associated with and/or affiliated to right and extreme right political parties.

The penetration and/or origination of fascist and neo-nazi groups and propaganda into/from organized football fans is not a new phenomenon; all over the world the politicization of football has been the strategic target for many marginal groups because they can spread their political ambition and propaganda to a wide audience. In Cyprus, such groups infiltrated the fan clubs of many football teams from their establishment. For example, the team APOEL (*'Athlitikos Podosfairikos Omilos Ellinon Lefkosias'* - Athletic Football Club of Greeks in Nicosia) was formed in 1926 by people passionate with nationalistic sentiments and their belief that Cyprus should be part of Greece instead of an independent state (expressed in the concept of 'enosis' (union with Greece)). Another football club ANORTHOSIS was also based as from its establishment on the nationalistic views of its founders, guided by the

⁸⁷ AKP/AYT. 2/2011

aspiration of Greek pedagogy and orthodox Christian values, and which at first was more of a reading room than a football club⁸⁸. The most prominent left-wing team in Cyprus, OMONOIA Football Club was formed in the context of an internal crisis of APOEL in 1948, in the context of the civil war in Greece, when APOEL's players were asked to sign a proclamation that they were not communists. Some of them refused to do so and were promptly expelled from the club and went on to set up Omonoia later in the same year⁸⁹.

So, football in Cyprus was split in two distinct leagues, one for mostly nationalistic and ethnocentric clubs, such as APOEL and ANORTHOSIS, and one for left-wing ones, such as OMONOIA, until 1953 when all teams joined the Cypriot Football Association. However, no team has ever lifted their political connections and affiliations and the division becomes more evident especially in times of political crises⁹⁰.

Fans of APOEL⁹¹, ANORTHOSIS and APOLLON seem to be more susceptible to extreme right and neo-nazi recruiting. People near the team of APOEL are unconsciously or consciously encouraging that identity of the team, examples of which are multiple⁹².

Despite the transposition of the Framework Decision on Racism and Xenophobia⁹³ in the domestic legal order⁹⁴, concerning racist crime and violence and hate speech, it was not implemented during the reporting period. None of the violent racist crimes and attacks have been properly investigated and prosecuted by the police and the Attorney General, whereas hate speech, so prevalent all over the media and in certain activities of football clubs, remained officially undetected, un-investigated and unpunished despite the fact that it was obvious. Moreover, no mechanism was put in place for the police to determine if certain crimes were racially instigated and/or aggravated. Cyprus is listed as one of the countries that still have no instructions on how to determine racism by the police force, let alone implement any policy on the matter. Ethnicity and nationality (meaning citizenship status) data are taken into account when such incidents are reported⁹⁵. With a few exceptions that might be recorded, there are no actions taken for ensuring the protection of such victims or their support after the

⁸⁸ <http://www.anorthosis.com/article/2>

⁸⁹ <http://www.omonioia.com.cy/el/club/history>

⁹⁰ <http://www.apopsi.com.cy/2008/07/281/>

⁹¹ https://www.youtube.com/watch?v=bAhBFRm0I_o&bpctr=1357916408

⁹² When the team captain following the success of Apoel in the European Champions League this season said "Apoel is a Greek Cypriot phenomenon", not only promoted the views held by partition ideologies but also minimized the contribution of most of his players, who are in fact Brazilian (6) and Portuguese (4). In corroborating this, the German WDR broadcasted a ten-minute video about the football and political identity of APOEL, where they show the Nazi propaganda (flags, symbols, banners) that has been carried around for everyone to see by the ultra right fans without any restriction whatsoever. In an interview, the president of the team stated that "Our fans have very strong connections with Greece, just like everybody here in Cyprus. We are Greeks and we are proud of this. Some of our fans are going too far, but I can assure you that the extremists are no more than 200-300". "Apoel fans promote fascism, racism and nationalism" one Omonoia fan said. "Apoel is a nationalistic team, we love Greece, so we can't imagine that a Turk can ever play for our team" one Apoel fan said. The WDR interviewer asks a tricky question "Can a Turk ever play for Apoel?", the president of Apoel replies with certainty "I don't think so" while regarding if his answers can be considered racist he argues "it depends what you mean by racist, we don't want the Turks and they don't want us; this is not racism." <https://www.youtube.com/watch?v=akyglfCGOFs>

