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**European Commission
against Racism and Intolerance**

Third report on Cyprus

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Foreword

The European Commission against Racism and Intolerance (ECRI) was established by the Council of Europe. It is an independent human rights monitoring body specialised in questions relating to racism and intolerance. It is composed of independent and impartial members, who are appointed on the basis of their moral authority and recognised expertise in dealing with racism, xenophobia, antisemitism and intolerance.

One of the pillars of ECRI's work programme is its country-by-country approach, whereby it analyses the situation as regards racism and intolerance in each of the member States of the Council of Europe and makes suggestions and proposals as to how to tackle the problems identified.

The country-by-country approach deals with all member States of the Council of Europe on an equal footing. The work is taking place in 4/5 year cycles, covering 9/10 countries per year. The reports of the first round were completed at the end of 1998 and those of the second round at the end of the year 2002. Work on the third round reports started in January 2003.

The third round reports focus on "implementation". They examine if ECRI's main recommendations from previous reports have been followed and implemented, and if so, with what degree of success and effectiveness. The third round reports deal also with "specific issues", chosen according to the different situations in the various countries, and examined in more depth in each report.

The working methods for the preparation of the reports involve documentary analyses, a contact visit in the country concerned, and then a confidential dialogue with the national authorities.

ECRI's reports are not the result of inquiries or testimonial evidences. They are analyses based on a great deal of information gathered from a wide variety of sources. Documentary studies are based on an important number of national and international written sources. The in situ visit allows for meeting directly the concerned circles (governmental and non-governmental) with a view to gathering detailed information. The process of confidential dialogue with the national authorities allows the latter to propose, if they consider it necessary, amendments to the draft report, with a view to correcting any possible factual errors which the report might contain. At the end of the dialogue, the national authorities may request, if they so wish, that their viewpoints be appended to the final report of ECRI.

The following report was drawn up by ECRI under its own and full responsibility. It covers the situation as of 16 December 2005 and any development subsequent to this date is not covered in the following analysis nor taken into account in the conclusions and proposal made by ECRI.

Executive summary

Since the publication of ECRI's second report on Cyprus on 3 July 2001, progress has been made in a number of the fields highlighted in that report. The legal and institutional framework against racial discrimination has been considerably strengthened, as reflected in the ratification of Protocol No. 12 to the European Convention on Human Rights, the adoption of primary antidiscrimination legislation, and the extension of the mandate and powers of the Commissioner for Administration to deal with racial discrimination. A number of important measures, including issuing of passports and other personal documents, have been taken to improve the position of the members of the Turkish Cypriot community, who, following the partial lifting of the restrictions to freedom of movement across the Green Line in April 2003, live and work in increasing numbers in the government-controlled part of Cyprus. The legal and institutional framework for the examination of international protection needs is now in place. Police monitoring of racist incidents has been introduced.

However, a number of recommendations made in ECRI's second report have not been implemented, or have only been partially implemented. The continuing lack of a comprehensive immigration and integration policy has resulted in a particular vulnerability of immigrants, including domestic and other foreign workers, to human rights violations, exploitation and discrimination. Closely connected to this area of policy, asylum seekers experience very similar problems and are confronted with serious difficulties in exercising their rights. The extensive use of detention under immigration powers in respect of both immigrants and asylum seekers and the conduct of law enforcement officials, which has included alleged cases of ill treatment, vis-à-vis these and other minority groups remain a matter of concern for ECRI in Cyprus. New opportunities for actively promoting dialogue and reconciliation between the members of the Greek and Turkish Cypriot communities still remain to be seized. This is important in order to both reduce the negative impact of the continuing division of the island on the relations between these communities and gain further support from the population as a whole for a solution to this division. Manifestations of prejudice and discrimination affecting Turkish Cypriots still need to be adequately recognised and dealt with. The position of other groups vulnerable to disadvantage, racism and racial discrimination, such as Roma and Pontian Greeks, also needs to be addressed more effectively.

In this report, ECRI recommends that the Cypriot authorities take further action in a number of areas, including the urgent need to adopt a comprehensive immigration and integration policy respectful of the human rights of immigrants and the need to ensure that the rights of asylum seekers are thoroughly respected. ECRI also recommends that the Cypriot authorities raise awareness and improve the implementation and monitoring of the legal framework in force against racism and racial discrimination, including by providing adequate support to the Commissioner for Administration. Furthermore, in this report ECRI addresses the need for a more proactive approach to developing contacts and good relations between the Greek and Turkish Cypriot communities and the need for education at all levels to increasingly reflect the needs of a culturally and ethnically diverse society. The need to fully recognise and address the problems with which groups vulnerable to discrimination in Cyprus are faced is also addressed in this report.

As it makes recommendations to the Government of Cyprus, this report only covers the situation in the part of Cyprus presently under the effective control of this government.

I. FOLLOW-UP TO ECRI'S SECOND REPORT ON CYPRUS

International legal instruments

1. In its second report, ECRI recommended that Cyprus ratify Protocol No. 12 to the European Convention on Human Rights (ECHR), the European Charter for Regional or Minority Languages and the Convention on the Participation of Foreigners in Public Life at Local Level. It also recommended that Cyprus sign and ratify the European Convention on Nationality and the European Convention on the Legal Status of Migrant Workers. ECRI welcomes the fact that, in April 2002, Cyprus ratified Protocol No. 12 to the ECHR and that this instrument has been in force in Cyprus since 1 April 2005. ECRI also welcomes the ratification of the European Charter for Regional or Minority Languages by Cyprus in August 2002. ECRI notes, however, that Cyprus has not yet ratified the Convention on the Participation of Foreigners in Public Life at Local Level, although, in this respect, the Cypriot authorities have stressed that they are currently considering the question of granting eligibility and voting rights in local elections to non-EU residents. Cyprus has not yet signed the European Convention on the Legal Status of Migrant Workers nor the European Convention on Nationality, although the Cypriot authorities have reported that ratification of the latter instrument is under review.
2. ECRI is pleased to note that, in April 2005, Cyprus ratified the Additional Protocol to the Convention on Cybercrime concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems. There do not appear to be plans to sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

