



european network against racism

ENAR Shadow Report 2008

ENAR SHADOW REPORT 2008

Racism in Cyprus

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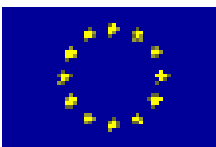
**With the support of KISA - Action for Equality,
Support, Antiracism**

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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. Even where there is extensive official data, NGOs offer a vital alternative data source that comes directly from experiences of those individuals and communities experiencing racism on a daily basis.

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 with 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 the racism that is the subject of the research. It is this that gives NGO reports their added value, complementing academic and official reporting.

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I. Executive summary

Following the successful pilot last year, the 2008 report on Cyprus will once again cover the whole of the island, including both Greek Cypriots and Turkish Cypriots, the south and the north¹. Although this occasionally leads to some problems with terminology, it is essential that human rights abuse, institutional racism and the best ways to tackle racism and discrimination can be discussed with reference to the entire country.

The long-standing division of the island has resulted in a situation of mutual recrimination for the past 35 years. Parties on both sides attempt to portray their respective communities as victims, both with regards to each other and frequently with regards to regional politics. This victim-lead and ethnocentric politics makes it difficult for the victims of the worst current abuses on the island to be heard, as well as being seen to justify prejudice against Turkish Cypriots (in the south) and Greek Cypriots (in the north)².

Cyprus has been criticised frequently in the past for its poor record in tackling discrimination of all kinds, which is entrenched in society at a profound level. The current administration, newly elected in February 2008, has made some genuine steps forward in fixing the worst abuses, which are celebrated here where appropriate. However, the monolithic and centralised nature of government in Cyprus, coupled with the embryonic acknowledgment and lack of effective consultation with genuinely independent organisations such as NGOs, is a problem: there is little funding available and therefore little scope for such organisations to challenge unjust policies and discriminatory practices.

Questions of racism in Cyprus are inevitably bound up with questions of migration. Although there are now a number of naturalised citizens, they are still perceived by the general populace as foreigners rather than as fully Cypriot. Third-country nationals (TCNs) are generally seen as simply a resource to be used, and their essential contribution to the economy over the past decade rarely

¹ In order to avoid politically 'sensitive' terminology that may give rise to unnecessary discord, the Report makes use of geographical vis-a-vis political terms, hence, the references to the two parts of the country as 'southern' and 'northern' parts or 'south' and 'north' of Cyprus. It is also noted that while the whole of the island is considered to be part of the E.U. since 2004, when Cyprus joined as a full member, the application of the *acquis communautaire* is suspended in the northern part until the reunification of the island, in accordance with Protocol No. 10 of the Accession Treaty of Cyprus to the E.U.

² An example: the government is particularly sensitive to any suggestion that the occupied areas are in any way either self-governing or independent, whatever the de facto situation. When the 2007 ENAR Report was launched, the very first response from a government official was not to discuss the issues it raised but rather to complain about missing quotation marks around words indicating the 'authorities' in the north. This complaint was raised first at all subsequent discussions with officials. Given the serious deficiencies described in the report, which impact on the most vulnerable and excluded populations in Cyprus, and given the essential triviality of a missing quotation mark in a document such as this one, this is a profound demonstration of poor prioritisation. It should be understood as a blanket statement that no part of the current report should be taken as in any way giving recognition to the illegal ongoing occupation of Cypriot territory.

acknowledged. This stigmatization frequently results in exploitation, whether with regards to working hours, low pay or access to even the most basic social services. Migrant workers are ghettoised in substandard housing, denied state medical services and report frequent discrimination from government officials, educators, police, social services, employers and the general public. The government at the end of 2008 had still not adopted a comprehensive and integrated migration policy, though some work in this field had taken place and is catalogued below. In particular, concrete steps have been taken to combat sex trafficking, though all parties agree that much is left to be done.

In the northern part, almost no human rights legislation had been put in place, nor had there been prosecutions under what legislation does exist, nor was funding made available to human rights lawyers or NGOs to tackle discrimination. There is still no independent authority to check police actions which seem discriminatory.

The most worrying development in 2008 was the definite rise in race-related mob violence. Several high-profile cases have been highlighted in this report, but NGOs also report that there are many incidents of violence and/or sexual assault which go unreported, especially with regards to domestic workers and undocumented migrants. This development highlights the urgency of the need to tackle institutional racism both in government organisations and services (police, education, welfare services) and also in independent actors such as the unions and the Church.

The key areas are:

- Formulation and implementation of an integrated migration strategy consistent with international instruments and norms, drawing on the expertise of non-state actors such as NGOs. Such a strategy would need to include improvements in data collection and data availability to allow monitoring of implementation.
- All government employees, without exception, to be given compulsory training in working within a multi-ethnic society. Quantitative metrics to be put in place to monitor implementation of anti-discriminatory policies
- Secure (i.e. guaranteed) funding to be made immediately available (in both south and north) for NGOs, charities and other bodies independent of government primarily concerned with representing victims of discrimination and combating racism. Such funding should include legal aid for non-Cypriots in such cases

The 2007 report accurately predicted the rise in race-related violence in 2008. Without urgent action in these three key areas, as well as implementation of the detailed recommendations in section 7 below, it does not seem likely that this trend will reverse.

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III. Introduction

Cyprus, and all discussion of Cyprus, is indelibly marked by the ongoing political situation, under which the island is de facto divided to north and south. The split mirrors geographically the constitutional split enshrined in the founding Constitution of the Republic into the Greek Cypriot and Turkish Cypriot communities. Talks concerning the reunification of the island have been ongoing for more than thirty years and, since the failure of the Annan Plan to gain majority acceptance in a referendum, seem mired in endless procedures. This situation continued in 2008, even though the election of a new government seemed at first to promise a greater dynamic³. The result is that both the government of the Republic of Cyprus and the Turkish-Cypriot authorities in the north are constantly focused on a near-insoluble problem, which is often used as an excuse for state inaction and the excuse for racism and xenophobia among the population.

In the year under review in this report (January – December 2008), two contradictory phenomena were observed. Firstly, and most positively, the new government immediately upon election began working on many of the areas of concern indicated in previous reports. As the new Minister of Interior stated, the great structural inequalities in Cypriot society cannot all be solved overnight, and dispiritingly many problem areas remain, However there is no doubt of the leadership that the government has shown in this area. Secondly, however, racial tensions on the island boiled over several times. A far-right organisation was reported to be intending to set up a summer camp in Cyprus and, while this threat was headed off, it is worrying that Cyprus was seen as a potential host. Interestingly, the initiators for this campaign were planning to play the anti-Turkish, anti-Muslim card, by focusing on the attitudes in Europe against Turkey joining the EU. Violent incidents occurred throughout the year, most notably the mob attack on a 15-year-old African Cypriot girl. These often involved children or teenagers.

It is clear from these incidents and from the 2008 *Eurobarometer* poll that some Cypriots have become increasingly hostile to 'migrants' (a category that in public discussion often includes ethnic minority citizens, whether naturalised or Cyprus-born), even violently so. This report analyses manifestations of racism on the ground, and then moves to an analysis of the political framework that permits such abuses. Finally, the report suggests several reasons that this situation may have come about, and attempts to identify measures that might serve to alleviate it.

³ President Christofias and Mehmet Talat's negotiations were widely seen as the most hopeful in decades for those whose goal was reunification of the island as a bicomunal, bifederal state. The election of an unsympathetic party to 'government' in the 'TRNC' has added further obstacles to the effort.

IV. Communities vulnerable to racism

The government-controlled areas of Cyprus contain significant ethnic minority populations, around 140 000 people⁴. There are also estimated to be around 30 000 undocumented migrants (over-stayers, rejected asylum seekers and otherwise irregular migrants), meaning that around one fifth of the people in the government-controlled areas are not of Greek Cypriot origin⁵. However, due to the closed migration model followed by the Cypriot government, which blocks most routes to integration and naturalization, it is the case that the majority of these non-Greek Cypriot populations are transient, and therefore lack the chance to create sustained long-term communities – even naturalised non-Greek Cypriot citizens are normally referred to in terms of their original country rather than as Cypriots. This is the product of a situation wherein the host community sees migrants, particularly those who engage in low-status labour such as domestic, agricultural and labouring professions, as a resource to be exploited rather than as fellow contributors to Cyprus' economic success⁶.

This understanding of 'self' and 'other' communities is deeply rooted in all Cypriot institutions, dating back to the first constitution post-independence which split the population permanently in two along ethnic lines, with separate political representation. The existing minority populations (Armenians, Maronites, Latins, Roma) were incorporated into one or other community depending on religion, with Christian groups opting to join the Greek Cypriot community and the mainly Muslim Roma being assigned to the Turkish Cypriot community⁷. Both the rejected Annan Plan in 2004 and the current ongoing reunification negotiations for the solution of the Cyprus problem are predicated on this continuing split along religious and ethnic lines, which does not bode well for a progressive understanding of cultural diversity⁸.

The result is that other populations are at serious and ongoing risk of racial and ethnic discrimination. While all EU nationals (even the large, wealthy and independent British population, made up mostly of old age pensioners) report discrimination in such areas as access to services, it is non-EU nationals who

4 These figures come from field work carried out at the Migration and Registry Department in April 2009 by Doros Polycarpou.

5 Ibid.

6 'After the recession in 2002-2003, the GDP showed a big increase in 2004 to 4,2% , in 2005 to 3,9% and 4% in 2006. It is expected that the economy of Cyprus will develop by about 4,4% in 2007.' Social Welfare Services, Ministry of Labour and Social Insurance. National Strategy Reports on Social Protection and Social Inclusion 2008-2010, p. 4.

7 Interview with representatives of the Ministry of the Interior, 27 May 2009; Polycarpou p. 4.

⁸ The full text of the "Annan Plan" concerning reunification of the island of Cyprus can be seen at the website *Hellenic Resources Network*. The plan was put to referendum on 24th April 2004, and rejected by a 2/3rds majority of the voting population in the South. In the north, however, the plan was supported by approximately 65% of voters. "The Text of the Plan," 31st March 2004. *Hellenic Resources International*, http://www.hri.org/docs/annan/Annan_Plan_Text.html, accessed July 2009.

experience the most severe forms of racism and discrimination. This is particularly true of non-white migrant workers from the Far East, and asylum seekers from Asian and African countries⁹. Combined with the well-established distrust of Muslims (perceived as inimical to Greek Cypriot interests in the context of a divided country), and the generally patriarchal and homophobic nature of society¹⁰, multiple discrimination is a common phenomenon¹¹.

Concerning the northern part of Cyprus, extremely little progress has been made since the 2007 Report and Turkish nationals¹² and/or other migrants, victims of trafficking, refugees and asylum seekers, Maronites and Greek Cypriots still constitute the most vulnerable communities to racism. Among other migrant groups, this year's report focuses particularly on the problems faced by the Bulgarian, Alevi and Kurdish populations and foreign students¹³.

After the military coup in Turkey in 1981, a number of Alevis settled in the northern part of the island: their unofficial number is around 6 500. Alevis living in the north believe that Turkish Cypriot culture is close to Alevism, calling north Cyprus 'Heaven Alevis.' However, major investments in the north are usually approved through the Financial Assistance Committee of Turkey, and because the policies of Turkey discriminate against Alevis they can face difficulties when there is a project regarding their needs (such as building a Cem House for worship)¹⁴.

9 It should be noted that refugees from Iraq and the Palestinian territories are automatically given some form of international protection. Interview with representatives of the Ministry of the Interior, 27 May 2009.

¹⁰ United Nations Economic and Social Council. *Concluding Observations of the Committee on Economic, Social and Cultural Rights Cyprus* (Geneva, 2009). See especially Section D:13 (p. 3), which notes that Cyprus continues to have the widest gender pay gap in the EU, and D19 (5), which notes that domestic violence against women continues to be widespread. Although homosexuality is no longer illegal, the stigma attached to same-sex attraction is so strong that it still takes considerable courage to declare one's sexuality – one can see this in the lack of a homosexual rights campaigning group, and in the State's ongoing attempts to deny homosexual married couples the same migration rights as heterosexual marriages.

¹¹ A commonplace of informal discussion on these topics in Cyprus is to say that the problem is one of xenophobia in the context of a tightly cohesive community rather than racism. Although xenophobia is undoubtedly a factor, the generally positive reaction to Polish workers compared to the dehumanising rhetoric surrounding domestic workers shows that there is a strong racial component.

¹² The term Turkish nationals refers to 'settler migrants' or 'settlers' from Turkey from different ethnic backgrounds, such as Kurds, Alevis, Laz, et al, who were brought en masse by Turkey to the northern part of Cyprus after the 1974 events and settled in abandoned Greek Cypriot properties. It must be noted that the issue of the 'settlers', the number who will be agreed to stay on in Cyprus after a solution, etc, is one of the most contentious issues on the talks agenda for the reunification of the island. It also refers to Turkish nationals who migrated for employment or other purposes, such as studying, to the north of Cyprus. As it is very difficult to distinguish between the different groupings of 'settlers' and/or migrants and in order to avoid politically sensitive terms, the Report refers to 'Turkish nationals' or 'migrants' in general.

¹³ Anatolian Alevis are a large ethnic & religious group within Turkey also known as Alawi, Alawite, Alouite, or Alevi-Bektashi. As the existence of this group was officially denied in Turkey until recently, it is difficult to provide an accurate estimate of numbers, though sources generally agree on a figure of 10-20 million. Alevi spiritual practice has much in common with Sh'ia Islam, which has led to their being the object of prejudice from Sunni Muslims and the secular establishment in Turkey. See John Shindeldecker, "Turkish Alevis Today," *Alevibektasi* http://www.alevibektasi.org/xalevis_home.htm, accessed July 2009.

¹⁴ Interview with Ozdemir Gül, Director of the Association of Research and Presentation of the Hacı Bektaş-i Veli Culture, 16.05.09

Around 1500 Bulgarian Turks settled in the northern part of the island after 1989 when the Bulgarian authorities granted them passports. Although the majority have been granted 'citizenship' since that time, very little attention has been paid to their integration into society.

English is the primary language in most of the departments in five universities, attracting students from Arabic and African countries. The number of foreign students in the north is estimated at around 20 000, mostly from Turkey. This group is often the target of discriminatory practice, particularly in the areas of housing and policing.