⁹³ Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law

⁹⁴ O peri tis Katapolemisis Orismenon Morfon kai Ekdiloseon Ratsismou kaid Xenophobias meso tou poinikou dikaiou nomos tou 2011 (Nomos 134(I)/2011)

⁹⁵ http://fra.europa.eu/sites/default/files/fra_uploads/542-PRCV_en.pdf

incident; these are left on the good will of NGOs and other civil society organisations that support these vulnerable people. Most victims of such violence remain invisible and lack the means to seek redress and compensation for the crimes committed against them as they are either not informed of their rights or are not entitled to legal aid and/or do not manage to stay in Cyprus so as to pursue their rights under the law. Moreover, Cyprus is one of the countries that have been identified in need of police training on such matters, something which the police Action Plan has identified as well and begun to raise awareness through various seminars and conferences⁹⁶. No specialist training on this was carried out during the reporting period.

Hate speech and hate crime are not specifically criminalised in the northern part of Cyprus, as a result of which not much is being done.

⁹⁶ http://fra.europa.eu/sites/default/files/fra_uploads/542-PRCV_en.pdf

7. Civil society assessment and critique in ensuring protection of fundamental rights

Against the background of a closed-in, conservative and mistrustful society, largely shaped by the long-standing Cyprus Question and the dormant bi-communal conflict, insecurity and fears – real or perceived, the pathological adherence to and perpetuation of self-made mythologies of the past, the convenient alibis it offers for stagnation, indecision, resistance to anything new, and everything else it entails, civil society in Cyprus has been slow to develop and take on fully fundamental aspects of its *raison d'être*, such as to dis-align itself from official lines of thinking and to become a strong agent of change, monitoring and critiquing the state and its institutions. Similarly, civil society seemed, at least until the last few years, to be dormant concerning issues of racism and discrimination, especially in relation to vulnerable groups such as migrants, and the protection of victims' fundamental rights. Only a few NGOs have been persistent in fighting against racism and discrimination that migrants are subjected to and providing support to migrants in general, each in their particular areas of work. However, such NGOs are also scapegoated and relentlessly persecuted for their actions and advocacy for the rights of these groups, while at the same time they are financially strangled so that they are driven to closure and unable to continue with their work. The prosecution of the Executive Director of KISA on charges of 'rioting', after the attack on the Rainbow Festival in November 2010, referred to in the previous ENAR Shadow Report – Racism on Cyprus, is a case in point.

However, in view of rising racism and discrimination and their widespread influence on public discourse that increasingly affect wider sections of the population as well as their political prominence and with the presence of extreme right, nationalistic and neo-nazi constructions such as ELAM, there appear hopeful signs of a new scene, intent on civil society organisations becoming more actively involved in the fight against racism and discrimination and voicing their concern for the rights of migrants.

The state's response to violations of the fundamental rights of migrants is from inadequate to absent altogether, while it lacks the necessary systems and mechanisms to address the seriousness of the situation. What is of more significance, however, is the apparent absence of the necessary political will and/or resolution to address the situation, especially the increasing needs of those subjected to such violations, effectively and systematically.

The complete ineffectiveness of redress venues and channels and the lack of independent support to victims of discrimination and racism so as to properly pursue their rights, lack of legal aid and legal advice through state funded programmes, all contribute to the systemic exclusion of those vulnerable to racism and discrimination.

Unless and until Cyprus rethinks and re-evaluates its migration and asylum policies, which are defined by and confined to a very limited in scope, myopic in outlook, anachronistic and grossly unfair outlook which openly and

systemically dismisses and disregards human rights in relation to migrants, Cypriot society will continue to breed and support structures, systems and groups and forces that propagate discrimination, racist discourse, violence and hate. Unless and until the country decides to change this course, migrants, asylum seekers and refugees will continue to live in the margins of society, without access to their basic and fundamental rights, excluded and invisible, with no support and no possibility for properly integrating into the society where they live.