Recommendations:

3. ECRI recommends that the Cypriot authorities ratify the Convention on the Participation of Foreigners in Public Life at Local Level and that they apply all the provisions contained in this instrument, including Chapter C, which concerns the attribution of eligibility and voting rights to foreign residents. It also recommends that the Cypriot authorities ratify the European Convention on Nationality, the European Convention on the Legal Status of Migrant Workers and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

Constitutional provisions and other basic provisions

4. Noting that international legal instruments to which Cyprus is a party can be invoked directly before domestic jurisdictions and take precedence over domestic law, in its second report ECRI recommended that the Cypriot authorities take steps to raise the awareness among the legal community of the provisions against racial discrimination contained in international legal instruments ratified by Cyprus. This was particularly necessary in the absence, at the time, of comprehensive primary antidiscrimination legislation. As mentioned below¹, since ECRI's second report, Cyprus has introduced primary antidiscrimination legislation and some initiatives have been undertaken to raise awareness among the general public of this new legislation. However, it has been reported to ECRI that awareness of the broader legal framework against discrimination among the legal community and the general public is still very limited. It has also been stressed that awareness of this framework would be all the more desirable as it complements and strengthens the protection against discrimination afforded by primary antidiscrimination legislation.

¹ Civil and administrative law provisions.

Recommendations:

5. ECRI recommends that the Cypriot authorities take steps to improve awareness of the provisions against racial discrimination contained in international legal instruments ratified by Cyprus among the legal community and the general public. It recommends that, in doing so, particular attention be given to the ways in which these provisions complement and strengthen the protection against discrimination afforded by primary antidiscrimination legislation.

- *Citizenship legislation*

6. In its second report, ECRI noted that the provisions that regulate naturalisation in Cyprus left a wide margin of discretion as concerns decisions to grant Cypriot citizenship to applicants. It recommended that the Cypriot authorities ensure that no discrimination occur in the implementation of these provisions. The Cypriot authorities have reported that, since ECRI's second report, only a small proportion of the total amount of applications for naturalisation have been refused and that, in most cases, such refusals have been based on public security and public order concerns. They have also reported that, although a few negative decisions have been overturned by the Supreme Court, in none of these was discrimination found to have occurred. However, it has been reported to ECRI that decisions on applications for naturalisation are still sometimes excessively discretionary and restrictive, and that this is reflected not only in the use made of public order considerations, but also in the application of residency and language requirements.
7. The Law on Citizenship of Cyprus provides that a child with one Cypriot parent is entitled to citizenship of the Republic of Cyprus. However, in case the non-Cypriot parent has entered or resided in Cyprus illegally, the child can only obtain citizenship following a decision of the Council of Ministers to that effect. ECRI understands that the Commissioner for Administration has been asked to investigate the conformity of this procedure with national and international standards. ECRI notes that citizenship has been granted through this procedure to a number of children whose Cypriot parent was a Turkish Cypriot and whose other parent was a citizen of Turkey. It notes, however, that decisions to grant Cypriot nationality to these children have resulted in intolerant and xenophobic attitudes in public debate.

Recommendations:

8. ECRI recommends that the Cypriot authorities ensure that the provisions on naturalisation are applied in all cases in a non-discriminatory manner. To this end, it recommends in particular that they enhance transparency as concerns the application of the requirements for naturalisation, such as public order considerations, residence and language.
9. ECRI recommends that the Cypriot authorities do their utmost to ensure that the right of children to Cypriot nationality, as established by law, is thoroughly respected. It encourages the authorities to communicate widely and effectively on the need for this right to be respected, in order to prevent intolerant and xenophobic attitudes in public debate.

Criminal law provisions

10. In its second report, ECRI noted that the provisions in force in Cyprus against racism and racial discrimination² were not being implemented in practice and

² These provisions include : Section 2A (1) of Law 13/1967 as modified by Law 11(III)/92 and by Law 28(III)/99 (incitement to acts or activities likely to cause racial discrimination, violence or hatred); Section

recommended that further efforts be undertaken to raise the awareness of the legal community and the public at large of the existence and the content of such provisions. ECRI stressed, in particular, that specialised training on how to detect and bring to the surface the racist element of any offences should be provided to police officers.

11. Although comprehensive data on the application of the provisions against racism and racial discrimination at all stages of the judicial process is not readily available, ECRI has been made aware of only two cases of the application of these provisions since its second report – one concerning a discriminatory refusal to supply goods and services and another concerning the publication of material promoting hostility towards minority groups. Non-governmental organisations, however, have underlined that these figures do not reflect the number of cases of racism and racial discrimination that happen in reality. In particular, they do not reflect cases of racially-motivated violence, which have increasingly been reported by victims to these organisations since ECRI's second report, but also cases of racial discrimination in both the private and the public sector. ECRI notes that the Cypriot authorities have taken a number of measures which may impact favourably on the implementation of the provisions against racism and racial discrimination. In particular, it notes that, as part of an Action Plan of the police to combat discrimination, an Office for Combating Discrimination has been established at the Police Headquarters and liaison officers specialised in issues of racism and discrimination are to be appointed within every police division. ECRI also notes that, as part of the Action Plan, specific guidelines on recording racially-motivated incidents have been in use since 1 January 2005. It has been reported to ECRI, however that awareness of the need to treat seriously and thoroughly all manifestations of racism and racial discrimination is still limited among all the actors involved in the criminal justice system.
12. In its second report, ECRI recommended that Cyprus introduce provisions which expressly consider the racist motivation of common offences as a specific aggravating circumstance. There are no such provisions yet in Cyprus. However, the Cypriot authorities have reported that legislation to this effect is being prepared and will be tabled in Parliament shortly.

Recommendations:

13. ECRI recommends that the Cypriot authorities take further steps to improve the implementation of existing criminal law provisions against racism and racial discrimination. It recommends in particular that they increase their efforts to ensure that all those involved in the criminal justice system, from lawyers to the police, prosecuting authorities and the courts, are equipped with thorough knowledge of the provisions in force against racism and racial discrimination and fully aware of the need to actively and thoroughly counter all manifestations of these phenomena and, notably, racially-motivated offences.
14. ECRI strongly recommends that the Cypriot authorities introduce a provision which expressly considers the racist motivation of an offence as a specific aggravating circumstance.