V. Manifestations of racism and religious discrimination

V.i Employment

Asylum seekers, migrant workers, non-white & Muslim Cypriot citizens and non-Cypriot sex workers continued to face widespread discrimination. This was despite the fact that Cyprus was projected at the end of 2008 to be the only European country still enjoying economic growth and high employment levels¹⁵: as in these circumstances there is little pressure on jobs, such discrimination cannot be blamed on economic conditions or similar external pressures.

The policies on employment rights for asylum seekers and non-EU migrant workers remained largely the same as was described in the 2006 and 2007 shadow reports: as was said then, these policies are a major cause of systemic discrimination. While there have certainly been improvements in procedure in the year under review, the fundamental attitude is one of protectionism (for Cypriot and EU workers), on the one hand, and the 'guest worker' model, on the other, which promotes the idea that third-country migrants are there when needed but dispensable if they are not. This makes migrants and asylum seekers especially vulnerable to unfair practices, as described below, but it is also true that Cypriot citizens who are not ethnically Greek Cypriot, particularly Muslims and non-whites, also suffer from discrimination, as widely reported by NGOs.

Asylum seekers are permitted to work only in certain sectors while they wait for their applications to be processed. Jobs in these sectors, which involve hard physical labour in poor conditions and are usually seasonal, are considered to be among the most degrading and least protected in the Cypriot economy. It is also the case that asylum seekers are permitted to seek jobs even in these sectors six months after their asylum applications. If they choose not to take up jobs in any of the six permissible sectors, they are considered to be voluntarily unemployed and to have no right to welfare benefits¹⁶. Taken along with other conditions described in section VI.ii below, this cannot be seen as anything other than deliberate government policy to make the seeking of asylum as uncomfortable as possible¹⁷. However, the inescapable bind of being both ineligible for benefit and unable to work in an appropriate sector inexorably drives asylum seekers into the shadow economy. This is problematic for three reasons: firstly, unregulated and

¹⁵ European Commission Directorate-General for Economic and Financial Affairs, *Interim Forecast January 2009*. (Brussels, 2009), p.30.

¹⁶ KISA. *KISA'S Positions on the Fifth Periodic Report Submitted by the Government of Cyprus on the Implementation of the International Covenant on Economic, Social and Cultural Rights* (2008). P.8.

¹⁷ It should be noted, however, that the United Nations Economic and Social Council 'welcome[d] the expansion of the employment sectors available to asylum seekers as of October 2008 which enhances their opportunities to provide for a decent living for themselves and their families' (section 6, p. 2).

illegal work is naturally exploitative; secondly, asylum seekers found to be working illegally can be instantly detained for the purpose of deportation¹⁸; thirdly, the perception that all non-Europeans are ‘illegals’ underlies all forms of discrimination by employers and government agents in Cyprus.

Criticisms of this policy were made in several reports in 2007-08¹⁹. The response of the Cypriot government has been to firstly expand the sectors in which asylum seekers may seek work, which is a positive development, and secondly to speed up the process of examining the applications for asylum²⁰. This streamlining has resulted in a drop in outstanding applications from 9 823 in 2007 to 4 479 in 2008²¹. However, the likelihood of a negative outcome in the majority of the cases, the inefficient refugee status determination procedures and lack of recourse to legal aid, combined with the restricted access to material reception conditions, combine to create a greater pressure for asylum seekers to work illegally: thus this may not be seen as an entirely positive development.

Migrant workers continued to rely on private employment agencies for anything related to their employment as they are not entitled to the services offered by the public Labour Offices which are reserved only for Cypriots and EU nationals. They must sign a contract with an individual employer and they can only change employer in the event of a successful labour dispute or if their employer signs a release agreement²². Migrant workers are permitted to stay in Cyprus for only four years, a condition that avoids granting them the right to apply for long-term resident status under the EU Long-Term Residence Directive. They are only permitted to sign a release agreement with their employer after the first year of employment: this creates ideal conditions for exploitation particularly in the first year, as migrants are unable to report their employer without facing the prospect of being unable to work and possibly of being repatriated.

Migrant workers are legally obliged to contribute to the Social Insurance Fund, but were not, according to reported cases from NGOs, in 2008 permitted to apply for unemployment, sickness or disability benefits (this situation has changed somewhat for the better in 2009, according to Ministry officials)²³. Thus, this

¹⁸ It has to be noted that although detention and deportation orders may be issued in such cases, deportation is suspended until the examination of the asylum application. However, asylum seekers end up being detained for the whole period of the refugee status determination procedures, as they are otherwise considered to be illegal migrants.

¹⁹ See the Equality Body Ombudsman, *Report Regarding the Limitations to the Right to Work of Asylum Seekers* (original in Greek) (Nicosia, 21 December 2007); Also see KISA. *KISA'S positions on the Fifth periodic report submitted by the Government of Cyprus on the implementation of the International Covenant on Economic, Social and Cultural Rights* (2008), particularly pp 7-8; ENAR Shadow Report 2007, Section V.i.

²⁰ Interview with representatives of the Ministry of the Interior.

²¹ *Ibid.*

²² In the event that such an agreement is reached, which in any case is only permitted after the first year of employment, the worker is permitted four weeks to find new employment, otherwise they are liable to deportation: according to representatives of the Ministry of the Interior, there are no records of deportations under this condition.

²³ Interview with representatives of the Ministry of the Interior.

contribution is nothing more than an additional tax aimed at gaining money from migrants for use by the host population. Housing, food and transportation costs may be deducted from migrant workers' wages, thus further encouraging employers to exploit migrant workers.

Roughly half of all registered migrant workers are women in the domestic worker category (This category consists of 27 000 basically migrant women)²⁴. Almost no Cypriots work in this capacity, which demonstrates the low regard in which these workers are generally held. The wage for domestic workers is determined annually by a sub-committee of the Council of Ministers, and announced in the government gazette and through announcements in newspapers²⁵. In 2008 this was set at €262 per month,²⁶ less than a third of what would normally be considered a living wage, according to the minimum wage decree²⁷. Hours and conditions of work are officially regulated. However, since the regulating institutions have no right to enter the domestic home, enforcement of the law is sporadic and inefficient. Domestic workers and caregivers routinely report violations of the employment contract, including being forced to work additional hours, denial of holidays, being 'loaned' to friends and other family members for no extra pay²⁸. More seriously, there are many reports of verbal and physical abuse, sexual harassment and rape²⁹. Cases have been reported to KISA of workers being informed on arrival in Cyprus that their employer expects sex as part of their conditions of employment³⁰. The Ombudswoman has said that domestic workers who complain of sexual harassment are treated poorly as 'sexual harassment does not qualify as a labour dispute³¹'. Domestic workers' contracts include clauses forbidding them from taking part in political activity: though this is better than a previous version, which specifically banned them from joining a union, there is a clear threat to their right to join with a group protesting exploitative measures³².

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ The minimum wage decree is intended to ensure a minimum wage for occupations, the holders of which are considered to be particularly vulnerable. As from April 2009, the minimum wage is €791, which increases to €840 after six months.

²⁸ KISA. *KISA'S positions on the Fifth periodic report submitted by the Government of Cyprus on the implementation of the International Covenant on Economic, Social and Cultural Rights* (2008), comments on Article 7, p. 12.

²⁹ MIGS (Mediterranean Institute of Gender Studies), *Resource Book, Integration of Female Migrant Domestic Workers: Strategies for Employment and Civic Participation*. Final Results of an INTI project (Nicosia, May 2008).

³⁰ Interview with representative of KISA.

³¹ Elias Hazou, 'Time to Show Maids some Respect.' *Cyprus Mail*. 10 December 2008. www.cyprus-mail.com/news. Accessed May 2009.

³² The clause in Greek (translated) prohibits 'direct or indirect involvement or participation in any action or activity.' In the English-language version of the contract, this has been altered to 'any political action or activity.' (Anthoula Papadopoulou, *The Impact of the Racial Equality Directive: A Survey of Trade Unions and Employers in the Member States of the European Union*, (National report on Cyprus), a FRA (European Agency for Fundamental Rights) project, coordinated by the Working Lives Research Institute of the London Metropolitan University); Nicosia, 2009 (advance unpublished manuscript).

Plans are underway to regulate this sector further, but regulation is not so much the primary problem as is the attitude of employers in this sector, who seemingly perceive domestic workers and TCN caregivers as little more than beasts of burden, rather than appreciating the enormous contribution that a domestic worker makes to the quality of life of the family and the wider Cypriot economy. As much as 88% of Cypriots view domestic workers as a ‘threat to the fabric of society’³³. Neither metrics for monitoring existing law nor any future regulation have been proposed or agreed. In a country known for inefficient implementation of new laws, particularly those imposed by external agreement, the most important issue to tackle must be *de facto* rather than *de jure* discriminatory practise, which can only be achieved through the simultaneous building up of a body of case law and media campaigns to raise awareness of the rights and contributions of domestic workers. However, in the absence of legal aid for TCN domestic workers, and without state funding for NGOs working in this sector, it is impossible that a sufficient number of cases will be laid before the courts.

Third country nationals without the right to work have only recourse to the shadow economy. Naturally, this means that they are without the protection of law and are victims of the worst kinds of exploitation. The Cypriot government has declared a crackdown on irregular migrant workers as a high priority, especially in the agricultural and building industries: however, without an equal expansion in the number of migrants permitted to work legally in Cyprus, it seems unlikely that such action will have much effect. The rhetoric surrounding irregular workers remains inflammatory, usually concentrating on the ‘illegal’ migrant as a threat to Cypriot ways of life³⁴. Rarely if ever is the obvious point acknowledged that it is employers who refuse to pay legal minimum wages and benefits who are the true problem, nor that the Cypriot economy benefits enormously from this exploitation of economic migrants. Instead, the existing rhetoric of victimhood and threatened nationhood, usually employed against the military occupiers in the north, is turned instead against the weakest members of society.

Foreign students have now been granted the right to work for limited hours in certain sectors of the economy, namely health, welfare, general repair work, housework, manufacturing and animal husbandry³⁵. This addresses a concern raised in the 2007 shadow report. However, at the beginning of 2008 an additional problem came to light with reporting on the case of Hossein Mozammel, a student whose right arm was torn off in an industrial accident. As students were at that time still barred from working, it was decided that he was

³³ Elias Hazou, ‘Time to Show Maids Some Respect.’ *Cyprus Mail*. 10 December 2008. www.cyprus-mail.com/news. Accessed May 2009.

³⁴ See, for example, ‘Drugs and Illegal Migration’ (In Greek) *Simerini* 13 July 2008; ‘Protest Event against the settlement of occupied areas and the illegal migration’ (in Greek) *Maxi* 10 July 2008, p. 8; ‘Illegal Immigrants: An Open Letter to Mr Silikiotis’ (In Greek: open letter from The Salvation of Cyprus Movement), *Politis* 13 July 2008.

³⁵ Interview with representative of the Ministry of the Interior; the new regulations were published in Gazette 4217.

not eligible for public assistance or for compensation for industrial injury. This illustrates the way in which employers' rights are still favoured over those of the workers they exploit, despite the fact that both parties are equally breaking the law.

Another major concern highlighted in the 2006 and 2007 Shadow Reports, and in many other places besides, was over the so-called 'artiste visas' issued to third-country migrant women employed in cabarets. The abolition of these visas, widely perceived as a charter for sex trafficking, was announced in October 2008 (coming into force in 2009), and stringent conditions have been put in place for the hiring of foreign dancers, especially non-EU women, to work in cabarets. This coincides with Cyprus' ratification of the Council of Europe Convention against Trafficking in February 2008. The Multidisciplinary Team against Trafficking has also been set up that includes representatives of numerous ministries and NGOs, namely STIGMA and MIGS, to plan future actions (regrettably the committee does not include all NGOs active in the field)³⁶. This decision was accompanied by a media campaign to raise awareness of the crimes against migrant women that had been endemic in this industry, and the police focus on sex trafficking and labour trafficking was increased from two to three full-time officers engaged with the problem³⁷. A government shelter was set up specifically to cater for victims of trafficking.

Great credit should go to the Cypriot government for its belated actions in this respect. The protest of cabaret owners against the new regulations³⁸ is a clear demonstration of the effectiveness of these actions. However, allegations have been made that cabarets offering sexual services are frequented by police and government officials³⁹, and police and judicial corruption has also been alleged⁴⁰.

³⁶ Only Stigma and MIGS participate in the multidisciplinary group on trafficking, although other NGOs such as KISA expressed their wish to participate.

³⁷ Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, *Country Report on Human Rights Practices in Cyprus - 2008* <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>, p. 21

³⁸ Alexia Saoulli, 'Why Are They Picking on Us, Cabaret Owners Complain.' *Cyprus Mail*. 16 October 2008. www.cyprus-mail.com/news. Accessed May 2009. It should be noted, as one cabaret owner does in that report, that conditions in the north still allow for the worst kind of exploitation. However, this is a reason for the campaign against sexual exploitation to be extended to those areas, not to continue to allow forced prostitution in the south. Another report, on a street protest by cabaret owners in 2009, estimates that 35-45 strip cabarets have closed since the implementation of the regulations that prevent the hiring of non-EU performers without fulfilling strict conditions. One cabaret owner is quoted as reacting with horror to the idea of hiring Cypriot dancers for his club, which powerfully illustrates the exploitative and xenophobic mindset endemic to this industry. Elias Hazou, 'Cabaret owners cause mayhem.' *Cyprus Mail*. 17 February 2009. www.cyprus-mail.com/news. Accessed May 2009.

³⁹ Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, *Country Report on Human Rights Practices in Cyprus - 2008* <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>, p. 21

⁴⁰ This allegation, which it should be stressed is not backed up by successful prosecutions, should be placed in context. Transparency International's Corruption Perceptions Index for 2008 praises Cyprus for having sharply improved the general level of corruption, placing the country 31st on the list, around halfway up the list of EU nations (Transparency International, *Corruption Perceptions Index 2008* (Berlin, 2009). http://www.transparency.org/policy_research/surveys_indices/cpi/2008 Accessed June 2009.). Nonetheless, the lack of success in formally prosecuting traffickers (the US Bureau of Democracy, Human Rights, and Labor report referenced above notes that 'Of the 23 trafficking cases pending for investigation at the end of 2007, only one resulted in a two-year conviction, 10 were pending trial, seven resulted in acquittals, two were under investigation, two were dismissed, and in one prosecution had been suspended at the end of

Few successful prosecutions have as yet been brought under anti-trafficking laws. Two unintended effects of the new laws may be to increase the recruitment and exploitation of women from European Union countries (who do not need work visas) and to drive the sex trade from the cabarets to flats and other informal premises which are less easy to regulate. Nonetheless, it should be said, again, that the government's intervention in this arena in 2008 could serve as a model for tackling the other conditions favourable to racism observed in this report.