8. Good practices

Example of NGO Good Practice in Employment

KISA advocates for the rights of migrants and refugees to equal access to the labour market through press releases, submission of memorandums in relation to legal amendments and campaigning.

Refugee Rights Association in the Northern part of Cyprus provides assistance to asylum seekers and refugees to find employment and liaises with authorities in order to facilitate the procedural requirements.

Example of NGO Good Practice in Education

The Association for Historical Dialogue & Research (AHDR), which is bi-communal advocates for a complete reform in the history education of Cyprus, provides training to teachers on history education and produces material on the history of cyprus

Gender and Minority Rights Institute provides support and special need lessons for free to support migrant children that were having difficulties adopting to Turkish Cypriot curricular.

Example of NGO Good Practice in Criminal Justice

KISA provides basic support and advice to victims of discrimination and racist violence or racist attacks, particularly to the most vulnerable such as migrant women and victims of trafficking and tries to help them pursue their rights.

9. National recommendations

Special Focus: Muslim Communities

Employment

- In the Government controlled areas of Cyprus, the Government should embark on a serious discussion around the necessity to change the migration model followed for the last decades, after evaluating its compliance with international human rights law and European union law, so as to allow for access to the labour market on an equal basis to migrants, asylum seekers and refugees according to labour market needs and under conditions of safeguarding equality in relation to the terms and conditions of employment.
- The necessary laws and/or mechanisms should be adopted for the recognition of the professional qualifications of recognised refugees, persons with subsidiary protection and long term residents.
- Asylum seekers should have full access to the labour market pending the examination of their application on the basis of their skills and experience or allowed to take up training in various fields.
- In the non-government controlled areas, trafficking should be criminalised and legal basis of employment of asylum seekers should be established.

Education

- The Government should take urgent steps to fully implement the programme Zones of Educational Priority, to ensure that the right to education is respected in practice.
- In addition to language and culture support, a greater focus on measures to tackle discrimination and racism in schools is needed against migrant and refugee children.
- The educational reform should be speed up so as to allow for an educational system that fully facilitates the mainstreaming of the principle of equality and respect for diversity and difference.
- Greek Orthodox religious education in schools should be replaced by religious educations in general. Compulsory religious classes should be abolished.
- Religious institutions such as the Cyprus Church should not have a say on the content of education and the Ministry of Education should take up the task of ensuring that education is a matter of the state and not of the Church.
- Immediate and urgent measures need to be taken in relation to ensuring effective access to education of Roma children.
- In the non-government controlled areas, the compulsory religious classes should be abolished and history books should be revised.

Housing

- The development of a comprehensive housing policy for migrants and asylum seekers is absolutely necessary on the basis of the principle of

equal treatment. The reception centres seem unqualified for a decent living, therefore either the government should abandon them or invest in their infrastructure.

- Recognised refugees and persons with subsidiary protection should have equal access to Government housing schemes as Cypriots.
- In the non-government controlled areas, there is a pressing need for reception centres for asylum seekers to be established by the authorities.

Health

- Rapid implementation of the future “National Health Insurance Scheme”, based on contributions from the government, employers and employees, is needed. This will provide universal coverage to all persons residing in Cyprus and contributing to the system under conditions of equality.
- It is very important for the health care system to acknowledge the vulnerability of certain persons or groups of persons, such as asylum seekers and undocumented migrants, and provide them with access to adequate healthcare accordingly.
- Regarding the access of asylum seekers to healthcare: all existing legislation should be applied in practice, asylum seekers should be adequately and effectively informed of their right to access healthcare and of how to exercise this right.
- Furthermore, the administrative services and health professionals of public healthcare facilities should be informed of the rights of asylum seekers to access healthcare and trained to meet the specific needs of asylum seekers.
- Public Hospitals should implement the circular of the Ministry of Health according to which all undocumented migrant children and pregnant women living in Cyprus, should have free access to health care.
- In the non-government controlled areas, the law should be amended so as to allow for access of asylum seekers and refugees to health care.