2A (3) of the same law (public expression of ideas which are racially insulting) Section 2A (4) of the same law (discriminatory refusal to supply goods and services in the exercise of one's profession); Section 2A (2) of the same law (establishment or participation in organisations that promote racial discrimination); Section 47 combined with Section 48 (f) of the Criminal Code (publication of material that promotes ill will or hostility between different communities); Section 51 (1) of the Criminal Code (public statements likely to instigate ill will between communities); Section 51 A (1) of the Criminal Code (procuring to acts of violence, mutual discord or a spirit of intolerance); and Section 105 of the Criminal Code (discriminatory conduct by members of the civil service).

15. ECRI recommends that the Cypriot authorities collect readily available and accurate data on the implementation of the provisions in force against racism and racial discrimination. This data should cover the number and nature of the complaints filed, the investigations carried out and their results, charges brought, as well as decisions rendered and/or redress or compensation awarded. To this end, ECRI encourages the Cypriot authorities to provide police officers with support and training concerning the use of the newly-introduced guidelines on recording racially-motivated incidents.

Civil and administrative law provisions

16. In its second report, ECRI recommended that Cyprus adopt comprehensive civil and administrative legislation against discrimination that would cover different fields of life and provide for effective means of redress. ECRI is pleased to note that, in 2004, two laws were adopted in order to transpose the two European Council Directives 2000/43 and 2000/78³: the Equal Treatment (Racial or Ethnic Origin) Law (Law No. 56/04) and the Equal Treatment in Employment and Occupation Law (Law No 58/04). Law No. 56/04 prohibits discrimination on grounds of racial and ethnic origin in both public and private sectors, in a range of areas, including social protection, health treatment, social services, training and access to goods and services. The victim of discrimination may institute proceedings before the District Court or the Labour Court for compensation covering both pecuniary and non-pecuniary damage, and can also file a complaint before the Commissioner for Administration (see “Specialised bodies” below). Criminal liability for infringement of certain provisions of this law also exists.
17. ECRI welcomes the fact that a number of elements included in its General Policy Recommendation No.7 on national legislation to combat racism and racial discrimination⁴ are reflected in the newly-introduced antidiscrimination provisions. However, other aspects of this General Policy Recommendation have not been included. One such aspect is the placement of public authorities under a duty to promote equality and prevent discrimination in carrying out their functions, an element which ECRI believes could considerably help to bring about positive changes in public administration in these fields. ECRI furthermore notes that the new legislation does not explicitly provide protection from discrimination on all grounds listed in its General Policy Recommendation No. 7, and notably nationality, or in all areas mentioned therein. It has been pointed out, however, that the more general antidiscrimination framework which is binding on Cyprus⁵, notably since the latter’s ratification of Protocol No. 12, may help to fill in these gaps. In this respect, ECRI welcomes the fact that the Commissioner for Administration has been made competent to provide protection against discrimination not only as arising from the new antidiscrimination legislation, but also from international instruments ratified by Cyprus⁶.

³ Directive 2000/43/EC of the Council of the European Union implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and Directive 2000/78/EC of the Council of the European Union establishing a general framework for equal treatment in employment and occupation.

⁴ CRI (2003) 8: ECRI General Policy Recommendation N°7 on national legislation to combat racism and racial discrimination, European Commission against Racism and Intolerance, Council of Europe, February 2003.

⁵ See above, Constitutional provisions and other basic provisions.

⁶ In addition, in 2001, the Supreme Court of Cyprus established that violation of human rights can be pursued in civil courts against those perpetrating the violation, for recovering from them, *inter-alia*, compensation for pecuniary and non-pecuniary damage suffered as a result. Thus a person who, on grounds of *inter alia* race, community, colour, religion, language or national origin, is discriminated against in the enjoyment of human rights and freedoms guaranteed by the Constitution of Cyprus, can sue the state or private persons for damages or other appropriate civil law remedies. This remedy is additional to and of wider scope than the one referred to above concerning violation of the provisions of Law No. 56/04.

18. As concerns implementation, ECRI understands that, since their entry into force on 1 May 2004, the new antidiscrimination provisions have not yet been applied in a Court case. However, they have been applied in a number of cases filed with the Commissioner for Administration (from 1 May 2004 to 28 February 2005, 73 cases were filed on the basis of Law 56/04 and 33 on the basis of Law 58/04). Possibly reflecting the nature of the institution of the Commissioner for Administration, which also works as an ordinary Ombudsman, the majority of these cases are reported to concern discrimination by public authorities. However, it has been reported to ECRI that, as awareness of the new legislation increases, so does the number of applications concerning discrimination by private individuals. In this respect, although initiatives to raise awareness of the new legislation among professionals and the general public have taken place, ECRI has received consistent reports according to which considerably more awareness of the legal framework in force against racial discrimination is needed, notably among groups who are more exposed to this phenomenon, such as immigrant workers, asylum seekers, Turkish Cypriots, Roma and Pontian Greeks.

Recommendations:

19. ECRI recommends that the Cypriot authorities keep the effectiveness of the existing civil and administrative law provisions against racial discrimination under review. In this respect, it draws the attention of the Cypriot authorities to its General Policy Recommendation No.7, in particular as concerns: the need to place public authorities under a duty to promote equality and prevent discrimination in carrying out their functions⁷; the need to protect individuals from discrimination on grounds such as “race”, colour, language, religion, nationality and national and ethnic origin; the areas which ECRI considers should be covered by antidiscrimination legislation⁸.
20. ECRI recommends that the Cypriot authorities keep the implementation of the existing civil and administrative law provisions against racial discrimination under review and take steps to improve such implementation, as necessary. To this end, ECRI recommends that the Cypriot authorities undertake or support further initiatives to raise awareness of the legal framework in force against racial discrimination, notably among groups who are more exposed to this phenomenon.
21. In its second report, ECRI noted that the Cypriot authorities were discussing the question of granting eligibility and voting rights to Turkish-Cypriot citizens who resided in the government-controlled part of the island. ECRI notes that, following the application by a Turkish-Cypriot citizen who had resided in this part of the island for a long time, concerning the exercise of his right to vote, in June 2004 the European Court of Human Rights found Cyprus in violation of the right to free elections protected by Article 3 of Protocol No. 1 to the ECHR, alone and in combination with Article 14 of the ECHR (Prohibition of discrimination)⁹. The Cypriot authorities have reported that, with a view to complying with this judgment, a Bill granting eligibility and voting rights in presidential, parliamentary and municipal elections to Turkish-Cypriot citizens residing in the government-controlled part of the island was tabled in Parliament in November 2004 and is currently being discussed.