Examples of NGO Good Practice

KISA operates two Refugee and Migrant Centres (one in Nicosia and one in Limassol), which offer information and support and counselling services to migrants and refugees free of charge. Victims of trafficking also apply for information and social support.

In the northern part, the years following the referendum on the Annan Plan in 2004 brought economic expansion and noticeably faster growth rates, especially in certain sectors such as the construction industry. Yet, this was not a sustainable development and the economy has proved vulnerable to the global economic crisis, especially in the construction sector which has suffered a steep decline⁴¹.

The situation concerning access to employment and other rights is determined mostly by the status of migrants. The majority of registered migrants work in service sectors, while unregistered migrants are mostly employed in the construction sector, in the catering industry, as domestic workers and as gardeners. According to the Turkish Cypriot authorities, the number of registered migrant workers decreased in 2008. This represents a reverse from previous years, which saw a climb from 10 000 registered workers in 2004 to a peak of 49 000 in 2007. There are estimated to be around 5-6 000 unregistered foreign workers⁴².

Child labour appeared as a new predicament in 2008. The 'Ministry of Labour and Social Security' survey detected 44 children of immigrant workers working under heavy conditions in manual professions⁴³.

2008' (Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, *Country Report on Human Rights Practices in Cyprus - 2008* <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>, p. 21).

⁴¹ The growth rate was 11.4% in 2003, 15.4% in 2004, 13.5% in 2005, and 13.2% in 2007, but slipped to only 1.5% in 2007. The average per capita income of the Turkish Cypriot community is 14 765 US Dollars in 2007, 'State Planning Organization,' Macro Economic Developments, <http://www.devplan.org/Macro-ecoeng/MACROECONOMIC%20DEVELOPMENTS.pdf>, 30.05.2009.

⁴² 'Ministry of Labour and Social Security', 15.9.2008 <http://www.csqb.eu/index.php?men=385&newsid=167>, 29.04.2009.

⁴³ '44 çocuk ağır işçi', *Yeni Düzen Daily*, 29.11.2008.

Since 2006, work permits must be obtained by employers before the migrants arrive. Migrants are restricted to the specific job for which the permit has been issued and do not have the right to change jobs unless they leave the country and reapply to return. Except in the case of Turkish nationals, employers have to pay 'caution money' when they employ foreign workers. However, in many cases workers end up paying this caution money themselves.

Trafficking of persons has taken a new form, with people trafficked for non-sexual exploitation. Many Pakistanis are employed in the construction sector and some Philipinos are employed as domestic workers. Both groups pay around 5 000 Euros to traffickers to come to the north of Cyprus and they are faced with exploitation such as wages lower than the minimum wage, over-time work without payment and no contribution to their social security and no permission to holiday.

Migrant workers still do not join civil society organisations in any great numbers, and no positive measures have been taken to encourage participation to trade unions and other organisations. Moreover, no civil society organisations specifically aim to aid migrants. There are also no unions or NGOs whose specific goal is to protect the rights of migrant workers. As a result of this lack of civil society support, as well as their own relative isolation, many migrants are unaware of their rights under recent labour and immigration laws⁴⁴.

Various reports underlined the difficulties in accessing religion services for migrant workers. In Nicosia, many of the small-scale migrant businessmen do attend mosque on Fridays but workers are rarely able to do so, because of working hours⁴⁵.

Migrants are at more risk with regard to accidents at work and they do not have the legal right to remove themselves from situations that endanger health or safety without risking their continued employment. When they file complaints they regularly receive minimal and inadequate legal protection, meaning they can face dismissal for protesting exploitation or poor working conditions⁴⁶. In order to prevent such incidents the 'Law on Labour, Health and Approved Security' was passed in July 2008 and put into force in March 2009.

Although Turkish workers have the right to transfer their social insurance back to their home country, many of them are unaware of this or other regulations that are to their benefit. For instance, an insured worker who is injured or becomes ill

⁴⁴ Hatay Mete and Bryant, Rebecca '[Migrant Cities Research: Nicosia North](#)' in *Report from the Living Together project of the Institute for Public Policy Research and the British Council*. , (British Council, 2008), p. 62

⁴⁵ Hatay Mete and Bryant, Rebecca '[Migrant Cities Research: Nicosia North](#)' in *Report from the Living Together project of the Institute for Public Policy Research and the British Council*. , (British Council, 2008), p. 61

⁴⁶ Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, *Country Report on Human Rights Practices in Cyprus - 2008*
<http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>, p. 30

while in the north and who requires treatment in Turkey has the right to be transferred and to have his treatment there paid for by his social insurance. To do that, however, the medical board in north Cyprus must issue its approval. According to one 'government' official, the board has until now refused to grant such approvals⁴⁷.

It was announced that no licences were given by the Turkish Cypriot authorities in 2008 to run 'night clubs'⁴⁸ and a draft law has been prepared to combat trafficking of persons. However, sex trafficking remains a major problem and victims of trafficking are still faced with forced labour, physical violence, inhuman treatment, sexual exploitation, debt bondage and unlawful imprisonment.

The Turkish Cypriot authorities have examined the extent of the trafficking problem and began to offer some assistance to victims. The 'Ministry of Health' collected questionnaires on working and living conditions from nightclub and cabaret employees and hired a Russian-speaking staff member to interview the women in private to ascertain whether they were coerced or forced to engage in prostitution⁴⁹. By year's end, 34 prostitution-related cases had been tried and concluded. Of these, 13 involved charges of encouraging prostitution, five involved charges of engaging in prostitution, and 16 involved charges of profiting from prostitution. All the cases resulted in fines but no prison sentences. There is no policy to bring 'night club' owners to justice although procurement is a crime under the penal code⁵⁰. This is contrasted with the treatment of migrant sex workers, not necessarily employed by 'night clubs,' who were charged for five days imprisonment for prostitution and then deported to their country of origin⁵¹.

It is a well known (though undocumented) fact that many Turkish women are employed by Turkish Cypriots as cleaners without being registered with the social insurance scheme. Many Turkish Cypriot families employ women from Turkmenistan in their houses as domestic workers and child carers in this way. However, the 'government' accused these workers of being involved in prostitution and no work permits were given to this group during 2008.

Concerning refugees and asylum seekers, there is still no law to regulate asylum in the northern part of Cyprus. However, asylum seekers and refugees were given work permits. There are no specific mechanisms to assist asylum seekers

⁴⁷ Hatay Mete and Bryant, Rebecca '[Migrant Cities Research: Nicosia North](#)' in *Report from the Living Together project of the Institute for Public Policy Research and the British Council*, (British Council, 2008), p. 47

⁴⁸ Ali Alnar with Stella Rotaru and Alina Budeci, 'Combating Human Trafficking,' *Conference Proceedings* (Turkish Cypriot Human Rights Foundation, the British High Commission, U.S Embassy: Nicosia, 2008).

⁴⁹ Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, *Country Report on Human Rights Practices in Cyprus - 2008* <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>, p. 21

⁵⁰ Article 157 of Cap 154 Criminal Code.

⁵¹ Elmas Tokay, Yine Afrikalı Bu Kez Hepatitli (Again African, This Time Hepatitis Carrier) *Kıbrıs Daily*, 11 September 2008,

http://www.kibrisgazetesi.com/index.php/cat/2/news/60425/PageName/lc_Haberler, 30 May 2009

and refugees in finding jobs and most cannot find work other than casual or seasonal employment.

According to an eminent representative of the established Kurdish population, although Kurds are not generally the victims of discrimination, they are routinely rejected by the police recruitment body.

V.ii Housing

In 2008 government policy on housing remained focused on provision of homes for Cypriots, with some limited provision made for EU nationals⁵². Rent control laws, despite the requirements stipulated under EU regulations, continue to discriminate between Cypriot and non-Cypriot tenants. Laws forbidding third country nationals to buy property without special permission from the Council of Ministers remained in place until the end of 2008. Moreover, many of the current systems surrounding the granting of title deeds (often delayed for years) and the official valuation of property for taxation purposes are dependent on a combination of complex bureaucratic procedures and individual decisions reached on a face-to-face basis: these conditions make discrimination extremely likely. British, Russian, Eastern European and Arab people remain the principal victims of title-deed fraud, exploited by a systemic bias against foreigners⁵³.

TCN migrants, asylum seekers and refugees are increasingly ghettoised in inner-city urban areas, most especially the old city (within the walls) in the capital, Nicosia⁵⁴. This area is notorious for its crumbling buildings, which often have poor sanitation and fail to meet basic health and safety standards. As the beautiful old city is a conservation area, homeowners face restrictions on development of their houses, which makes redevelopment and investment overly expensive and unprofitable. At the same time, the combination of high prices and poor standard buildings make it difficult to sell property in this area. The solution for landlords is to let property to migrants who are willing to meet high rents by sharing flat space to the point of overcrowding. Cases of as many as 12 people sharing a single two-bedroom apartment have been reported by KISA⁵⁵. Such conditions are replicated in ethnic minority ghettos in Limassol and the other towns.

⁵² KISA reports, however, being approached by EU nationals who were excluded from receiving housing aid to which they were theoretically entitled by a combination of bureaucracy and an obstructive attitude on the part of officials.

⁵³ Title-deed fraud in Cyprus has become so bad that British parliamentarians have suggested official guidelines be altered to advise British people not to invest in Cypriot property (See the questions of Lord Jones of Cheltenham on 11 February 2009. *Hansard*, 11 Feb 2009, Column WA185, <http://www.publications.parliament.uk/pa/ld200809/ldhansrd/text/90211w0001.htm> Accessed June 2009). Solicitors, developers and agents have been accused of colluding to fleece foreign property investors, taking advantage of their lack of knowledge of the market. That such scams regularly succeed in robbing people of their life savings with no swift recourse to justice indicates a general unwillingness on the part of Greek Cypriots to see foreign-born residents as a genuine part of Cypriot society.

⁵⁴ 'Old Nicosia becomes an Immigrant ghetto' *Charavgi* 19 March.

⁵⁵ Interview with representative of KISA.

Although legally landlords are not permitted to discriminate on the basis of race and/or ethnic origin⁵⁶, discrimination of this kind is rife. Ethnic minority tenants are routinely refused the right to rent particular properties, or are told that properties have become unavailable: this reflects the generally high level of racism and xenophobia among the population. A 2007 survey found that 19% of ethnic minority respondents reported being refused housing primarily because of the colour of their skin in the past year: according to reports from migrant NGOs, this situation did not change in the year under review⁵⁷. There are no reports of prosecutions of landlords who refuse to let property to ethnic minority tenants: without legal aid, direct government funding to NGOs to strengthen their services in this area and/or widespread awareness raising activities, it seems unlikely that landlords are going to become aware that they are breaking the law in discriminating in this way.

The housing situation for asylum seekers remains difficult, but there are some hopeful signs. The Kofinou Reception Centre, the only such centre in Cyprus, has been expanded from 80 to 160 beds with the addition of 9 new units⁵⁸. Responding to criticisms made in previous reports, the Ministry of the Interior has improved play facilities, set up a recreation room with internet access and television, cooking facilities and Greek lessons, and has lifted the prohibition on single men in the camp. The bus stop, previously two kilometres from the camp, has also been moved nearer, allowing asylum seekers greater access to travel. All this creditable activity, however, must be put in the context both of the 4 479 outstanding asylum applications at the end of 2008, and also of the inability of newly arrived asylum seekers to either work or immediately access state benefits and housing.

Cypriot citizens of Roma origin, previously resident in the northern part of Cyprus, have requested the Cypriot government for help following discrimination by Turkish Cypriot authorities. They have been provided with prefabricated housing in an estate in the Paphos district, overseen by a specialist officer from Limassol Municipality with responsibility for provision of services to Turkish-speaking citizens. However, the housing situation of the Roma community is reported to be still very unsatisfactory.

In the north, no positive developments were observed in 2008 on the housing conditions of groups vulnerable to discrimination (see section 4, above). However, new incidents were witnessed that indicate discrimination against Turkish nationals and migrants is ongoing. For example, following residents' complaints, officers of the 'Famagusta District Governor's office' examined the

⁵⁶ Article 4 of Law 59(I)/2004.

⁵⁷ RUBSI and University of Nicosia, *Policy and Practice: Issues of Ethnicity and Race in Contemporary Cyprus* (Nicosia, 2007).

⁵⁸ Interview with representative of the Ministry of the Interior.

living conditions of workers in that district and discovered that many of them were living in transport containers without proper conditions⁵⁹.

There has also been no development on the housing conditions of asylum seekers and recognized refugees. Until the end of 2008, UNCHR rented two apartment flats and accommodated asylum seekers and refugees. However, newcomers temporarily settled there and overcrowded housing conditions led to fights among them.

According to research, students in the northern part of the island face severe housing problems. Turkish students report that they often have difficulty finding housing. Landlords want huge deposits from students and try to put all sorts of conditions and some landlords simply refuse to rent to Turkish students⁶⁰.

Although the 'government' has become fairly strict in enforcing immigration regulations, workers report that there is little oversight of employers. For example, contracts require that employers provide housing for their employees, however, workers are left to find their own accommodation and many of them have found it in houses and pensions in the walled city. In the old city of Nicosia the large, old houses abandoned by Turkish Cypriots are now crowded with Turkish workers. Many of these houses are decaying and they often lack adequate sanitation or cooking facilities, as is the case in the south of the old city⁶¹. However, many workers who have attempted to lodge complaints about these housing conditions with the relevant 'authority' have simply been sacked by their employers. Being sacked automatically cancels workers' work visas and results in their being deported from the country at their own expense. As a result, workers tend to accept that, despite contractual obligations, employers will not pay for their housing expenses⁶².

In 2008, there has been an improvement in tolerance towards Maronites on housing issues. There are new house constructions in Kormakitis (Koruçam) village but no permission for construction has as yet been given in the other 3 Maronite villages.

⁵⁹ Sedef Bosnak, 'Konteynerde Yasam Saglıklıymıs!' [Living in the Container is Supposed to be Healthy!], *Kıbrıs Daily*, 6 August 2008.

http://www.kibrisgazetesi.com/index.php/cat/2/news/57382/PageName/Ic_Haberler, 29.04.2009.