Access to goods and services

- Allocation of the necessary human and financial resources to the Ombudsman’s office is necessary to allow it to cope with the increased volume of cases it is faced with as a result of investigating ever more complaints, many of which are urgent in nature.
- Translation of official websites both in the north and the south in Turkish and English is necessary to facilitate access to services.

Criminal justice

- The Law transposing the Framework Decision on combating certain forms and expression of racism and xenophobia should be implemented, and the Police and prosecuting authorities should be specifically trained for the implementation of the law.
- Legal aid and independent support should be provided to victims of discrimination and racist crime to pursue their rights.

- In the non-government controlled areas hate speech and hate crimes should be criminalised.

Media

- Monitoring and reporting of hate speech and racist reporting from the Media should be increased by the Radio Television Authority and the Journalists Code of Contact Committee in both the government and non-government controlled areas.
- Media persisting publishing and broadcasting material in a racist and discriminatory way should be progressively punished, under the law.
- Media should be trained so as to appreciate and adopt a more positive approach to migration and asylum.

General

- Ratification of the Convention on the Participation of Foreigners in Public Life at Local level, the ILO Domestic Workers Convention, the European Convention on Nationality and the International Convention on the protection of the Rights of All Migrant workers and members of their Families, would be a good start for the Government to commit to its' human rights obligations.
- Participation of migrants in decisions and plans relating to their integration.
- A consultation process with NGOs, experts, trade unions, employers and policy/law makers is also necessary in order to review migration and asylum policies.
- A procedure should be established in order to review and revise discriminatory laws/regulations and practices on a regular basis. The current practice where a review is only triggered once a complaint is submitted to the Equality Body and then referred to the Attorney General is deemed time consuming and is an incomplete approach.

10. Conclusion

From the foregoing, it is more than apparent that the period under review has been witness to further and deeper regression of Cyprus into previously unthinkable patterns and levels of human rights abuse, xenophobia, discrimination, racism, racist violence and crime, which targeted mainly migrants, asylum seekers and refugees, especially with Muslim background, but also Turkish Cypriots, NGOs supporting and advocating for the rights of migrants, and human rights defenders. This is the result of years, initially, of denial and, subsequently, of inaction and lack of the necessary political will and outlook to come to grips with the situation and confront it systematically and effectively. Such an outlook and political will would entail adoption and implementation of specific policies, systems, mechanisms and measures, as recommended in the Report, to address the problem at its root, i.e. the migration model which, effectively unaltered for more than two decades now, relegating migrants, with strictly confined working and basic human rights, to the margins of society, a source of cheap labour to be exploited and disposed of at will.

The onslaught of the economic crisis on people's jobs and lives, the continuing rise of extreme right, nationalistic and neo-nazi formations and parties, the increasing mainstreaming of a highly xenophobic, racist and extreme nationalistic discourse into the agenda of most political parties, the church, the majority of the mass media and society at large, further aggravated the situation. An additional aggravating factor for this situation in the reporting period was, as yet again, the continuing stalemate of the Cyprus Question and the amassed frustration, bitterness and insecurity of the people that render them easy prey to the carriers and bearers of racism and hate.

Against this altogether adverse narrative and in increasing cognizance of its direct relevance and consequences on the lives of all vulnerable groups, not just migrants, as well as on society at large, NGOs and other civil society organisations seemed to have been given a new impetus and a new incentive for raising their voices against discrimination and racism and in support of all vulnerable groups, including migrants. With a wide range of workshops, seminars, cultural and other events and actions, and by making extensive use of social media, many NGOs, associations and groups declared their opposition to discrimination and racism and were more openly critical and outspoken against the agencies and channels of racism and exclusion. The general public reacted to these events and actions with varying degrees of interest and participation, but especially hopeful was the response of young people.