⁷ ECRI General Policy Recommendation N°7, paragraph 8 (and paragraph 27 of the Explanatory Memorandum).

⁸ ECRI General Policy Recommendation N°7, paragraph 7 (and paragraphs 17-26 of the Explanatory Memorandum).

⁹ European Court of Human Rights, Second Section, Case of Aziz vs. Cyprus (Application No. 69949/01), Judgment, Strasbourg, 22 June 2004.

Recommendations:

22. ECRI recommends that the Cypriot authorities enact the necessary legislation to comply with the judgment of the European Court of Human Rights in the case *Aziz vs. Cyprus*.

Administration of justice

23. In its second report, ECRI noted that non-citizens accounted for almost 30% of the total prison population of Cyprus and that most of them were detained for offences related to illegal entry or stay. ECRI recommended that the Cypriot authorities carry out research on the over-representation of non-citizens in prisons. The Cypriot authorities have underlined that such disproportion does not only result from the commission of offences related to illegal entry or stay, which by definition can only be committed by non-citizens, but also other offences. ECRI notes that the over-representation of non-citizens among the prison population has not decreased -- official figures relating to September 2005 showed a figure of 35%, but ECRI has received reports that this percentage is at times considerably higher -- and that most non-citizens continue to be detained for offences related to illegal entry or stay. ECRI also notes that the majority of prisoners kept on remand are non-citizens. ECRI has also received reports of discrepancies between the sentences handed down to non-citizens and those handed down to Cypriot defendants convicted of comparable crimes.

- *Legal aid*

24. In its second report, ECRI recommended that free legal aid in cases of racism and racial discrimination, which at the time was only available for criminal proceedings, be extended to cover all cases of racism and racial discrimination. ECRI notes that, in August 2002, the Parliament adopted a law¹⁰ which extended free legal advice, aid and representation to all civil proceedings for damages resulting from human rights violations, and to private prosecutions against the State for these violations. Non-governmental organisations report, however, that these provisions have not yet been applied in cases of racial discrimination. They also highlight that legal aid is not available in administrative proceedings before the Supreme Court and underline that this situation puts certain categories of persons, such as asylum seekers and immigrants, at a particular disadvantage, since they are subject to executive acts of the administration which have particularly serious consequences. The Cypriot authorities have reported that a Bill concerning the rights of persons in detention is pending before the Parliament and that this Bill extends the rights of non-citizens who are arrested or detained.

Recommendations:

25. ECRI strongly recommends that the Cypriot authorities carry out and support research into possible patterns of direct and indirect discrimination faced by non-citizens in the criminal justice system. It recommends, in particular, that such research address the areas highlighted above.
26. ECRI encourages the Cypriot authorities to pursue their efforts to ensure that free legal aid is available to victims of human rights violations, including racism and racial discrimination. It recommends that the Cypriot authorities keep the provisions on legal aid under review, in order to ensure that they do not put certain categories of persons, such as asylum seekers and immigrants, at a particular disadvantage.

¹⁰ Law No. 165(I)/2002.

Specialised bodies and other institutions

- *Commissioner for Administration*

27. In its second report, ECRI recommended that Cyprus establish a national specialised body, or extend the competence of an already existing independent institution, to deal with issues of racism and racial discrimination and assist with the implementation of antidiscrimination legislation. Since then, the Combating of Racism and Other Discrimination (Commissioner) Law (Law no. 59/04) was adopted. This law vests the Commissioner for Administration with special powers and duties for combating discrimination in both the public and private sector. ECRI is pleased to note that the Commissioner has thus been accorded many of the powers and functions that ECRI considers should be attributed to a specialised body to combat racism and racial discrimination¹¹. As mentioned above¹², the Commissioner has been made competent to adjudicate complaints of discrimination filed by persons or groups of persons on the basis of statutory antidiscrimination legislation, such as Laws 56/04 and 58/04, as well as complaints of discrimination in the enjoyment of rights and freedoms enshrined in the Constitution of Cyprus, or in any of the human rights instruments ratified by Cyprus. The Commissioner has also been empowered to carry out investigations on his/her own initiative or on the basis of a complaint. In case of a finding of discrimination, the Commissioner may order the discriminator to pay a fine, and/or address recommendations to take specific measures in order to put an end to discrimination or prevent it from recurring. In addition, the Commissioner has been given the power to issue codes of practice regarding the activities of a public authority or persons in the private sector, requiring them to take practical measures for the purpose of promoting equal opportunities. Furthermore, the Commissioner has a duty to communicate his/her findings and reports to the Attorney General who will examine the need for any legislative work.
28. ECRI welcomes the extension of the mandate and functions of the Commissioner of Administration to deal with issues of racism and racial discrimination. ECRI notes that, following such extension, the Commissioner is generally considered, including by civil society organisations, as the most accessible institution to remedy and address racial discrimination in Cyprus. ECRI notes however, that this considerable extension of the Commissioner's functions has not been matched by a proportional increase in the human and financial resources available to this institution. ECRI is concerned that, if not addressed rapidly, this situation is bound to impact in a substantially negative way on the effectiveness of this body.
29. In its second report, ECRI recommended that the Cypriot authorities ensure that the recommendations issued by the Commissioner for Administration be swiftly and thoroughly complied with by the public administrations concerned. As concerns the recommendations issued by the Commissioner in discrimination cases, ECRI understands that, for the year 2004, the Commissioner reported a rate of compliance by the administration of 60%, with the police having the lowest record of compliance. The Commissioner's recommendations in discrimination cases addressed to individuals in the private sector are reported to be generally complied with.