⁶⁰ Hatay Mete and Bryant, Rebecca 'Migrant Cities Research: Nicosia North' in *Report from the Living Together project of the Institute for Public Policy Research and the British Council*, (British Council, 2008), p. 40

⁶¹ Hatay Mete and Bryant, Rebecca 'Migrant Cities Research: Nicosia North' in *Report from the Living Together project of the Institute for Public Policy Research and the British Council*, (British Council, 2008), p. 47

⁶² Hatay Mete and Bryant, Rebecca 'Migrant Cities Research: Nicosia North' in *Report from the Living Together project of the Institute for Public Policy Research and the British Council*, (British Council, 2008), p. 47

In a related topic,⁶³ Alevi living in the north would like to have the recognition of Cem Houses as places of worship⁶⁴. These houses have no legal status as places of worship in Turkey or in the northern part of Cyprus. The sceptical approach of the authorities to Alevism in Turkey affects their financial and economic matters despite any good will the Turkish Cypriot authorities may have. Therefore, the Turkish Cypriot authorities cannot provide any financial assistance to build a Cem House, though a piece of land was given to the Alevi Community in order to build a Cem House. The board members of the Association of Research and Presentation of the Hacı Bektaş-i Veli Culture stated that 'they never go to mosque in their lifetime but their funerals are taken to mosque for the burial service. This is regarded as a very painful practice for the Alevi. There should be state sponsored building of sanctuaries. The Board members mentioned that there are 182 mosques in the northern part of Cyprus and in correspondence to 182 we want just one Cem House⁶⁵.

V.iii Education

According to the 2008 report from the Statistical Service, the proportion of school students from a migrant background enrolled in public schools is now around 9%. Most schools still lack a formal integration plan for children from non-traditional backgrounds, and very few teachers have received specialist training in bilingual or multilingual education. Provision of Greek lessons to children of migrant workers has increased according to the National Strategy Report on Social Protection and Social Inclusion 2006 – 2008, but is still focused primarily on younger children rather than secondary school pupils⁶⁶. The result is that older children who do not speak Greek are unable to follow lessons and frequently report that teachers either ignore them or discipline them for failure to understand.

The ghettoising effect mentioned in the housing section above means that in certain schools migrant children are a large proportion or the majority of the school population, a factor that can hamper language acquisition and integration since excluded children form a separate group. Schools are also still required by a circular issued in 2004 by the Ministry of Education to report the contact details of the parents of foreign children⁶⁷.

The most worrying element in education, however, is the spreading of racist attitudes in the classroom and in the playground. One long-standing response of

⁶³ Interview with Ozdemir Gül, Director of the Association of Research and Presentation of the Hacı Bektaş-i Veli Culture, 16.05.09. In the interview, the Director stated his belief that 'Alevi are not discriminated or face 'othering' in Cyprus compared to Turkey.

⁶⁴ Cem Houses (places of gathering) are the centre of worship and cultural activities for Alevi

⁶⁵ Interview with the Board Members of the Association of Research and Presentation of the Hacı Bektaş-i Veli Culture, 16.05.09.

⁶⁶ Cyprus Ministry of Labour and Social Insurance Social Welfare Services, *National Strategy Report on Social Protection and Social Inclusion 2006 – 2008* (Nicosia 2009), p. 8-9.

⁶⁷ UN Committee On Economic, Social And Cultural Rights report, section 25.

Cypriot governments since 1974 to the Cyprus problem was to introduce school textbooks in the government-controlled areas which glorify Greek peoples and which contain biased accounts of history in order to induce a feeling of resentment against Turks and Turkish Cypriots⁶⁸. The Greek Orthodox religion is considered normative: religious studies lessons only focus on Orthodoxy and are compulsory for pupils whose parents are Greek-Cypriots with the possibility of opting out only for students of ethnic minority or migrant backgrounds (no alternative religious studies are taught other than in the one mixed school operating in Limassol). Greek flags and other nationalist and ethnocentric symbols are commonplace in classrooms, and anecdotal evidence suggests that biased and racist language against Turkish Cypriots, Muslims and migrants is commonplace, as is forceful language directed against Israel that does not always distinguish between the Israeli government and Jews. Although a straw poll of university students suggests that all by the age of 18 had been made aware that racism is wrong, most put this down to television rather than educational influences⁶⁹. Meanwhile, both OELMEK (the secondary school teachers' union), and POED (the elementary school teachers' union) supported by the Church and parents' groups, has vigorously opposed changes to the more nationalist elements of the curriculum and textbooks, extending their opposition even to the correction of outright inaccuracies in history books⁷⁰. As the Education Minister, has commented, 'if you cultivate [the attitude] that we [Greeks] are the superior race, it affects their acceptance of multiculturalism⁷¹'.

The consequences of this attitude on the part of teachers were visible in the three worst incidents of racist violence in 2008, all of which involved children of secondary school age or even younger. These are described in detail in section V.vii, below. What is most significant to note here is the reaction of the teachers union OELMEK, whose representative stated to a parliamentary committee discussing the December assault that 'we will not accept under any circumstances that there is racism in our schools⁷²'. Despite the many credible reports that attackers had shouted racist slogans, he refused in his statement to accept that the attack had been racially motivated: neither did the union take the opportunity to investigate or condemn racism. Such an unapologetic stance indicates institutional racism, abetted by the attitudes expressed by parents⁷³. Relatives of the girl attacked in December (who are non-white Greek-speaking

⁶⁸ Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, *Country Report on Human Rights Practices in Cyprus - 2008* <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>, p. 21.

⁶⁹ Carried out by report author, March 2009. While racism as an abstract concept was recognised by all students as something wrong, they were far less united in opposition to homophobia, anti-immigrant rhetoric, and discrimination against women in the workplace. Moreover, two students who had been firmly against racism nonetheless in subsequent classes told anti-Semitic jokes without realising the contradiction. Other tertiary educators also report widespread anti-Semitic attitudes among their students.

⁷⁰ Editorial. 'An Uphill Battle to Change Mentalities.' *Cyprus Mail* 24 December 2009. www.cyprus-mail.com/news. Accessed May 2009.

⁷¹ Ibid.

⁷² 'Minister in Outspoken Attack against "Racist Society."' *Cyprus Mail* 3 January 2009. www.cyprus-mail.com/news. Accessed May 2009.

⁷³ Ibid.

Cypriot citizens) have stated that they no longer attend school for fear of being attacked.

The present government undoubtedly has progressive attitudes on multicultural education, as is attested in the attempts to change the textbooks and the high-profile condemnations of racist violence. However, the rising reports of racial tensions and the coming to light of racist incidents directed against Afro-Cypriots indicates that unless immediate action is taken, the current generation of Greek Cypriots will grow up inculcated with the worst kind of racist and xenophobic attitudes.

Examples of NGO Good Practice

The Multicultural Care Centre for Nicosia's Children is a free day care centre for children of migrant mothers, set up in July 2008. It provides care, food, play facilities and learning environments for children aged 5-12 whose mothers have a nationality other than Cypriot and who are permanent residents of Cyprus with work permits. The Centre's activities were jointly funded by the EU and Nicosia municipality. 20 mothers, including Russian, Congolese, Armenian, Iraqi, Romanian, Filipino and Georgian nationals, benefited from its services in 2008⁷⁴.

The Nicosia Youth Polycentre, though not specifically targeted at ethnic minority children, makes a point of outreach to migrant communities and 'aim[s] to include all kinds of minority groups who live in Nicosia⁷⁵'.

In the north, the history textbooks used in the secondary schools from 1971 till 2004 claimed Cyprus to be a geographical extension of Anatolia. These history textbooks were rewritten and distributed to all state schools to be used in 2004. The new history textbooks are far from the ethnocentric approaches of the old textbooks and the text books in the south, which can be considered as a good development⁷⁶. As in the south, when the new textbooks were published in 2004, right wing parties, journalists and historians reacted strongly against this change. These debates on the textbooks and history education reappeared towards the end of 2008, due to the 'general elections' in the north in April 2009, won by the right-wing National Unity Party of Dervis Eroglou. The new textbooks were part of the election campaign by the right wing conservative parties and groups. As was reported in the *Cyprus Mail*, a group called the 'National Struggle Council's

⁷⁴ Maria-Christina Doulami, 'Helping the Kids Belong.' *Cyprus Mail* 14 September 2008. www.cyprus-mail.com/news. Accessed May 2009.

⁷⁵ Ibid.

⁷⁶ Post Research Institute, Project on Education for Peace II: Textual and Visual Analysis of the Lower Secondary School History Textbooks Comparative Analysis of the Old and the New History Textbooks, Funded by UNDP's Action for Co-operation for Trust, with the support of USIAD, <http://www.porstri.org>, 2007.

Historical Technical Committee' announced that they were having meetings with all political parties to convince them to review the updated history syllabus⁷⁷.

One of the primary complaints of long-term foreign residents in the northern part of Cyprus is the quality of public education for their children. Turkish Cypriots also complain, but many attribute the perceived low quality to the presence of Turkish nationals in the schools. One result of this is that the number of Turkish Cypriot children attending private schools has risen dramatically since 2000, around the same time that larger numbers of Turkish nationals and their families began to arrive from Turkey, reflecting a general atmosphere of discrimination against Turkish nationals⁷⁸.

Research conducted in the old city of Nicosia reflected these views. One official from the 'Ministry of Education' identified three primary problems in the education of migrant children in Nicosia. The first is language, since most recent migrants come from the south and south-east of Turkey and so speak Kurdish or Arabic as their native language. The second problem is one of a different level of education for some students from Turkey, who begin in middle school and have difficulty catching up. The third problem the ministry official reports is one not directly related to education but experienced in schools, which is the ghettoisation of the walled city and the fact that many Turkish nationals and/or migrants do not mix with Turkish Cypriots or others who are not from their home region or cultural group⁷⁹. According to same official the problem continues into secondary education, where it becomes more manifest. The ministry reports that many teachers have complained about student behaviour where that behaviour might be interpreted as lack of full integration into the society. Indeed, teachers in certain schools have requested that migrant children be removed from those schools and taken elsewhere.⁸⁰ No training in multicultural education is offered nor has such training been requested. Bi- or multilingual teaching is not made available.

The Director of the Association of Research and Presentation of the Hacı Bektaş Veli Culture mentioned to TCHRF that Alevi children are not taught anything about Alevism within the 'official' school curriculum. Religion lessons do not cover Alevism. Also the Alevi religious and cultural music instrument called saz is not taught in the music courses like the violin, guitar or other instruments.

⁷⁷ Simon Bahceli, 'Threat to Revert to Old Version of Turkish Cypriot History Books', *Cyprus Mail* 12 March 2009. www.cyprus-mail.com/news. Accessed May 2009.

⁷⁸ Hatay Mete and Bryant, Rebecca 'Migrant Cities Research: Nicosia North' in *Report from the Living Together project of the Institute for Public Policy Research and the British Council*. , (British Council, 2008), p. 54

⁷⁹ Hatay Mete and Bryant, Rebecca 'Migrant Cities Research: Nicosia North' in *Report from the Living Together project of the Institute for Public Policy Research and the British Council*. , (British Council, 2008), p. 55

⁸⁰ Hatay Mete and Bryant, Rebecca 'Migrant Cities Research: Nicosia North' in *Report from the Living Together project of the Institute for Public Policy Research and the British Council*. , (British Council, 2008), p. 56

Therefore, Alevi families are forced to send their children to private saz courses⁸¹.

A concert of the famous Kurdish musician Ciwan Haco was cancelled when the 'authorities' refused to give permission for the use of a concert venue at the very last minute. Kurdish students who organized the concert claimed that 'neither English nor Turkish musicians' concerts have been banned previously, but a Kurdish music concert has been banned because of the pressure from Turkey'⁸².

In the northern part of Cyprus, the language of education in the universities is English. There is a considerable number of foreign students in those universities, however, some lecturers ignore their existence and teach in the Turkish language when foreign students are in the class.

V.iv Health

The health system in Cyprus is a non-contributory system allowing for access to health care for every person, apart from undocumented migrants who are only entitled to emergency care. However, the conditions and more particularly the fees which have to be paid for medical treatment as well as the practices followed by the competent authorities are deeply discriminatory on grounds of nationality as well as legal status. Ethnic minority citizens, such as those married to Greek Cypriots, report widespread discriminatory practices on the part of medical staff and healthcare providers⁸³.

According to the law, EU nationals, recognised refugees and long term residents are entitled to public health care services under the same conditions as Cypriot citizens. Cypriots citizens with an income below a defined threshold as well as special categories, i.e. civil servants and semi-government employees, are entitled to medical treatment free of charge or they pay part or the full amount of the fees depending on income criteria.

Migrants, other than asylum seekers and victims of trafficking, can receive medical care only if they pay the full amount of the fees provided in the Law, independently of their income. As a result, access to public health care for migrants is indirectly prohibited. Moreover, a parallel health care system has been developed with regard to migrants, based on compulsory basic health care private insurance plans, the cost of which is shared between employers and employees, with the exception of migrants who are members of trade unions who are covered by the medical schemes applicable to all trade union members. At the same time, under the employment contracts provided by the public

⁸¹ Interview with Ozdemir Gül, Director of the Association of Research and Presentation of the Hacı Bektaş-i Veli Culture, 16.05.09

⁸² 'Kıbrısta Ciwan Haco Konseri Yasaklandı' ('Concert of Ciwan Haco Banned in Cyprus'), *Sendika.Org*, 26 May 2008, http://www.sendika.org/yazi.php?yazi_no=17240, 31 May 2009.

⁸³ Interview with representative of KISA, May 2009.

authorities, the responsibility for the health care of the migrants rests with the employer. The above system basically 'cleared' the state of any responsibility regarding the health care of migrants, though it has taken on the support of individuals such as the Bangladeshi student who lost an arm in an industrial accident, referenced above⁸⁴. However, this was a specific case and did not form part of a general pattern.

The system of compulsory health insurance plans is problematic in its nature, since these plans do not cover many health risks, such as, for example, gynaecological examinations. This leaves migrant women, who are the majority of migrants, particularly vulnerable. While the gynaecological Pap Test is available to all Cypriot and EU female nationals, free of charge, irrespective of income, the government refuses to make this available to migrant women, who are the most vulnerable female group in the country. Further, although the employer is obliged to provide for any medical care not included in the insurance plan, there is no monitoring by the authorities to safeguard this right, nor are there any consequences on employers who do not meet this obligation.