While it is essential to maintain this optimistic momentum, it is of vital significance for the fight against discrimination and racism against migrants, this most vulnerable section of society, to spread the scope and discourse of this fight much wider and to link with other social forces in order to be successful and to make it a fight for all. NGOs, civil society organisations and other agencies working in the fields of anti-discrimination and anti-racism and for supporting and advocating for the rights of migrants and refugees, with their knowledge and experience, are there to reaffirm their commitment to achieving the common vision of a society free of racism and discrimination, a society inclusive of all, a society truly multicultural, which Cyprus has been throughout the ages.

Bibliography

EU Law:

European Union: Council of the European Union, *Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law*, 28 November 2008

Cyprus Law:

Cap. 150 The Aliens and Immigration Law

The Aliens and Immigration Regulations 1972

The Data Archives Law 2002

The Refugee Law (2000)

The General Health Systems Law (2001)

The Combating of Trafficking and Exploitation of Persons and the Protection of Victims Law (2007)

Secondary Sources:

Reports:

Council of Europe's Committee of Ministers, *European Charter for Regional or Minority Languages: Application of the Charter in Cyprus, 2nd Monitoring Cycle*, 23 September 2009, ECRML, 2009.

Council of Europe, GRETA, *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Cyprus*, Strasbourg, 12 September 2011

Christodoulou C., Diamantopoulou A., Dourida V., Michalakieli A., Papantoniou-Frangouli M., *Trafficking for Labour in Cyprus*, Athens, February 2011.

Dayioğlu, Ali, *Minority Rights in Northern Cyprus*, Turkish Cypriot Human Rights Foundation Publications No:1, April 2012.

Göynüklü, Ceren, *Children's Rights in Northern Cyprus*, Turkish Cypriot Human Rights Foundation Publications No:2, April 2012.

Kouta, Christina and Kaite, Charis ch. 9 "Health Issues among female migrant domestic workers", in David Ingleby et al (eds), *Health Inequalities and Risk Factors Among Ethnic Minorities*, COST Series on Health and Diversity, Vol. 1, Antwerp – Apeldoorn, Garant Publishers, 2012

Kyriakou, Nikolas and Kaya, Nurcan, Minority rights: Solutions to the Cyprus conflict, Minority Rights Group International March 2011.

Pasha, Faika Deniz, Human Rights of Women in Northern Cyprus, Turkish Cypriot Human Rights Foundation Publications No:2, April 2012.

Republic of Cyprus, Anti- discrimination Authority, Report on handling requests for acquiring Cypriot citizenship by persons whose one parent is a Turkish Cypriot and one foreigner who has entered or resides illegally in Cyprus, AKP 33/2008 κ.α., August 2011.

Republic of Cyprus, Anti- discrimination Authority, Report on education of Roma Pupils, AKP 18/2008, September 2011.

Republic of Cyprus, Anti- discrimination Authority, Report on registration of foreign students in Primary and Secondary Schools, AKP AYT 2/2009, AKP 66/2010, September 2011.

Republic of Cyprus, Anti- discrimination Authority, Report on celebration of the sacrament of confession in schools, AKP 42/2010, July 2011.

Republic of Cyprus, Anti- discrimination Authority, Report on establishing the principle of non-discrimination regarding partnership between heterosexual and homosexual couples , AKI 1/2011, December 2011.

Republic of Cyprus, Anti- discrimination Authority, Intervention on incidents of racist violence and response by the Police, AKP/AYT. 2/2011, November 2011

Republic of Cyprus, Equality Body, A.K.I 58/2011, December 2007.

Republic of Cyprus, Equality Body, Report regarding the Limitations to the Right to Work of Asylum Seekers, December 2007.

Republic of Cyprus, Equality Body, 2011 Annual Activity Report, 2012

Trimikliniotis Nikos, Sen National Report, 2012.

Trimikliniotis, Nikos, Country Report: Cyprus, EUDO Citizenship Observatory, January 2010.

UNODOC, Global Report on Trafficking in Persons, UN.GIFT, Feb. 2009.

Academic Articles:

Trimikliniotis N., Demetriou C., Evaluating the Anti-Discrimination Law in the Republic of Cyprus: A critical reflection, THE CYPRUS REVIEW (VOL. 20:2 FALL 2008).