¹¹ See ECRI General Policy Recommendation n°2: Specialised bodies to combat racism, xenophobia, antisemitism and intolerance at national level, and ECRI General Policy Recommendation N°7, paragraph 24 (and paragraphs 50-55 of the Explanatory Memorandum).

¹² Civil and administrative law provisions.

Recommendations:

30. ECRI recommends that the Cypriot authorities keep the powers and duties of the Commissioner for Administration in the field of combating racism and racial discrimination under review, in order to ensure, as necessary, that the Commissioner maintains and increases its effectiveness in countering these phenomena. In this respect, ECRI draws the attention of the Cypriot authorities to its General Policy Recommendations No. 2 and No. 7 (which provide detailed guidelines on the establishment, functions and working methods of specialised bodies to combat racism and racial discrimination at national level) and stresses in particular the role that such a specialised body can play in enforcing public authority's duties to promote equality and to prevent discrimination¹³.
31. ECRI strongly recommends that the Cypriot authorities swiftly make available to the Commissioner for Administration the human and financial resources that are necessary for this institution to carry out its functions effectively. ECRI recommends that the Cypriot authorities keep the adequacy of such resources under regular review in order to ensure the effectiveness of this institution's work against racial discrimination at all times.
32. ECRI reiterates its call on the Cypriot authorities to ensure that all recommendations of the Commissioner for Administration, notably in the fields covered by ECRI's mandate, are thoroughly and swiftly complied with.

- *National Institution for the Protection of Human Rights*

33. In its second report, ECRI recommended that the Cypriot authorities provide the National Institution for the Protection of Human Rights (NIPHR) with adequate resources to exercise its functions¹⁴. ECRI notes that these resources have not yet been made available. However, it understands that the question of resources will be examined in the context of the Bill that is currently being prepared in order to provide the NIPHR with a legal basis and framework. This Bill is expected to be tabled in Parliament in 2006. ECRI notes that, since its second report, the NIPHR has been active in important areas of interest to ECRI in Cyprus, such as the situation of non-citizens and asylum seekers, including in prisons, human rights education and history teaching.

- *Parliamentary Committee for Human Rights*

34. In its second report, ECRI noted that the work of the Parliamentary Committee for Human Rights, which includes legislative work and human rights monitoring work through visits to different places and institutions, had covered areas of interest to ECRI. Since ECRI's second report, the Committee has continued to be active in such areas, which have included reception of asylum seekers and the situation of victims of human trafficking. In collaboration with the Ministry of Education and the NIPHR, the Committee also implements a programme of visits to secondary schools, with a view to raising awareness of human rights issues among students.

¹³ ECRI General Policy Recommendation N°7, paragraph 8 (and paragraph 27 of the Explanatory Memorandum).

¹⁴ The functions of the NIPHR include: raising human rights awareness generally, making recommendations on human rights issues to relevant branches of the administration and examining individual complaints that do not fall within the competence of other bodies.

Recommendations:

35. ECRI recommends that the Cypriot authorities provide the National Institution for the Protection of Human Rights (NIPHR) with a legal basis and framework and that, in this context, they ensure that adequate resources in order for this institution to carry out its functions effectively are made available.
36. ECRI recommends that the Cypriot authorities ensure full compliance with the recommendations of the NIPHR and the Parliamentary Committee for Human Rights.

Education and awareness-raising

37. In its second report, ECRI recommended that the Cypriot authorities extend extra-curricular school initiatives aimed at educating children in human rights, with a particular emphasis on non-discrimination and the need to respect differences. ECRI also encouraged the Cypriot authorities to introduce these subjects in the curricula of all schools. ECRI notes that, since its last report, extra-curricular initiatives in the field of human rights have continued. It notes that the Ministry of Education has paid increased attention to these issues, for instance by including in the school year 2004-2005 “multicultural united Europe and difference” as one of the aim for the whole education system. It is reported however, that these aims contain only general guidelines and that they are only marginally translated into concrete long-term initiatives. It has also been observed that, in spite of existing training opportunities at the Pedagogical Institute, the effectiveness of human rights initiatives is still undermined by the lack of thorough understanding of and genuine sensitivity to human rights by many teachers. As concerns the compulsory curriculum, ECRI notes that human rights are not taught, as such, as a compulsory subject in Cypriot schools, but form part of the civic education programme, which students study at certain grades, and are also reflected in references in a number of other subjects. The Cypriot authorities have reported to ECRI that, as part of a more general reform of the education system¹⁵, they are working to strengthen the human rights dimension of civic education.
38. In its second report, ECRI recommended that teachers be properly trained to teach in a multicultural environment and to react to any manifestations of racism or discriminatory attitudes. ECRI understands that research carried out in certain schools since its second report seems to have highlighted considerable levels of racist and xenophobic prejudice among students. In this respect, the Cypriot authorities have reported that they are supporting a project carried out by the voluntary sector with the financial support of the EU, aimed at mapping problems of racism and discrimination, including racial discrimination, in a number of secondary schools in Cyprus and at developing school-based responses to any problems found. Teacher training is reported to be an essential part of the project. The Cypriot authorities have also highlighted that a number of seminars and conferences have been held to assist teachers in promoting awareness of issues of racism and racial discrimination among pupils.
39. In its second report, ECRI stressed the need for initiatives involving students and adults from both the Greek and Turkish communities specifically aimed at improving understanding between the members of these communities. ECRI notes that the school aims of the year 2004-2005 also include a section on bi-communal co-operation. It also notes, however, that bi-communal initiatives

¹⁵ See below, Accessto public services – Access to education.

involving school communities, including students, teachers and parents, have so far been very limited. In fact it has been reported to ECRI that school communities often simply oppose such initiatives. The Cypriot authorities have stressed that they encourage exchanges between teachers and pupils of the two communities and that development of these initiatives takes time. As mentioned in other parts of this report¹⁶, however, ECRI considers that a more proactive approach to promoting bi-communal activities, especially in the field of education, could be beneficial to facilitate and speed up the process of reconciliation and restoration of confidence between the members of Greek and Turkish Cypriot communities.