The only exceptions to the above rule are asylum seekers and victims of trafficking. According to the Refugee Law, asylum seekers, who do not have adequate means of subsistence, have the right to access the public health services free of charge. The same holds for victims of trafficking. In reality, however, there are many asylum seekers who are denied access to medical care because they are not issued with a medical card. There were complaints of asylum seekers who were refused a medical card because they did not have a residence permit or a confirmation by the Social Welfare Services that they were recipients of public assistance and therefore they could not prove that they did not have enough means of subsistence.

In the northern part of Cyprus, according to the 'constitution,' it is the duty of the state to ensure that every person enjoys physical and mental health care and receives adequate medical attention. The families of migrant workers eligible for social security can benefit as much as Turkish Cypriots, while those of migrant workers who are not eligible can only benefit in emergency situations.

The Maronite community in Kormakitis (Koruçam) village has complained that their members have language barriers in health issues.

V.v Policing and racial profiling

A full panoply of laws are nominally in effect that forbid police from engaging in racial profiling, discrimination on grounds of race and ethnicity, cruel and unusual treatment of refugees and TCN citizens, etc. Cyprus is a signatory to many international conventions to this effect. The legal framework in which police operate is therefore satisfactory. Unfortunately, the same cannot be said when it

⁸⁴ Marianna Pissa, 'Struggling to Survive in Battle for Compensation.' *Cyprus Mail*. www.cyprus-mail.com/news. Accessed May 2009.

comes to implementation of these rules: no mechanisms are in place to monitor volume of complaints of racist behaviour by police, and no other metrics are in place to ensure or even monitor compliance with official rules.

The crackdown on undocumented migrants working in the shadow economy means that many migrant and non-Greek Cypriot workers in manual jobs report being asked regularly for papers, work permits, etc⁸⁵. The targeting of these 'stop-and-identify on suspicion' requests at non-Greek Cypriots is straightforward racial profiling, coupled with a class element that pressurizes the weakest members of society. No monitoring system appears to be in place to ensure that discriminatory and/or racist profiling does not take place.

The excessive use of violence against migrants and mass violation of their rights is an area of grave concern to human rights organisations and other NGOs and agencies. This area is also featured as one of special concern in international reports. This applies to all departments and services of the Police Force in Cyprus, including the Aliens⁸⁶ and Immigration Police, which is the executive branch of the decisions of the Director of the Civil Registry and Migration Department (Migration Officer). They are responsible for border and passport control, registry and control of migrants and they are the contact points with migrants on an everyday basis implementing the decisions of the Migration Department. The Aliens and Immigration Police have been repeatedly accused of a general attitude of discrimination against migrants from third countries⁸⁷.

One case which bears this out is that of a Lebanese man arrested on the eve of his wedding to a Cypriot citizen. The man, whose application for asylum in the wake of the Lebanese conflict had been refused, had his appeal rejected on the 6th June, and was due to be married on the 9th. Thus, for three days only his stay in Cyprus was not legally sanctioned. Yet, police chose to arrest him on the very day that his appeal was rejected. This suggests illegal collusion between the Refugee Reviewing Authority and the police, possibly also with the bride's family (who were known to be against the match). The man concerned was only released after the personal intervention of the Interior Minister: Had his case not been brought by KISA to the attention of the media it is entirely possible he could have been deported⁸⁸.

An investigation by the *Cyprus Mail* in May 2008 uncovered many reports of what it called 'third world' conditions in police detention centres, particularly those intended for holding prisoners prior to processing as well as rejected asylum seekers or migrants pending deportation. A Syrian national reported post-traumatic stress disorders brought on by his time in detention, a report borne out by the testimony of others. Other interviews in the same article suggested that

⁸⁵ According to NGOs working with these groups.

⁸⁶ Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, *Country Report on Human Rights Practices in Cyprus - 2008* <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>, pp. 5-6.

⁸⁷ Interview with representative of KISA.

⁸⁸ Stefanos Evripidou, 'Questions over Police Motives in Arresting Groom.' *Cyprus Mail* 11 June 2008, p. 4.

sexual harassment of female inmates was a regular occurrence. Although the regulations surrounding the detention of asylum seekers have substantially improved since the 2007 report, with the abolition of indefinite detention and improved processing⁸⁹, rejected asylum seekers still report night arrests that include the drugging of prisoners. A report by the Council of Europe Committee for the Prevention of Torture, published in 2008, was heavily critical of conditions in detention centres⁹⁰. Migrants with work permits, Turkish Cypriots and naturalized non-white Cypriot citizens informally report similar accounts of harassment and unlawful detention. All these reports were denied by the police authorities⁹¹. A climate of institutional and unthinking racism and resentment can be seen in the remark of one unnamed officer in the article that 'it is the immigrants who are above the law, not the police.'

The Independent Police Complaints Authority received 96 complaints in 2007 on charges such as violation of human rights, abuse of power, preferential treatment, and conduct unbecoming of police officers. Only two of these complaints resulted in criminal charges being brought, and another three in disciplinary action, while many cases were dropped for lack of evidence or testimony. These figures, alongside the allegations of police involvement in the escape of a rapist-murderer⁹², suggest a 'closed ranks' mentality among police which, given that almost all serving police officers are ethnic Greek Cypriots, is likely to further promote if not instigate institutional racism.

NGOs representing victims of trafficking and exploitation report regular harassment, amounting to persecution, by the police. The prosecution of then KISA Chairman originally brought in 2004 on frivolous charges (described in the previous report) finally collapsed in 2008, but not before the then Justice Minister had openly described the Chairman, the most visible public defender of ethnic minority and migrant people in Cyprus, as a troublemaker 'who doesn't respect the law' and who 'creates big problems and [a] bad image for the Cyprus Republic⁹³'. There is reason to believe that the then Minister, who at one time had openly supported the anti-migrant Movement for the Salvation of Cyprus, was expressing a widespread belief among law enforcement and civil service officials.

⁸⁹ It has to be noted however, that the abandonment of the practice of indefinite detention is based on a political decision of the Minister of Interior and not on the Law. The Law still provides for the possibility of indefinite detention under immigration detention and deportation orders.

⁹⁰ '49. The Committee is concerned by the persistence of the Cypriot authorities in using premises which are, by their very nature, inherently unsuitable for holding persons deprived of their liberty under the aliens legislation. Whatever the investment in renovating and improving such premises, their unsuitability for long-term detention purposes is unlikely to be addressed.' European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, *Report to the Government of Cyprus on the visit to Cyprus carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)* (Strasbourg: Council of Europe, 2008), p. 25.

⁹¹ Alexia Saoulli, 'The Police Here are Above the Law.' *Cyprus Mail* 18 May 2008. www.cyprus-mail.com/news. Accessed May 2009.

⁹² Alexia Saoulli, 'Five Officers Face Charges.' *Cyprus Mail* 20 June 2009. www.cyprus-mail.com/news. Accessed June 2009.

⁹³ Editorial. 'Stance Towards NGOs is Crystal Clear.' 6 February 2008. www.cyprus-mail.com/news. Accessed May 2009.

Similar accusations of police harassment were brought by the officers of Apanemi, a women's support centre⁹⁴. The internet cafe operated by KISA was invaded in August by two men describing themselves as immigration officers, who refused to show identification and acted in a threatening manner.

At a demonstration on 27 January 2008, the Executive Director of KISA was again arrested and questioned by police agents, this time on the trivial excuse of operating sound equipment in public without a licence. He was charged with 'resistance to arrest' and 'causing grievous bodily harm to a police officer' (KISA was informed almost a year later that the Attorney General decided that the case could not stand in court and it was therefore dropped.) Officers at the scene behaved with obvious heavy-handedness in breaking up the demonstration, as can be seen in the videos of the arrest placed on YouTube and on the blog 'Police State.' There have also been accusations that a female plain-clothes officer at the scene pretended to have been attacked, suddenly falling to the ground and screaming despite not having been touched, in order to give police an excuse to break up the demonstration⁹⁵. Undercover policemen were filmed kicking and punching ethnic minority women in sight of their children⁹⁶. It should be said that not only did these events take place under the former government, but that the current Minister of the Interior was present among the demonstrators on that day, proof of the changed attitude at the highest level of government⁹⁷. However, change cannot be enacted by ministerial fiat alone.

Most seriously of all, in the December case of assault on a teenaged Cypriot girl of African origin (described in section V.vi, below), the father reported that despite attempting to talk to the police on three occasions, he was turned away, his statement was not taken and the assault was not recorded as racist in origin. Police did not arrest the attackers, nor were formal prosecutions brought against them. (Disciplinary procedures were brought within the school against three of the 40+ children involved in the incident: however, these children were reportedly already seen as troublemakers in general). Similarly, during the racially motivated riots in the old part of Nicosia, police failed to identify or arrest Greek Cypriot ringleaders, though they claimed that charges would subsequently be brought. The first incident which sparked the attacks was the beating of a Bangladeshi national and his girlfriend: despite their attempts to report the crime, the police at Omorfita station claimed to have no record of the attack⁹⁸.

⁹⁴ Ibid. Also see Jacqueline Theodoulou, 'Women's Support Group Claims Persecution over Charges.' 3 February 2008. www.cyprus-mail.com/news. Accessed May 2009.

⁹⁵ Jean Christou, 'Agent Provocateur?' *Cyprus Mail* 3 February 2008. www.cyprus-mail.com/news. Accessed May 2009.

⁹⁶ Stefanos Evripidou, 'Police Blasted over Protester Beatings.' *Cyprus Mail* 29 January 2008. www.cyprus-mail.com/news. Accessed May 2009.

⁹⁷ Stefanos Evripidou, 'The Suffering of Those in Search of a Better Life.' *Cyprus Mail* 28 December 2008. www.cyprus-mail.com/news. Accessed May 2009.

⁹⁸ Marianna Pissa, 'KISA reports two more racist attacks over the weekend.' *Cyprus Mail* 30 August 2008. www.cyprus-mail.com/news. Accessed May 2009.

The Salvation of Cyprus Movement, an ultra-nationalist anti-immigration pressure group, claimed that the Chief of Police was to attend one of their rallies but had been prevented by the Minister of the Interior. These claims were, however, denied⁹⁹.

The police have acknowledged the need for further training of police officers on racism and discrimination issues. They have taken up the implementation, under the Progress programme, of training courses for police officers on racism, discrimination and multiculturalism in cooperation with the Dutch, British and other colleagues¹⁰⁰.

In the northern part of the country, police abuse of detainees and arbitrary arrest and detention continued to be problems, as did restrictions on citizens' privacy rights¹⁰¹. Recently, police abuses became more visible and much more action has been taken against maltreatment by the police. However, having no independent authority to investigate the complaints against the police is a major flaw of the legal system in north Cyprus. When there is a complaint about torture the Office of the 'Attorney General' investigates allegations of torture with the police, but the following is the only instance of this type. Two Iranian Azeris claimed that they were tortured by the police, one of them being still under psychological treatment. The TCHRF has made a legal complaint to the 'Attorney General' and the police to investigate accusations of torture against victims since October 2008. However, no investigation has taken place so far¹⁰². Individuals have the right of recourse to court for compensation after the abuses of police, but this is very costly and many lawyers are reluctant to lodge a case against the police.

Suspects are not permitted to have their lawyers present when testimony is taken, in contravention of the law. Suspects who demand the presence of a lawyer are sometimes threatened with stiffer charges or physically intimidated¹⁰³. Some doctors and victims of torture have complained to TCHRF of police officers being present at medical examinations. Furthermore, a new regulation applied by the police means that lawyers are sometimes not allowed to see their detained clients after office hours.

A general perception among the Turkish Cypriot public is that most crime in the north is committed by Turkish nationals, and there are reports that police and the

⁹⁹ Alexia Saoulli, 'Minister lashes out at 'neo-nazi- group over accusations.' *Cyprus Mail* 26 July 2008. www.cyprus-mail.com/news. Accessed May 2009.

¹⁰⁰ Letter of the Police dated 4 June 2004 responding to ENAR-Cyprus's request for information on statistics and measures taken to tackle racism.

¹⁰¹ Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, Country Report on Human Rights Practices in Cyprus - 2008 <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>, p. 21.

¹⁰² Turkish Cypriot Human Rights Foundation, 'Government Should Address Allegations of Torture,' <http://www.ktihv.org/eng/content/view/48/21/>, accessed 20 May 2009.

¹⁰³ Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, Country Report on Human Rights Practices in Cyprus - 2008 <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>, p. 22

judiciary tend to treat such people more severely¹⁰⁴. A big majority of inmates in the prison are foreigners: the majority of these are Turkish citizens. Prison conditions do not meet international standards. Inmates complain of overcrowding at the prison, though the authorities claim that they have already addressed this problem. Inmates also raise complaints, via the media, regarding unsanitary living conditions and prison authorities' negligence¹⁰⁵.

There have been reports in the past year that police have subjected Greek Cypriots and Maronites to unlawful surveillance.

Students are another group that has protested about police intimidation and discrimination. One professor reported that his African students complained that police continually stopped them at night to check for drugs, with no obvious cause other than ethnicity¹⁰⁶.

According to Mete and Bryant, 'students especially from Arab countries, experience difficulties at immigration when entering the country. One Arab student told us, "In the beginning, when I came to the airport, I had problems because they were very tough with us. They were very tough, as though we were thieves or drug dealers. Not me only, other students have problems. I have a message to the authorities here: they should respect others"¹⁰⁷'.

Although the Turkish Cypriot authorities consider the 1951 Refugee Convention as part of domestic law, refugees (including children) are subject to imprisonment and other penalties, on account of their illegal entry. Prison sentences are served in small, unhygienic and overcrowded cells. Undocumented migrants are faced with the same punishments and prison conditions, and in addition they are deported via Turkey. According to information given to TCHRF by a police officer, 20 undocumented migrants can be deported every week. For this reason, sometimes there is not enough capacity to process them promptly, with the result that some undocumented migrants had to stay in the prison longer than the sentenced originally meted out. In some cases Social Welfare Services has refused to take care of children of refugees and undocumented migrants due to lack of staff and resources. Although TCHRF has intervened four times for 20 children, authorities have taken no measures in order to provide basic facilities for children.