Trimikliniotis N., Demetriou C., Labour Integration of Migrant Workers in Cyprus: A Critical Appraisal, Chapter in Mojca Pajnik and Giovanna Campani (2011), Precarious Migrant Labour Across Europe, MIROVNI INŠTITUT, Ljubljana 2011.

Newspaper Articles:

Toumbourou, Katherine, Welfare: You'll Get Your Baby Back If You Agree to Leave Cyprus. Cyprus Mail. 14 June 10

Evripidou, Stefanos, Probe Ordered into Welfare Staff's Behaviour. Cyprus Mail. 15 June 2010

Hami, Natalie "More needs to be done to combat trafficking", Cyprus Mail. 14 September 2011.

"Kaymakamlık İsmi Beğenmedi", Havadis, 22 Mart 2011.

Sonay, Meltem "Roşat'a İsim Yasağı!", Yenidüzen, 26 Mart 2011.

Other primary sources:

Internet:

Amnesty International, Irregular migrants treated as criminals in Cyprus,

<http://www.amnesty.org/en/news/irregular-migrants-treated-criminals-cyprus-2012-06-18>, accessed 4 September 2012.

Anorthosis F.C., History of Anorthosis, <http://www.anorthosis.com/article/2>, accessed 20 August 2012.

Apoel Nationalists,
https://www.youtube.com/watch?v=bAhBFRm0I_o&bpctr=1357916408, accessed 20 August 2012.

Council of Europe: Advisory Committee on the Framework Convention for the Protection of National Minorities, Third Opinion on Cyprus adopted on 19.03.2010, www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_OP_Cyprus_en.pdf, accessed 10 September 2012.

Council of Europe: European Commission Against Racism and Intolerance, ECRI report on Cyprus (fourth monitoring cycle), <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Cyprus/CYP-CbC-IV-2011-020-ENG.pdf>, accessed 10 September 2012.

Council of Europe: Committee of Ministers, Recommendation CM/RecChL(2012)1 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by Cyprus,

<http://www.unhcr.org/refworld/country,,,CYP,,506984e62,0.html>, accessed 10 September 2012.

Cyprusexpat, Employment in Cyprus - Remuneration & Minimum Salaries, <http://www.cyprusexpat.co.uk/article/id:136/employment-in-cyprus--remuneration>, accessed 6 September 2012.

Demetriou, Corina, Country Report Cyprus 2011 on measures to combat discrimination http://www.non-discrimination.net/content/media/2011-CY-Summary%20country%20Report%20LN_final.pdf, accessed 2 September 2012.

Dictionary.com, <http://dictionary.reference.com/browse/community>, accessed 2 September 2012.

Dr Oakley, Robin, Policing Racist Crime And Violence: A Comperative Analysis ://fra.europa.eu/sites/default/files/fra_uploads/542-PRCV_en.pdf

Embargoed!, Talking Racism: Apoel F.C, <http://www.embargoed.org/apoel-fc.php>, accessed 20 August 2012

Eurostat, Euro area unemployment rate at 10.9%, http://epp.eurostat.ec.europa.eu/cache/ITY_PUBLIC/3-02052012-AP/EN/3-02052012-AP-EN.PDF, accessed 4 September 2012.

gnomitube, ΑΠΟΕΛ - ΜΙΑ ΕΘΝΙΚΙΣΤΙΚΗ ΟΜΑΔΑ, <https://www.youtube.com/watch?v=akyglfCGOFs>, accessed 20 August 2012

Η ΚΑΘΗΜΕΡΙΝΗ, Επιταχύνεται η χορήγηση άδεια μετανάστευσης για αιτητές-επενδυτές, <http://kathimerini.com.cy/index.php?pageaction=kam&modid=1&artid=102546>, accessed 15 September 2012.

Health for Undocumented Migrant and Asylum Seekers Network, Access to healthcare and living conditions of asylum seekers and undocumented migrants in Cyprus, Malta, Poland and Romania, <http://www.december18.net/article/new-human-report-cyprus-malta-poland-romania>, accessed 15 September 2012.