Recommendations:

40. ECRI recommends that the Cypriot authorities intensify their efforts to carry out extra-curricular school activities aimed at educating children in human rights, with a particular emphasis on non discrimination and the need to respect differences. It recommends that they intensify their efforts to train teachers in these subjects. ECRI encourages the Cypriot authorities in their efforts to strengthen the human rights dimension of civic education courses. In the long term, however, it considers that the Cypriot authorities should consider making human rights, including non-discrimination, a compulsory subject at both primary and secondary level.
41. ECRI encourages the Cypriot authorities in their efforts to raise awareness in Cypriot schools of problems of racism and racial discrimination. It stresses in particular the need to equip teachers with the necessary tools to identify and address manifestations of racism and racial discrimination in schools.
42. ECRI strongly recommends that the Cypriot authorities intensify their efforts to promote activities involving members of both the Greek and Turkish Cypriot school communities aimed at promoting reconciliation and restoration of confidence between the members of these communities.

Reception and status of non-citizens

- Asylum seekers and refugees

43. In its second report, ECRI noted that, although only a few hundred persons applied for asylum in Cyprus each year, their number had been steadily increasing. Since then, Cyprus has experienced a very significant increase in the number of asylum applications received yearly, with 1167 applications filed in 2001, 4032 in 2003, 9284 in 2004 and 7291 in 2005. Since the partial lifting of the restrictions to freedom of movement across the cease-fire line (so-called Green Line) in April 2003¹⁷, asylum seekers have tended to arrive in the government-controlled part of Cyprus through this route, and not by sea.
44. In its second report, ECRI noted that the legal framework enabling Cyprus to implement the Refugee Law of 2000 had not yet been completed. ECRI is pleased to note that the necessary legal framework for the examination of international protection needs is now in place and that Cyprus has been carrying out such examination since April 2002. Since ECRI's last report, the institutional framework for the examination of international protection needs has been changed several times. At present, and since 2004, the Asylum Service, an independent body within the Ministry of Interior, is competent to make first

¹⁶ New Developments - New opportunities and challenges in the establishment of contacts and mutual trust between the Greek and Turkish Cypriot communities.

¹⁷ See below New Developments - New opportunities and challenges in the establishment of contacts and mutual trust between the Greek and Turkish Cypriot communities.

instance decisions on asylum applications, and the Independent Reviewing Authority for Refugees is competent for appeals. ECRI is pleased to note that the Cypriot authorities have strengthened the human and financial resources allocated to deal with asylum applications. It notes, however, that such resources are not yet sufficient, as reflected by the length of time – in some cases as long as three years -- still needed for the examination procedures to be completed.

45. ECRI notes that such a significant increase in the number of asylum applications has posed considerable challenges to the Cypriot authorities, some of which they have started to address. ECRI remains nevertheless concerned at the difficult situation facing asylum seekers in Cyprus, especially as concerns detention, access to the asylum procedure, the conduct of the police, access to legal aid and representation, access to social and economic rights and protection from *refoulement*. These areas are dealt with in more detail below.
46. The Cypriot authorities have underlined that asylum-seekers are detained in Cyprus only when they file an application after having been arrested and detained in view of deportation. In this respect, ECRI notes that, in 2004, the Supreme Court confirmed the powers of the Migration Officer to detain asylum seekers in view of deportation pending the examination of the asylum claim. However, in view of the extensive use made by the Cypriot authorities of detention under immigration powers¹⁸, ECRI notes that, in practice, a large number of asylum seekers are effectively detained throughout the process of the examination of their claims, which, as mentioned, can last for a long time. ECRI is also seriously concerned at reports according to which conditions in police detention centres, where asylum seekers are detained in view of deportation, are wholly inadequate, especially in consideration of the length of time asylum seekers spend there.
47. Although by law asylum applications may be filed at any entry point and police station, the Cypriot authorities have reported to ECRI that, in practice, due to the professional specialisation required to handle such cases, asylum seekers may only file applications at certain police stations in all Police Divisions. If they are undocumented, the only police station at which they can file an asylum application is Pafos Gate police station, situated on the Green Line in Nicosia. However, ECRI has received consistent reports according to which the police routinely refuse to accept asylum applications. Asylum seekers are also often repeatedly told to come back to apply, and remain in the meantime exposed to the risk of being arrested and detained. Although some measures have been taken to address this situation¹⁹, problems reportedly persist. The Cypriot authorities have reported that asylum applications are available at police stations in a number of languages and that when no application is available in a language that an asylum seeker understands, a translator is made available. However, it has also been reported to ECRI that clear information on the rights of asylum seekers and the procedures to apply for asylum in a language that asylum seekers understand is not always available at police stations.
48. In addition to difficulties in gaining access to the asylum procedure, the conduct of police officers has been reported to ECRI to be at the origin of other difficulties for asylum seekers. For instance, there have been reports according to which police officers have in some cases forced asylum seekers to withdraw their applications or withheld personal documents belonging to asylum seekers, although ECRI notes that the Cypriot authorities have started to take measures to

¹⁸ See below, The situation of immigrants and the need for an immigration and integration policy.

¹⁹ For instance, when unable to receive the applicant immediately the police have been instructed to issue letters confirming the person's appointment for an asylum interview.

address these concerns²⁰. ECRI has also received consistent reports of cases of ill treatment of asylum seekers by the police both while in detention and on applying for asylum. ECRI notes that some of these cases have also been examined by the criminal investigators appointed by the Attorney General²¹. In its second report, ECRI recommended that awareness of refugee issues be raised among officials coming into contact with asylum seekers. The Cypriot authorities have stressed that police officers receive both initial and in-service training in human rights, including asylum and non-discrimination issues. It seems to ECRI, however, that efforts to provide police with training in these areas have not yet matched the levels of need.