¹⁰⁴ Hatay Mete and Bryant, Rebecca '[Migrant Cities Research: Nicosia North](#)' in *Report from the Living Together project of the Institute for Public Policy Research and the British Council*. , (British Council, 2008), p. 50

¹⁰⁵ Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, *Country Report on Human Rights Practices in Cyprus - 2008* <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>, 2008, p. 21

¹⁰⁶ Hatay Mete and Bryant, Rebecca '[Migrant Cities Research: Nicosia North](#)' in *Report from the Living Together project of the Institute for Public Policy Research and the British Council*. , (British Council, 2008), p. 41

¹⁰⁷ Hatay Mete and Bryant, Rebecca '[Migrant Cities Research: Nicosia North](#)' in *Report from the Living Together project of the Institute for Public Policy Research and the British Council*. , (British Council, 2008), p. 41

The authorities are also reported to actively discriminate in policing on the basis of religion. Greek Cypriots and Maronites are still prohibited from visiting religious sites located in military zones. The church in Agios Trias (Sipahi) village has been restored but the Greek Cypriots that live in the village are not allowed for worship in the church. Greek Cypriots and Maronites were required to apply for permission to conduct church services anywhere other than the seven churches designated by the authorities. Maronites have not been granted permission to worship in their holy churches except those in Kormakitis (Koruçam) and a few hours in Asamatos (Özhan) on Sundays. Missionaries have the legal right to proselytize, but the authorities closely monitor such activities¹⁰⁸. A Turkish-speaking Protestant congregation continued to claim mistreatment at the hands of Turkish Cypriot authorities and some members of the public, allegedly over fears that members were proselytizing. They also complained they were unable to register as an 'association' and thus could not establish a trust fund, construct a place of worship or establish a cemetery for congregants¹⁰⁹.

V.vi Racist violence and crime

The most worrying development in 2008 in Cyprus was the rise in racially-motivated assaults and mob violence in the government-controlled areas. The police, as noted above, frequently do not record such incidents as racial in origin – indeed, the mechanism for doing so is unclear. A commonplace observation in Cypriot society, linked to anti-Muslim feelings previously described, has been that such incidents are due to tensions between migrant and host populations in a society experiencing rapid influxes of EU and TCN citizens. However, the assault on a 15-year-old girl by a mob of her classmates shouting racist slogans, despite her fluent Greek and full cultural integration, has tragically proved that this is not the case. That racist ideology is commonplace in Cyprus can be seen in the omnipresent graffiti of swastikas, connected to football hooliganism. As in other countries, violent youth culture surrounding football clubs provides an easy breeding ground for violent ultra-nationalism.

In June, teenagers in the village of Ypsonas attacked foreigners indiscriminately in revenge for an attack on a friend of theirs. Arrested attackers included 15-, 16- and 17-year-olds, but onlookers reported that the majority of the mob was younger. The victims of assault included British, Romanian and Bulgarian men, which demonstrates that in the perception of the attackers 'foreigners' were seen as a single lump category, rather than as individuals: it further suggests that the teenagers thought they could attack foreigners with few consequences.

¹⁰⁸ Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, *Country Report on Human Rights Practices in Cyprus - 2008*, <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>, p. 24

¹⁰⁹ Bureau of Democracy, Human Rights, and Labor, U.S. Department of State International Religious Freedom Report on Cyprus, <http://www.state.gov/g/drl/rls/irf/2008/108441.htm>, 2008

In December, several incidents took place. A 15-year-old Cypriot girl of African origin was set upon by a mob of 40 or so children of around the same age after defending a classmate in a squabble following a volleyball match. Shouting slogans such as 'Come out Child of Africa that I may kill you,' the students beat and kicked the girl while school staff did little to prevent them. At around the same time, a Bangladeshi man was beaten by a group of youths when he refused to give them his motorcycle, and a mob of 50 Greek Cypriot youths attacked ethnic minority businesses and living quarters in the old city of Nicosia¹¹⁰.

According to police statistics for the years 2005 to 2008, 29 racist or racially motivated crimes were committed, six of them in 2008. Of those cases, 20 have been brought before the court, in 16 cases the suspects were found guilty and penalties have been imposed, in one case the suspect was acquitted and three cases are pending before the court. In nine cases the file was closed¹¹¹. However, it is not clear from the statistics if the racially motivated crimes have been prosecuted as such or as common penal law crimes, nor whether the courts considered the racial motivation to be an aggravating factor when imposing penalties as well as whether the penalties were proportional to the seriousness of the racist or racially motivated crimes. Finally, the statistics do not seem to cover cases of racist contact from police officers themselves, which is a very usual phenomenon according to NGO experience.

The Jewish community in Larnaca, consisting of some 2 000 people, was threatened by racist mobs in the midst of Israel's actions in Gaza. Although community leaders confirm that prompt and decisive action by the police prevented the attackers reaching the Jewish cultural centre in Larnaca, there are complaints that the police are unwilling to take the threat of further attacks seriously. The police have claimed that 15 patrols a day pass the synagogue, however usually none are visible. The community's requests for permanent police protection have been ignored, despite reports of racial abuse being shouted at Jewish people on the waterfront in Larnaca, and stones being thrown through the windows of the synagogue¹¹².

Without swift measures to aid integration and promote a multiracial understanding of Cyprus in schools and among the general public, and given the high rate of migration, it is likely that more such incidents will take place in the future. Encouragingly, ministers in the new administration have made several high-profile statements condemning xenophobia: however, while such leadership from the top is to be welcomed, it remains to be seen whether the message of

¹¹⁰ Marianna Pissa, 'KISA reports two more racist attacks over the weekend.' *Cyprus Mail* 23 December 2008. www.cyprus-mail.com/news. Accessed May 2009.

¹¹¹ Police statistics sent to ENAR-Cyprus in a letter of 4 June 2009 after a request was made by ENAR-Cyprus to that effect.

¹¹² Interview with Chief Rabbi, May 2009. Also see European Union Agency for Fundamental Rights, *Anti-Semitism: Summary overview of the situation in the European Union 2001-2008*. (Brussels, 2009), p. 26, which also records that a car with a Hanukkah on its roof was targeted by stone-throwers.

racial diversity can easily be absorbed by a society more used to viewing itself as the victim of foreign assault.

In the north, it was reported to TCHRF (the Turkish Cypriot Human Rights Foundation) that during the month of March 2008 a group of Turkish students suddenly attacked black international students, beating and injuring many of them. After this incident, the university administration reported to TCHRF that penalties were administered to the Turkish students responsible. However, African students reported to TCHRF there were no criminal proceedings by the police against attackers.

Greek Cypriots in the south continue to assert that vandals have damaged Greek Orthodox churches and removed religious icons in the north in previous years; there were no reported investigations of these incidents. Greek Cypriot claims included alleged Turkish Cypriot misuse of a Greek Orthodox church in the village of Trimithi (Edremit) as a ceramics showcase. Turkish Cypriot authorities denied the claim that using the church as a ceramics showcase constituted misuse¹¹³.

V.vii Access to goods and services in the public and private sector

The Research Unit in Behaviour & Social Issues Report for 2008 surveyed migrants in the government controlled areas and found that 47% of the participants reported having encountered institutional discrimination and 63% reported discrimination and prejudice on a daily basis. Anecdotal evidence suggests that TCN's are often not informed of their rights, or are given conflicting information by public sector service providers. Security guards in stores and other front line staff in the private sector routinely single out and harass ethnic minority citizens, to judge from informal NGO reports.

In the north, no records have been kept on access to goods and services in the public and private sector.

V.viii Media, including the internet

Television drama, music and youth programming in Cyprus are dominated by American imports, which frequently feature anti-racist sentiments and non-white, especially African-American performers. This positive impact of television, however, may be mitigated by the occasionally unenlightened attitudes towards people from non-Greek ethnicities seen in Greek language programmes. For example, the Greek comedy *Lola*, repeated on Cypriot television, features a long-running Jewish character, whose ethnicity is the basis for jokes. There are no

¹¹³ Bureau of Democracy, Human Rights, and Labor (U.S. Department of State), *Country Report on Human Rights Practices in Cyprus - 2008* <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>. p. 24.

examples of positive depictions of non-white Cypriot citizens in any current television drama or comedy series made in Cyprus.

The Greek-language press contains many reports which link non-whites and ethnicities common among migrant populations to drugs and illegal immigration¹¹⁴, and more generally containing racist or xenophobic attitudes. Most problematic are articles not on the topic of immigration which mention migrants, as they are often seen as the butt of humour or depicted as a problem in society (this is generally also the case on letters pages). However, it should also be noted that the English-language *Cyprus Mail*, the second-biggest circulation daily newspaper in the country, has proved to be a tenacious campaigner against injustices committed towards migrants. Other media outlets praised by campaigning organisations include Radio Astra, *Ergatiko Vima* and *Politis*. Hyphenated identities for naturalized citizens, such as African-Cypriot or Asian-Cypriot, are not used, another indicator of a societal refusal to accept non-Greeks as equal citizens.

Cyprus lacks an effective anti-racist campaigning organisation¹¹⁵ other than the migrant NGO KISA, which is overwhelmed as it is, and without government or EU financial backing it is difficult to see how an awareness raising advertising campaign could be put together. In other European countries such advertisements have had a significant effect not only on the populace but also on the newspapers that carry the advertisements.

In both halves of the island, in criminal cases where non Cypriots are involved, the nationality of alleged criminal is always reported in the media, while this is not the case when Cypriots are involved, unless they are involved jointly with a non-Cypriot or in criminal cases abroad.

NGO Good Practice

TCHRF, UNHCR Turkey and UNHCR Cyprus organized a workshop entitled 'Code of Conduct for Journalist in Refugee Context' for the journalists. Metin Çorabatır, a former journalist and UNHCR Turkey representative, presented the UNHCR guidelines on ethical reporting on stories concerning migration and individual migrants.

In the northern part, the majority of media institutions label suspects and accused persons who are not Turkish Cypriot by birth as criminals before their trial has ended. The vast majority of media institutions confuse the terminology

¹¹⁴ Cf 'Drugs and Illegal Migration' (in Greek) *Simerini* 13 July 2008; 'Protest against Turkish settlers in occupied areas and against illegal migration in general in Cyprus' (in Greek) www.maxinewspaper.com; 'Illegal Immigrants: An Open Letter to Mr Silikiotis' (in Greek) *Politis* 13 July 2008. 'Polykarpou – Sylikiotis defenders of illegal immigrants' (in Greek) *Simerini* 14 Feb 2008.

¹¹⁵ There are other anti-racist organisations of course, but their campaigns tend to be targeted at bicomunal initiatives or at cultural events, rather than tackling racism against non-whites and migrants.

concerning refugees: for example, very often newspapers describe undocumented migrants as refugees who 'have no asylum application.'

Almost all media institutions violate the journalists' ethical code concerning refugees and clearly publish the names and pictures of asylum seekers who have fear of persecution. The media generally describes the plight of refugees as a 'human smuggling' problem and does not cover the causes of their refugee status.

VI. Political and legal context

The election of President Christofias in February 2008 was seen by many as a victory for progressive political forces in the country, both in terms of the hopeful perspective it gave to a solution of the Cyprus problem, and more generally for a 'fair society' for all. The government promised social policies and measures, for example, in favour of more vulnerable groups such as women, single parents, elderly people and persons with disabilities.

In terms of the Cyprus problem, the immediate restart of the talks (after four years of stagnation), with Turkish Cypriot leader Mehmet Ali Talat, initially seemed extremely promising. The first meeting produced a tangible result with the opening of the Ledra Palace/Lokmacı crossing point on the 2nd of April, 2008. The Ledra Palace / Lokmacı gate had been in 1963 the first division line created between ethnic communities in Cyprus and its opening reflected in a symbolic way the change in the political climate, particularly as agreement on this symbolic gesture had been stalemated under previous administrations.

Despite the restart of the negotiations, however, in the south the slow pace of the negotiations and the step-by-step opposition of nationalist voices caused the initial euphoria of the population to progressively dissipate. In the north, Turkish Cypriots seemed to be disappointed that the European Union failed to meet their expectations, which also led to pessimism regarding the solution of the Cyprus problem. This is evident from the results of the recent 2009 general elections in which the Mehmet Ali Talat's Republican Turkish Party (Cumhuriyetçi Türk Partisi or CTP) and Freedom and Reform Party (Ozgurluk ve Reform Partisi or ORP) coalition lost and a nationalist and right wing National Unity Party (Ulusal Birlik Partisi or UBP) won a strong enough majority to be able to form an administration without coalition. These tendencies entrench the partition of the island and make it less likely that an eventual solution can be equally acceptable to both of the major ethnic populations.

In the south however, the softening of official rhetoric against Turkish Cypriots and the striving towards reconciliation has formed part of a more general governmental push against discrimination and racism of all kinds. Both the President himself and many of his ministers have repeatedly stressed the human rights of migrants and foreign-born or non-Greek Cypriot citizens. Several ministers have made high-profile interventions, mentioned elsewhere in this report, into human rights violations resulting from xenophobic attitudes. The government has repeatedly recognised that Cypriot society has systematic and widespread problems with racism, in response to which they have stressed the island's long history of tolerance and its historical position as the crossroads of many cultures.

At the same time, the 'fair society' promised by President Christofias started becoming a reality for many vulnerable groups of Cypriot citizens with increased pensions, new housing policies, new benefits for vulnerable groups, and other such measures. The 'fair society' initiative however has not as yet reached the migrant populations who are probably the most vulnerable to discrimination and racism. Nothing has yet substantially changed in the situation of most migrants, other than political rhetoric towards them. The migration model remains based entirely on the guest worker concept, permanent residency is still effectively denied in almost all cases for fear of changing the demographics of the country, and the migrant population continues to live in conditions of exclusion as few integration measures have as yet been taken.

Moreover, the anti-immigrant pressure group calling itself the 'Movement for the Salvation of Cyprus' continued to hold meetings and gain attention in the national press. Some NGO observers believe that the group has deliberately chosen not to put forward candidates for election or otherwise test its popular support, as this way it can continue to present itself as politically neutral. Their rhetoric, which after all reflects the simultaneous rhetoric of threat to national identity and praise of unique Greek/Cypriot cultural achievements common even among progressive forces in Cyprus, can easily pass as simply that of cultural conservation. This way they have been able to secure the endorsement of even active participation of former Supreme Court judges, ministers and prominent Church officials. However, their strong focus on immigration as a threat to identity, coupled with reports of racist speeches in their meetings, mark them out as a coalition of the most anti-progressive forces in Cypriot society.

In terms of the legal framework relevant to discrimination and racism, no developments may be reported as no initiatives were taken to reinforce it. Although the NGO movement has been repeatedly calling for an amendment of the antidiscrimination laws so as to fill the obvious gaps and partial harmonisation of the antidiscrimination Directives, such as the lack of a body responsible providing independent support to victims of race or ethnic origin discrimination, nothing has been done. Moreover, the need for a national action plan to tackle discrimination and racism has not as yet been acknowledged by the authorities. As a result community law continues to be flouted and unenforced in practice. This is evident also from the lack of any cases brought before the courts.