Inews, «Πλείστες απόψεις του Ε.ΛΑ.Μ. είναι κρυστάλλινες και με εκφράζουν» Αρχιεπίσκοπος Κύπρου, <http://www.inews.gr/116/pleistes-apopseis-tou-elam-einai-krystallines-kai-me-ekfrazoun-archiepiskopos-kyprou.htm>, accessed 2 September 2012.

Kıbrıs Son Dakika, KKTÇ'DE KAÇAK İŞÇİLER 600 TL İLE AFTAN YARARLANACAK, <http://www.kibrissondakika.com/kktc/kktcde-kacak-isciler-600-tl-ile-aftan-yararlanacak.htm>, accessed 31 December 2012

KISA, Social Welfare Services in the Role of Suppressor, www.kisa.org.cy/EN/news/638.html, accessed 1 October 2012

Mackey, James ,Cyprus racism in the spotlight, <http://www.guardian.co.uk/commentisfree/2012/mar/13/cyprus-political-racism-doros-polycarpou>, accessed 1 September 2012

Migrant Integration Policy Index, Cyprus, <http://www.mipex.eu/cyprus>, accessed 9 September 2012.

Minority Rights Group International, World Directory of Minorities and Indigenous People: Cyprus Overview, <http://www.minorityrights.org/?lid=1873>

myplaylist100, Ο Ζαχαρίας Κουλίας για λαθρομετανάστευση, <https://www.youtube.com/watch?v=1d6YaSL7iuo>, accessed 1 September 2012

Omonia, Club History, <http://www.omonioia.com.cy/el/club/history>

Republic of Cyprus Statistical Service, Population Census, http://www.mof.gov.cy/mof/cystat/statistics.nsf/populationcondition_22main_en/populationcondition_22main_en?OpenForm&sub=2&sel=2, accessed 2 September 2012.

Republic of Cyprus: Public Employment Service of Cyprus, Employment Rate, [http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/All/3FA318672CAB10D5C22575D8003D278E/\\$file/Employment%20Guide.pdf?OpenElement](http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/All/3FA318672CAB10D5C22575D8003D278E/$file/Employment%20Guide.pdf?OpenElement), accessed 15 March 2012

Republic of Cyprus: Ministry of Labour, Employment Guide, available at: [http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/All/3FA318672CAB10D5C22575D8003D278E/\\$file/Employment%20Guide.pdf?OpenElement](http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/All/3FA318672CAB10D5C22575D8003D278E/$file/Employment%20Guide.pdf?OpenElement), accessed 10 March 2012

Republic of Cyprus: Department of Labour, Job Search, http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmlsearch_en/dmlsearch_en?OpenDocument, accessed 4 September 2012.

Republic of Cyprus: Department of Labour, Employment of Asylum Seekers, http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmlemploymentasylum_en/dmlemploymentasylum_en?OpenDocument , accessed 4 September 2012.

Republic of Cyprus: Department of Labour, Employment Students from Third Countries, http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmlemployment_en/dmlemployment_en?OpenDocument , accessed 4 September 2012.

Republic of Cyprus: Department of Labour, Bilateral Agreements, http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmlbilateral_en/dmlbilateral_en?OpenDocument accessed 6 September 2012.

Republic of Cyprus, House of Representative of 13 October 2011, No 5, www.parliament.cy/.../praktiko2011-10-13.doc, last accessed 10 September 2012

Republic of Cyprus, Ministry of Education and Culture, 2011 Annual Report, http://www.moec.gov.cy/etisia-ekthesi/pdf/annual_report_2011_en.pdf, accessed 10 September 2012.

Republic of Cyprus, Ministry of Education and Culture, The policy of the Educational Priority Areas in Cyprus to reduce early dropout, http://www.moec.gov.cy/minoffice/2012/pdf/2012_05_28_synedrio_zep.pdf, accessed 10 September 2012.

Republic of Cyprus, Official Gazette, No: 4091, http://www.hio.org.cy/docs/nomosxedio_gesy.pdf, accessed 15 September 2012.