Recommendations:

49. ECRI recommends that the Cypriot authorities ensure that adequate human and financial resources are available to deal effectively and within a reasonable time with all asylum applications.
50. ECRI recommends that the Cypriot authorities ensure that asylum seekers only be detained when it is absolutely necessary and that measures alternative to detention be used in all other cases. ECRI urges the Cypriot authorities to take measures to ensure that, when asylum seekers are detained, the conditions of their detention meet national and international standards.
51. ECRI recommends that the Cypriot authorities take urgent measures to ensure that the right of persons to apply for asylum is thoroughly respected. ECRI also urges the Cypriot authorities to ensure that clear information on the rights of asylum seekers and the procedures to apply for asylum is available in a language that asylum seekers understand at police stations and at all places where they may apply for asylum.
52. ECRI strongly recommends that the Cypriot authorities increase training of the police in human rights, including asylum and non-discrimination issues. Such training should particularly focus on the obligation on police officers to respect the asylum seekers' right to file an asylum application and on the absolute prohibition of ill treatment of these persons. ECRI furthermore urges the Cypriot authorities to ensure that any alleged instance of ill treatment of asylum seekers by police officers is thoroughly and rapidly investigated and that the persons found responsible are duly punished.
53. As mentioned above²², legal aid provisions have been modified since ECRI's last report. However, such modifications are reported not to have benefited asylum seekers. Thus, at present, asylum seekers who cannot afford to pay the services of a lawyer can reportedly only receive free legal aid and representation from a very limited number of organisations from the voluntary sector.
54. ECRI has received consistent reports according to which, due to lack of expediency of, and co-ordination between, different parts of the administration, it is often very difficult, and some times entirely impossible for asylum seekers to access social and economic rights granted to them by law. Some of the main problems in this respect are reportedly connected with the difficulties encountered in obtaining a residence permit (so-called "pink slip"), which is necessary to access certain rights in the field of healthcare provision, social welfare, education, and, in some cases, employment. Due to the long delays in

²⁰ For instance, withdrawal of an asylum application is reportedly now only possible in the presence of staff of the Asylum Service.

²¹ See below, Conduct of law enforcement officials.

²² Administration of justice – Legal aid.

the issuance of pink slips to asylum seekers -- reports indicate that asylum seekers may wait from 4 months to as long as two years – asylum seekers are, in practice, denied access to these rights. ECRI notes that the Cypriot authorities have started to address these concerns. For instance, social services have been instructed to provide services to asylum seekers who cannot produce the pink slip but have the confirmation letter given to them by the police upon submission of the asylum application. However, ECRI notes reports according to which problems persist, as in practice, not all relevant authorities accept such documentation, including hospitals and sometimes welfare offices.

55. According to the law, pending the examination of their claims asylum seekers are entitled to work or, in case they are unemployed for reasons other than their own decision, to claim welfare benefits. ECRI notes, however, that in 2004 the Ministerial Committee of Employment decided to allow asylum seekers (and persons who have been benefiting from subsidiary protection for less than one year) to work exclusively in the farming and agricultural industry. It has been reported to ECRI, however, that working conditions in these sectors are extremely poor. For instance, wages are reported to be well below the minimum fixed by collective agreements for other sectors of the economy, and food and housing, which must be provided by the employer, are often reported to be of sub-standard quality. Non-governmental organisations have received many reports of severe exploitation of asylum seekers employed in these sectors. In addition, this employment policy is reportedly applied to asylum seekers irrespective of particular situations of vulnerability that may concern them. Thus for instance, entire families have had to move and work in farms and live in complete isolation, and children have sometimes had to discontinue school. ECRI notes that, if asylum seekers refuse to be employed under these conditions they lose their entitlement to welfare benefits. Non-governmental organisations have emphasised that, in addition to resulting in a situation of serious distress for asylum seekers, these conditions tend to push them towards the irregular labour market, with further negative consequences in terms of exploitation and exposure to the risk of being arrested and detained in view of deportation.
56. ECRI is also concerned that deportations of asylum seekers have sometimes been carried out in a way that jeopardises respect of the principle of non-refoulement. It has been reported to ECRI that deportations are effectively carried out before the individual has been given a chance to even formally apply for asylum. However, deportations have also been carried out after an asylum application has been filed and before the completion of its examination. This has reportedly included cases where the files were arbitrarily closed or the asylum seeker was forced to withdraw the application, but also cases where the asylum claim was still pending in the first or second instance. Furthermore, since filing an appeal for judicial review before the Supreme Court does not have a suspensive effect on the deportation order, deportations of asylum seekers who file such an appeal are reportedly carried out as a rule before its examination is completed.
57. The Cypriot authorities have underlined that any difficulties they may still face in operating a fair and effective asylum system are linked to the sharp increase in the number of asylum applications experienced by Cyprus in recent years. As mentioned above, ECRI recognises the challenges imposed by this new situation and welcomes the efforts made by the Cypriot authorities, notably as concerns the establishment of an adequate legal and institutional framework for the examination of international protection needs. Nevertheless, ECRI considers that under no circumstances should the increase in the number of asylum seekers justify the adoption of policies aimed at deterring people from applying for asylum. Unfortunately, however, ECRI notes that some of the measures taken in respect of asylum seekers, such as those limiting their employment possibilities to the farming and agricultural sectors, have not only been adopted, but have

also been publicly presented as a way to deter people from applying for asylum in Cyprus.

Recommendations:

58. ECRI recommends that the Cypriot authorities take measures to improve asylum seekers access to free or inexpensive legal aid and representation.
59. ECRI recommends that the Cypriot authorities take urgent measures to ensure that asylum seekers can access in practice all rights to which they are entitled by law, including in such areas as healthcare provision, welfare services, education and employment.
60. ECRI strongly recommends that the Cypriot authorities ensure that asylum seekers are not discriminated against in exercising the right to employment granted to them by law. ECRI underlines that any measures taken by the Cypriot authorities with respect to asylum seekers' access to employment and welfare benefits should not push these persons towards illegality.
61. ECRI urges the Cypriot authorities to ensure that the asylum seekers' right to protection from refoulement is thoroughly respected. In this respect, it recommends that the Cypriot authorities ensure that deportations are not carried out before asylum procedures at all instances are completed.
62. ECRI recommends that the Cypriot authorities refrain from adopting deterrent policies in the field of asylum and from presenting any asylum policies to the public as deterrent policies.