VI.i Anti discrimination

The Eurobarometer opinion survey into European attitudes to matters of racial and other forms of discrimination revealed that Cypriots are by far the least comfortable in the European Union with the idea of having someone from a

different ethnic group than the majority of the population as President¹¹⁶, and are generally uncomfortable with difference¹¹⁷. However, Cypriots were the most likely in the European Union (along with Finns) to agree with the statement that 'Enough effort is being made in our country to fight all forms of discrimination'¹¹⁸. This shows just how much of an uphill battle remains to integrate anti-discrimination measures in civil society. Few Cypriot businesses have explicit anti-discrimination policies, and very little case law has yet been built up in this field. Active policies for affirmative action have been declared unconstitutional.

EU anti-discrimination measures have been adopted by the Republic of Cyprus since 2004, in the letter of the law at least¹¹⁹. However, the lack of legal aid for victims of discrimination, the lack of funding to independent bodies which might represent such victims, and the limited nature of consciousness-raising campaigns to make both vulnerable groups and their employers aware of their rights, has resulted in a situation where the law is in practice ignored. More seriously, no cases that we can discover have yet been brought to court, with the result that no body of precedence in case law has yet been established. All of this results in a situation where discrimination is formally outlawed and yet *de facto* widespread¹²⁰.

There is a designated Anti-Discrimination Body which is intended to deal with cases of discrimination, which operates under the umbrella of the Ombudsman. The Ombudsman is also responsible for investigating complaints: this means that in fact no truly independent aid is available to victims of discrimination and racism, separated from the investigating body. More than this, there is no mechanism for this body to directly instigate prosecutions or to represent victims in court. The effect is to prevent victims of discrimination from having legal recourse unless they are wealthy enough to pay for lawyers or can find lawyers willing to do *pro bono* work.¹²¹ In those cases where the Ombudsman has ruled, the resulting fines have been too small to function as 'effective, proportionate and dissuasive sanctions' as laid down in the law¹²². The Anti-Discrimination Body is

¹¹⁶ Directorate-General for Communication. *Discrimination in the European Union: Perceptions, Experiences and Attitudes*. European Commission: Brussels, July 2008. The European average was 6.4, while Cyprus scored 3.9, almost an entire point below the next country (p. 8). The same survey showed that Cypriot homophobia is also strong, with a higher percentage of Cypriots than any other EU country being uncomfortable with homosexual leaders.

¹¹⁷ Another interesting measure is the number of Cypriots who feel uncomfortable with the idea of a Roma neighbour, despite Cyprus having a miniscule Roma minority, estimated to be no more than a thousand persons (Ibid, p. 9)

¹¹⁸ Ibid, p.23

¹¹⁹ The relevant legislation is the *Combating of Racial and Some Other Forms of Discrimination (Ombudsman) Law 42(1)/2004*, the *Equal Treatment in Employment and Occupation Law 58(1)/2004* and the *Equal Treatment (Racial or Ethnic Origin) Law 59(1)/2004*. Prosecutions could also be brought under the *Unfair Dismissal Law 24/1967*, which outlaws discrimination on grounds of ethnicity.

¹²⁰ UN Committee On Economic, Social And Cultural Rights report, section 10. Also see Nikos Trimikliniotis, 'Evaluating the Anti-Discrimination Law in the Republic of Cyprus.' *The Cyprus Review* 20:2.

¹²¹ 'A Survey of the Impact of the Racial Equality Directive (RED) on Trade Unions and Employers,' 4-6.

¹²² See Anthoula Papadopoulou, *The Impact of the Racial Equality Directive: A Survey of Trade Unions and Employers in the Member States of the European Union, (National Report on Cyprus)*, (Nicosia, 2009), pp. 4-5. (Advance unpublished manuscript)

in receipt of far too few human and financial resources, as identified also by the UN, which also prevents it from being able to carry out its work effectively¹²³. Though generally praised by rights organisations for its work with migrant and naturalised citizen workers, this body has also been criticized for an inadequate response to rights questions raised by Turkish Cypriots where such rights enter the domain of the 'Cyprus problem'¹²⁴.

These weaknesses are particularly worrying as the existence of the Antidiscrimination Body is presented by the Cypriot government as its best attempt to implement its obligations as a signatory to the UN Convention on the Elimination of Racial Discrimination (UNICERD) as well as with EU Directives concerning equal rights¹²⁵. Cyprus is nominally a supporter of the Durban Declaration, but the government's own 2008 review of the impact of the Durban Declaration on Racism describes little more than the adoption of laws that were anyway required for accession to the EU¹²⁶. As a matter of fact, no specific action plan has ever been adopted to tackle racism and discrimination.

More generally, the standard separation of the workforce into Cypriot/EU and migrant sectors could be said to institutionalise discrimination. A 2008 survey into the impact of the Racial Equality Directive found that Trade Unions were generally aware of anti-discrimination regulations, that the largest unions (PEO and DEOK) have significant ethnic minority membership, and that several unions have specialised departments to deal with complaints of discrimination/racism at work. Union literature is produced in various languages including Turkish and Russian. Nonetheless, in the past few years unions have also been criticized for exploitation of migrants, partly in the form of the 2004-2007 collective agreement on pay and conditions for migrant workers in the farming industry which enshrined low pay and discriminatory practice, and partly in the form of an agreement under which employers automatically deducts union subscriptions from migrant workers' salaries and share the proceeds equally among the unions, regardless of the individual worker's preference and regardless of the workers membership to the unions¹²⁷.

Employers' associations report that they believe there are no specific issues with discrimination and happily pay lip service to the concept of equal rights for ethnic minorities. This complacency is belied by the reports on discrimination in the workplace cited throughout the current report. Though employer organisation

¹²³ UN Committee On Economic, Social And Cultural Rights report, section 11.

¹²⁴ N. Trimikliniotis and C. Demetriou, 'Evaluating the Anti-Discrimination Law in the Republic of Cyprus: A Critical Reflection.' *The Cyprus Review* 20:2 (2008).

¹²⁵ See "Fifth periodic reports submitted by States parties under articles 16 and 17 of the Covenant: Cyprus," *Office of the High Commissioner for Human Rights*, Nicosia, 2008. Also see "Reports of the Human Rights Council on the Preparations for the Durban Review Conference" *Permanent Mission of the Republic of Cyprus in Geneva*, Geneva, February 2008, www.un.org/temp/drc2009/pdf/replies/Cyprus.pdf, accessed July 2009.

¹²⁶ Ibid,

¹²⁷ Anthoula Papadopoulou, *The Impact of the Racial Equality Directive: A Survey of Trade Unions and Employers in the Member States of the European Union, (National Report on Cyprus)*, (Nicosia, 2009), pp. 6-8.

representatives are generally aware that discrimination on the grounds of ethnicity is illegal, they mostly do not actively engage in combating the problem. There seems to be no requirement by employers' organisations for members to have an equal rights policy or code of conducts to that effect, nor any monitoring of effective implementations of such policies.

As mentioned before, and as borne out by research from the Cyprus College Research Centre, prejudice against Islam continues to be widespread among Greek Cypriots¹²⁸. A majority of Cypriots agreed that Islam as a belief was likely to lead to extreme actions. This demonization of the majority religion among migrants, based on ignorance and prejudice¹²⁹, is supported by the seemingly unshakeable hold of the Greek Orthodox Church on religious education in schools. Until a curriculum requirement is made that both the idea of secularism and the basic principles of religions other than Greek Orthodoxy are included in school religious studies courses, which would need to be backed with monitoring and examinations, it is unlikely that this exclusionary attitude will alter.

Also lacking are specific ethnicity-based metrics to monitor administration and delivery of anti-discrimination policies. Not all government statistics yet include migrants, though this situation is improving. Far less satisfactory is the absence of statistics regarding ethnic background and religion of users of services from a wide range of departments: without such statistics correlated to a success/failure metric it is difficult to see how institutional racism can even be identified, let alone tackled.

In the north of Cyprus, anti discrimination laws have not as yet been enacted.

After the 2004 referendum, the Turkish Cypriot authorities decided to proceed with the adoption of the EU *aquis communautaire* and have been holding consultations with the European Commission to adjust the relevant laws in 12 chapters between 2009 -2011. However these chapters do not include discrimination issues. Furthermore, the government had no action plan to combat racism or raise public awareness.

The 'Ombudsman office,' only deals with services or acts of the administration (except the 'Police'). This has been carried out in accordance with the legislation in force and court decisions, in order to control any service or act done by or on behalf of any executive or administrative unit or officer¹³⁰. The absence of anti-discrimination laws minimizes the role of the 'Ombudsman's Office' compared to other Ombudsman's Offices.

¹²⁸ Cyprus College Research Centre, *Attitudes and Beliefs of Greek Cypriots towards People with Different Religious Convictions and Affiliations Who Live in Cyprus* (Nicosia, 2008).

¹²⁹ KISA reports that it is common to encounter officials who classify all non-Christian religions as Muslim.

¹³⁰ Article 114(3) of the 'Constitution'

The 'High Administrative Court' has exclusive jurisdiction to adjudicate finally on appeals against decisions of any organ, authority or person exercising any executive or administrative authority which are contrary to any of the provisions of the 'Constitution' or of any subsidiary legislation made thereunder, or which are in excess or in abuse of powers vested in such organ or authority or person¹³¹. However, a 75 day time limit, high judicial costs and narrow interpretation of *locus standi* rules by the 'High Administrative Court,' decreases the effectiveness of the most important instrument against discrimination.

VI.ii Migration and integration

The Cypriot understanding of issues of migration from countries not in the EU continues to be based on the idea of the 'guest worker.' The changing of the migration policies regarding migrant workers allowing a maximum 'period of stay' of four instead of six years, appears to have been carried out in order to frustrate the intended effect of the Long Term Residence Directive, incorporated into Cypriot law in 2007¹³². Under this Directive, people who had stayed legally for five years in Cyprus would have been able to apply for long-term resident status. This emphasises the determination of the Cypriot government not to change policy on guest workers.

While it is the right of a sovereign state to manage migration flows in this way (and Cyprus is not the only EU country to follow a form of guest worker model for immigration)¹³³, the lack of a fully functioning migration and integration strategy continues to result in human rights abuses¹³⁴. Specifically, the lack of co-ordination between departments, the routine inefficiency of the Cypriot civil service, and the lack of funding available for independent legal aid to migrants, all combine with institutional hostility to the idea of permanent or even long-term migration to result in a service that is opaque and perceived as hostile to TNC migrants¹³⁵. For example, according to KISA, the Department of Immigration continued in 2008 to pursue a twin policy of dragging its feet on residency applications (during which period an applicant might become technically ineligible for residency status) and vigorously pursuing 'illegal' over-stayers¹³⁶.

Positive steps have been taken to clear up the backlog of asylum applications, which prevent asylum seekers from remaining in long-term limbo. In just a year, the number of outstanding asylum applications was reduced from over 9 000 to fewer than 2 500¹³⁷. The Interior Minister has been at the forefront of efforts to

¹³¹ Article 152 (1) of the 'Constitution'

¹³² Council Directive 2003/109/EC of 25/11/2003 concerning the status of third-country nationals who are long-term residents.

¹³³ E.g. Bulgaria.

¹³⁴ It was announced in September 2008 that a fully integrated migration strategy would be put into effect, answering criticisms made in previous reports.

¹³⁵ The very fact that the law dealing with migration is called the Alien and Immigration Law, and that the dehumanising and othering term 'alien' is used in migration offices and documents, reflects this.

¹³⁶ Interview with representative of KISA.

¹³⁷ Interview with representatives of the Ministry of the Interior.

overcome institutional racism, which he admits affects his own as well as other ministries¹³⁸, and there is no doubt that his efforts are supported by the President and others in the ruling coalition¹³⁹. The Education Minister has also strongly supported and initiated efforts to alter ethnocentric teaching practices and tackle institutional discrimination.

The biggest obstacle that stands in the way of developing a successful integration policy is the strong tendency to centralize initiatives at the national ministry level. There can be no doubting the good intentions of senior figures in the current administration, as remarked above, but it is simply not possible for government to reform itself without external pressure. At the present time, such pressure is mostly exerted by a single NGO, KISA, which has only three staff and is mostly reliant on volunteers¹⁴⁰. KISA receives almost no direct funding from the state, being largely reliant on individual grants from European and private funds. While the present Ministers involved with migration have progressive attitudes, what can be done by government can be undone by future administrations. Without strong, well-funded bodies independent of government to pursue awkward cases it is likely that at some stage with the accession of different political entities to power much of the current good work may be undone.

Such funding would also enable the decoupling of migration and race-relations issues in the public mind. While migration is a complex issue that is proving challenging for every EU state without exception, racism is not in essence complex at all. Cyprus is now a multicultural and multi-ethnic state, but by placing all the emphasis on migration certain attitudes towards non-white and non-Greek Cypriots as 'foreigners' remain unchallenged. It is these attitudes that justify institutional, indeed constitutional, separation between ethnicities.

In the northern part of Cyprus, although some amendments have been made to the immigration law, such as toughening the granting of work permits, and better implementation of existing immigration law, it would be an exaggeration to claim that there was a migration policy in place. Migration from Turkey to Cyprus has always been a problematic issue in the north. According to the relevant 'Protocol,' people can travel freely between the north of Cyprus and Turkey. On the other hand, the authorities have imposed restrictive clauses on work permits in order to avoid non legal employment. Although new laws protect migrants from exploitation, some problems are observed with regard to their implementation. Migrant workers face exclusion from society and are often seen as potential

¹³⁸ Editorial. 'A Welcome Example from the Top.' *Cyprus Mail* 22 March 2008. www.cyprus-mail.com. Accessed May 2009. This impression was confirmed in interviews with both the representative of KISA and also the representatives of the Ministry, who all commented favourably on the minister's drive to improve the current situation and willingness to accept criticism of his department without undue defensiveness.

¹³⁹ This should be put into context with the fact that his predecessor was happy to speak at an event organised by an anti-immigrant nationalist pressure group, the Movement for the Salvation of Cyprus.

¹⁴⁰ The compiler of this section of the report would like to state on record that he is not a member of KISA at the present time, and that there is no self-interest in advocating a stronger role for NGOs in Cyprus.

criminals with very limited contact with local people, while there is no government programme to integrate them into society.