Republic of Cyprus, Ombudsman's Office,

Rights Equality and Diversity Network, Red Atlas on Racism and Discrimination, http://www.red-network.eu/?i=rednetwork.en.countries&id=3&view=racismAtlas&s=DEMOGRAPHIC_S#stands-nav, accessed 1 September 2012

Rights Equality and Diversity Network, Red Atlas on Racism and Discrimination, <http://www.red-network.eu/?i=red-network.en.countries&id=3&view=racismAtlas>, accessed 1 September 2012

SIGMALIVE, «Φως» σε «Μεταναστευτικό και επιδόματα», ρίχνουν απόψε τα 60 Λεπτά,

<http://www.sigmalive.com/news/458748>, accessed 4 September 2012.

SIGMALIVE, Υπουργείο Εργασίας: Διευκρινήσεις για τους αιτητές πολιτικού ασύλου, <http://www.sigmalive.com/news/local/275151>, accessed 4 September 2012.

SIGMALIVE, Αλλοδαποί με καθεστώς... βασιλιάδων,

<http://www.sigmalive.com/simerini/news/local/459155>, accessed 4 September 2012.

Taylor, Louise, Apoel Nicosia's Champions League run is not all down to Michel Platini, <http://www.guardian.co.uk/football/blog/2012/feb/14/apoel-nicosia-champions-league-michel-platini>

United States Government, Trafficking in Persons Report on Cyprus, http://cyprus.usembassy.gov/tip_2012_cyprus_en_jun12.html, accessed 6 September 2012.

zkoulias, koulias polykarpou part2, http://www.youtube.com/watch?v=S6uGsE_5FcM, accessed 1 September 2012

<http://www.peo.org.cy/gr/index.php/boithitikagrafia/grafiometanaston/213-apofasi>, accessed 4 September 2012.

http://www.gnomionline.com.cy/files/8313/3718/2820/74._GNOMI_27.05-2-06.2011.pdf, accessed 4 September 2012.

http://moi.gov.cy/images/stories/PDF_FILES/STEGASTIKI_POLITIKI/STEKASTIKI_2011_FOR_WEB.pdf, accessed 15 September 2012.

<http://www.cyprus-mail.com/single-parents/elam-end-benefits-illegal-immigrants-and-help-cypriots/20120707>, accessed 4 September 2012.

[http://www.kiatipis.org/Writers/A/Alexandros.Hatzilyras/2012-0311_Gibrahay%20kaghout%20\(March%202012\)1.pdf](http://www.kiatipis.org/Writers/A/Alexandros.Hatzilyras/2012-0311_Gibrahay%20kaghout%20(March%202012)1.pdf), accessed 1 September 2012

<http://www.apopsi.com.cy/2008/07/281>, accessed 1 September 2012

Annex 1: List of abbreviations and terminology

APOEL - Athletic Football Club of Greeks of Nicosia

ECRI – European Commission Against Racism and Intolerance

Equality Body – The “Body Against Discrimination and Racism” and the “Equality Authority, ” both of which are under the Ombudswoman’s Office.

ELAM – Ethniko Laiko Metopo (National Popular Front)

EU – European Union

EZP - Education Priority Zones

HUMA - Health for Undocumented Migrants and Asylum Seekers

Complaints against the Police

KEA - Kinima Ellinikis Antistasis – Movement for Greek Resistance

KISA – Action for Equality, Support, Antiracism (NGO)

MIGS - Mediterranean Institute of Gender Studies

Migration Department – Civil Registry and Migration Department, which operates under the Ministry of Interior of Cyprus

NGO – Non-Governmental Organisation

Ombudswoman – The Office of the Commissioner For Administration

PIO – Public Information Office

RoC – Republic of Cyprus

TCN – Third Country National

TRNC - Turkish Republic of North Cyprus (not a recognized state in international law, is only recognised by Turkey)

UBP - National Unity Party (Ulusal Birlik Partisi)

UEFA – Union of European Football Associations

UNHCR – United Nations High Commissioner for Refugees