According to Mete and Bryant's report into the old city of Nicosia, Turkish nationals are only partially integrated into the social and cultural life of the host community. The degree of their integration depends on the amount of time that they have lived in the island, but even more importantly upon their level of education and their reasons for coming to Cyprus. White-collar workers, professionals, and people married to Turkish Cypriots tend to be the most integrated, while seasonal or temporary workers are the least. Bulgarian Turks are scattered throughout the city outside the walls, but many still report that their primary social contacts are with other Bulgarian Turks¹⁴¹.

VI.iii Criminal justice

VI.iii.i Racism as a crime

The Cypriot authorities in the south until 2007 did not collect or make information available on racist/hate crimes. This situation has improved with the implementation of a limited official system for recording such crimes. However, the information given is patchy and not publicised. Incidents such as the December case of assault on a teenaged Cypriot girl of African origin, in which the father was initially refused permission to report the crime, indicate that police systems are far from fully operational or efficient in this matter¹⁴².

In the north of Cyprus, there were no legal developments, data collection or analysis in the area of racism as a crime or any work to enact hate crimes during the reporting period. However, under the criminal code a number of discriminatory acts are punishable offences such as seditious conspiracy and publications with seditious intentions¹⁴³, insulting religion of any class¹⁴⁴, disturbing religious assemblies¹⁴⁵, trespassing on burial places¹⁴⁶, and uttering words with the intent to offend religious feelings¹⁴⁷.

¹⁴¹ Eliz İsmail Tefik, 'Dynamics of Social Citizenship and Identity Perceptions: Immigrant Turks from Bulgaria in Northern Cyprus,' M.A. thesis, Eurasian Studies, Graduate School of Social Sciences, Middle East Technical University, December 2007.

¹⁴² Cyprus has been moved from Tier 4 (No official data available) to Tier 3 ('Limited reporting on investigations and court cases, with detailed information available often only on request, or focus on general discrimination') in the 2009 European Union Agency for Fundamental Rights report. European Union Agency for Fundamental Rights. *Annual Report 2009*. (Brussels, 2009), pp. 32-33.

¹⁴³ Article 47, Penal Code, Chapter 154 of the Laws

¹⁴⁴ Article 138, Penal Code, Chapter 154 of the Laws

¹⁴⁵ Article 139, Penal Code, Chapter 154 of the Laws

¹⁴⁶ Article 140, Penal Code, Chapter 154 of the Laws

¹⁴⁷ Article 141, Penal Code, Chapter 154 of the Laws.

VI.iii.ii Counter terrorism

Proposed antiterrorist legislation, originally submitted some years ago to the House of Representatives, was not passed for yet another year as it triggered many discussions regarding the powers of the Police. There were no reports of Cypriot citizens or migrants being detained or investigated for terrorism in the reporting period.

VI.iii.iii Racial profiling

There were no legal developments relating to racial profiling in 2008. This notwithstanding, the de facto situation remains that non-Cypriots, especially black and Asian migrants and naturalized citizens, continue to report everyday harassment by police. Without formal monitoring systems in place, and without funding in place to aid complainants, it is unlikely that this situation will change.

Muslim applicants for long-term residency and/or naturalisation, particularly non-whites, report that their applications are turned down routinely. Without formal monitoring of the ethnic and religious affiliations of applications and their success/failure rates, it is not possible as yet to verify this.

VI.iv Social inclusion

Although some of the most flagrant forms of social exclusion are formally outlawed, due to antidiscrimination legislation many are reported to persist in practice. Without better representation, and given the resistance of Cypriot citizens to accepting and welcoming difference or implementing social inclusion policies and measures, it is unlikely that this situation will change. Welcome developments under the new government include the expansion of Greek language classes for asylum seekers and migrants, which will substantially aid future integration. There are at present only very limited opportunities for bilingual or multilingual teaching, unsurprisingly as Greek teacher training does not yet include this as a formal requirement. There are also reports that secondary school pupils with a migration background find it difficult to access Greek language classes.

In the priorities of the National Action Plan on Strategies for Social Protection and Social Inclusion¹⁴⁸, the Ministry of Labour and Social Insurance included, amongst others, the rational development of the foreign work force with a view to serving the economy as well as securing social inclusion and social cohesion. This priority of the national action plan is translated into integration measures for third country nationals with a view to apply the 'common basic principles for

¹⁴⁸ Welfare Department: *National Strategy Reports on Social Protection and Social Inclusion 2008 – 2010*. Government of Cyprus. Nicosia, October 2008.
http://ec.europa.eu/employment_social/spsi/docs/social_inclusion/2008/nap/cyprus_en.pdf

immigrant integration policy in the EU,' to the development of mechanisms for better target setting, following up and evaluation, creation of policy related to migrants and exchange of experiences, correct practices and information among other member states. The funds to be allocated to these actions come under the European Fund for the Integration of Citizens of Third Countries which for the period 2007-2013 is around €6.7m. More specific measures are provided in the plan, such as the provision of social services to foreigners, the vocational training of refugees, the protection of unaccompanied (foreign) minors, programmes for learning the Greek language for minor applicants for asylum or children of applicants for asylum, as well as the formulation of a new strategy for the effective management of employment of foreigners. However, one of the measures of mainstreaming social inclusion in public policies is the formulation of a new strategy for the effective management of employment of foreigners. The purpose of this strategy, according to the plan, is to serve the developmental needs of the state without undermining the policy for increasing work supply from local sources and to help groups facing problems with their access to the labour market (women, young persons, elderly persons) since it is these groups that are mainly affected by the influx of foreign workers in Cyprus.

Although, the references to migrants in the National Action Plan are much more visible than the 2007 one, and although specific measures for their integration are included, the underlying philosophy remains the same. It basically envisages better management of migration flows of third country nationals so as to protect local vulnerable groups from their inflow, without migrants specifically included in the vulnerable groups themselves, but with a touch of basic integration measures also for migrants. This approach is to be regretted as firstly, it does not recognize and specifically include migrants and particularly migrant women, in the vulnerable groups socially excluded and secondly they are again perceived as a threat to the social cohesion of the rest of the population. The premise on which such an approach is based is to a large extent discrimination and racism.

VII. National recommendations

7.1 General

- The government should adopt and implement a horizontal action plan covering all aspects and areas where discrimination and racism persist.
- Such a plan should include the use of outside experts to assess institutional racism in bodies such as ministries, municipal authorities, the police and education services. It should also draw on the expertise of local and EU NGOs to plan methods of tackling such institutional racism.
- A legal requirement should be placed on unions and employer's organisations to carry out similar audits and create similar action plans: their official status should rest on implementation of same.
- With migrants now making up such a large proportion of the population of Cyprus, there should be a legal requirement that all government policymakers should be required specifically to consider migrant needs at the planning stage of policy.
- A new modern legal framework on migration defining the legal status and the rights attached to it of migrants is absolutely necessary if discrimination against the most vulnerable group of migrants is to be effectively addressed.
- Government funding for the Ombudsman's Office and for independent NGOs dealing with discrimination should be increased dramatically and secured long-term: without effective independent Cypriot voices, monitoring and challenge will be left to international bodies.
- In the north of Cyprus, a census should be carried out urgently in order to have a more accurate picture of the ethnic background of the population in order to adopt and develop the necessary integration and antidiscrimination policies.
- In the north of Cyprus, police forces should be governed by civilians and an independent authority should be established to investigate complaints against the police.

7.2 Anti discrimination

- The establishment of a body providing independent legal assistance to victims of discrimination is urgently required to enable victims to pursue their rights.
- All restrictions to access to social rights on the basis of nationality, ethnic origin or legal status should be revoked.
- Specialised training of public servants who deal with migrants and refugees, so as to be aware of their special needs and sensitive to their problems. Such training should be compulsory for all public servants at Health Services, Social Welfare Services, Education, Department of Labour, Migration Department, Asylum Service and the Police force, and

should be planned and executed with the assistance of independent experts. The same should be done by the authorities in the north of Cyprus

- Education, in both south and north of Cyprus, should promote the principles and values of anti-discrimination, antiracism and respect of difference and cultural diversity.
- Religious education should be made comparative, giving students a basic grasp of Judaism, Islam, Hinduism, Buddhism and other faiths.
- In the north of Cyprus, anti-discrimination legislation transposing the EU Directives as well as international antidiscrimination legal standards, such as the International Convention Against Racial Discrimination, should be urgently put in place.
- In the north of Cyprus an independent institution or board or an Office of Ombudsman has to be established in order to investigate complaints of victims of discrimination and racism against private persons or public bodies.

7.3 Migration and integration

- The government should develop and put in place a comprehensive migration policy that would meet European and international standards for the respect of human rights, including an integration policy for migrants.
- Such policy should in its planning stage include consultations with all interested social actors and NGOs as well as migrant communities.
- The government should review its migration model so to provide for possibilities for migrants for permanent stay. They should abandon the rule of maximum stay of four years, thus allowing migrants to apply for long-term resident status as laid down by law.
- The employment contracts of migrant domestic workers must be modified to set their wages with at least the national minimum wage.
- Asylum seekers and persons under subsidiary protection must be given full access to the labour market.
- The programme of Greek language classes for migrants should be extended in order to make it more easily accessible to all migrants. This requires that the hours of lessons be set in accordance with the needs of migrants (i.e. late evening/early morning classes), and that subsidy for educational tools be provided.
- In the north of Cyprus an integrated migration policy has to be developed as well as the necessary infrastructure to accommodate the needs of migrants. Stricter labour inspections should be undertaken to ensure the implementation of the social security and labour laws, whereas a refugee or asylum law is urgently needed to address the problems asylum seekers are facing.

7.4 Criminal justice

7.4.1 Racism as a crime

- Police need to establish an objective and effective way of data collection regarding hate crimes, using expertise from other EU forces. The same should be also done in the north of Cyprus.
- Frontline police officers must receive specialised training in identifying racist crime. It should never again be the case that a victim is not allowed to report a hate crime, whatever the officer's understanding of the situation.
- The Police should open communication channels with NGOs in order to report and eliminate such incidents.
- Both in the south and north of Cyprus race motivated crimes should be given a special category in the penal law.

7.4.2 Racial profiling

- The police should monitor ethnicity of victims of crime, people who are stopped on suspicion, and those arrested but released without charge. These statistics should be made openly accessible.

7.5 Social inclusion

- The Government must include migrants and other ethnic minorities as specific groups in its National Action Plan on Social Exclusion and include actions and measures in line with those provided for the rest of the target groups but adjusted to the specific needs of migrants.
- The Government must establish collaboration with NGOs in order to facilitate the social inclusion of migrants, ethnic minorities and other groups at risk from discrimination.
- The education service should require training in multicultural education for all new teachers. Training should be given to all teachers in dealing with multilingual and multiethnic groups of children.

VIII. Conclusion

This report could be summarized for the south as 'a lot done, but a great deal still to do.' Compared to the situation at the end of 2007, where political will to make progressive changes was entirely lacking, and government ministers were openly condemning migrant rights campaigners, there is certainly a good deal to give hope. This said, however, it must be recognized that radical progress at an even faster rate is going to be required to enable Cypriot society to meet the challenges of an increasingly multiethnic state. Cyprus remains a deeply socially conservative society with a strong vein of xenophobia (not to mention homophobia and misogyny), and re-education at all levels is required. Migration of EU nationals under freedom of movement rights, increasing marriage rates between Cypriots and people of other nationalities and races, and the realities of a globalised 21st century mean that there is no realistic alternative to increased social diversity, but almost all government services, not to mention society in general, remain in deep denial about this.

Two developments in the south encapsulate this. On the one side, the government has taken progressive actions, including formally tackling the trade in trafficked women by removing the fig-leaf of the 'artiste' visa and also speeding up the asylum process as part of what one may hope are moves towards a formal integrated migration policy. On the other side, violence of an unambiguously racist nature has increased, accompanied with a raised general rhetoric against migrant workers and non-Greek Cypriot citizens. The flaws exposed in the handling by teachers' unions and police of the most high-profile case of assault reveal a society profoundly unwilling to take the steps necessary to integrate or cater for anyone they consider 'other.' The question for 2009 and beyond is which of these forces in Cypriot society will triumph, and it is to be hoped that the strengthening of NGOs and introduction of metrics to assess institutional racism recommended above will be of use.

In the north, the situation is less encouraging. Little has changed in 2008, and the deeply regressive political forces now in the ascendant make it unlikely that much will change in 2009. Cabarets continue to offer quasi-legal prostitution of trafficked women, while a nearly unaccountable 'police' force is considered guilty of much discrimination against migrants. No Ombudsman or other equality body has been established, nor are there immediate plans to create such a body.

While the stalemate around the Cyprus Problem remains frustrating for both south and north, it cannot be considered an excuse for lack of action with regards to the least powerful and most discriminated against members of Cypriot society.

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X. Annex 1: List of abbreviations and terminology

- **CTP** - Republican Turkish Party (Cumhuriyetçi Türk Partisi)
- **DEOK** - Democratic Labour Federation of Cyprus (Dimokratiki Ergatiki Omospondia Kyprou)
- **Equality Body** – The ‘Body Against Discrimination and Racism’ and the ‘Equality Authority,’ both of which are under the Ombudsman’s Office.
- **EU** – European Union
- **GDP** – Gross Domestic Product
- **KISA** – Action for Equality, Support, Antiracism (NGO)
- **Migration Department** – Civil Registry and Migration Department, which operates under the Ministry of Interior of Cyprus
- **MIGS** – Mediterranean Institute of Gender Studies (NGO)
- **NGO** – Non-Governmental Organisation
- **OELMEK** - Organization of Greek Secondary Education Teachers of Cyprus (Organosi Ellinon Leitourgon Mesis Ekpaidevsis Kyprou)
- **Ombudsman** – The Office of the Commissioner For Administration
- **ORP** - Freedom and Reform Party (Ozgurluk ve Reform Partisi)
- **PEO** -Pancyprian Federation of Labour (Pagkypria Ergatiki Omospondia)
- **POED** – Pancyprian Greek Teachers Organisation (Pagkypria Organosi Ellinon Daskalon)
- **RUBSI** – Research Unit in Behaviour & Social Issues
- **STIGMA** – NGO running a shelter for victims of trafficking
- **TCHRF** – Turkish Cypriot Human Rights Foundation
- **TCN** – Third Country National
- **UBP** - National Unity Party (Ulusal Birlik Partisi)
- **UNHCR** – United Nations High Commissioner for Refugees



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