Access to public services

- Access to education

63. In its second report, ECRI recommended that the Cypriot authorities provide non Greek mother tongue children with adequate teaching of Greek as a second language and train teachers to this end. ECRI also encouraged the Cypriot authorities to consider introducing mother tongue education for these children. The Cypriot authorities have informed ECRI that they provide special support, including teaching of Greek as a second language, to non-Greek mother tongue children. This is done through the appointment of extra teachers of Greek as a foreign language each year and, since 2003, by channelling additional resources to Zones of Education Priority Action. The authorities have reported that primary schools located in these zones include all schools where non-Greek Cypriot students, are mainly represented. They have also reported that they have intensified provision of training to teachers in Greek as a second language. However, these support measures only apply to children in primary education. The Cypriot authorities have emphasised, however, that support and additional teaching of the Greek language is available to secondary school students whose command of Greek is below the level of their class. As concerns mother tongue education, ECRI notes the bi-communal nature of the Constitution of Cyprus and the rights it grants to Turkish Cypriot children in this area. The Cypriot authorities report that in schools attended by Turkish Cypriot children, education is also carried out in the Turkish language. In fact, the Cypriot authorities have reported that they have taken the decision in principle to establish a school in Limassol with Turkish as the language of instruction and that they have collected information from families of Turkish Cypriot children in the area as to their wish to have this school established. The Cypriot authorities have reported that the parents have stated their preference for their children to attend the state school of the area.

64. More generally, ECRI notes that, since its second report, there seems to be wider awareness in Cyprus of the need to equip the school communities with the necessary skills to deal with ethnic and cultural diversity. Thus, for instance, ECRI notes that, in the light of Cyprus's accession to the EU, the increasingly diverse make-up of the student population in schools and the prospects for reunification of Cyprus, the 2004 Report of the Commission for Educational Reform identifies a need for strengthening existing efforts in the field of intercultural education. ECRI welcomes these developments, although it notes that much work is still needed to translate these principles into practice and ensure that they are reflected throughout the education system. In this respect, it has been reported to ECRI, for instance, that certain aspects of formal and informal education currently imparted are not conducive to an atmosphere of reconciliation between Greek and Turkish communities. ECRI notes that a debate on the adequacy of the current contents of education in Cyprus, including history teaching, to the needs of an ethnically and culturally diverse society has started and that a number of civil society organisations are willing to contribute their experience to this debate.
65. ECRI notes that a circular issued by the Ministry of Education in November 2004 requires all schools to report to immigration authorities the contact details of the parents of foreign children who enrol for school. It has been explained to ECRI that this measure aims at checking the lawful residence of the pupils' parents and is justified by security concerns. ECRI notes that the Commissioner for Administration found that this circular violated the antidiscrimination provisions in force and recommended in April 2005 that it be withdrawn. Since then, however, the Council of Ministers has confirmed that the circular will remain in force.
66. Teaching of religion in schools in Cyprus is not compulsory. The vast majority of school children follow Greek-Orthodox religion courses. The authorities have reported, however, that teaching of Islam is also available for Muslim students. Children whose parents do not want them to attend religious education may ask for an exemption. It is reported to ECRI, however, that children who do not participate in Greek-Orthodox religion courses sometimes experience stigmatisation and rejection by their peers or in the school community. ECRI also notes that alternative courses to religious education are often not available.

Recommendations:

67. ECRI recommends that the Cypriot authorities intensify their efforts to provide non Greek mother tongue children with good quality teaching of Greek as a second language, and to train teachers to this end. It recommends that efforts in this area be extended to secondary school children who need support. ECRI encourages the Cypriot authorities to ensure that the constitutional right of Turkish Cypriot children to mother tongue education is respected.
68. ECRI recommends that the Cypriot authorities pursue and intensify efforts to ensure that education in schools in Cyprus meet the needs of a diverse society and be genuinely conducive to an atmosphere of reconciliation between Greek and Turkish communities. It strongly recommends that the Cypriot authorities foster and engage in public debate on these questions and that they work in close co-operation with civil society organisations for achieving these objectives throughout the education system, including history teaching.
69. ECRI urges the Cypriot authorities to ensure that the right of children in Cyprus to access education is secured without direct or indirect discrimination, notably on grounds such as nationality or national or ethnic origin. It strongly recommends that the Cypriot authorities comply with the recommendations of the Commissioner for Administration on this issue.

70. ECRI recommends that the Cypriot authorities take measures to address and prevent the stigmatisation of children who do not attend Greek-Orthodox religion in the school environment and to provide these children with adequate possibilities for alternative education.

Employment

71. In its second report, ECRI recommended that the Cypriot authorities introduce comprehensive legal provisions against racial discrimination in employment. As mentioned above²³, the legal framework is now in place, although the new provisions have not yet been applied in a Labour Court case. However, ECRI understands that a few cases of employment discrimination have been filed with the Commissioner for Administration. In spite of the virtual absence of formal complaints, ECRI has received reports according to which discrimination on grounds such as national or ethnic origin or religion does take place in employment. For instance, as mentioned in other parts of this report, domestic and other foreign workers continue in many cases to be subject to exploitation and discrimination by their employers. It has also been highlighted that non-EU workers may fall victims of indirect discrimination, for instance when collective agreements stipulate unreasonably disadvantageous conditions for sectors mainly operated by these workers.
72. It has been reported to ECRI that when applying for employment both in the private and in the public service, applicants are sometimes asked to state their and/or their parents' religion. It does not appear to ECRI, however, that such information is requested for the purposes of monitoring discrimination on grounds of religion or addressing inequalities.
73. ECRI is pleased to note that the National Action Plan for Employment 2004-2006 includes a chapter aimed at promoting the integration of and combat discrimination against people at a disadvantage in the labour market. ECRI notes, however, that the specific disadvantage faced by people based on grounds covered by ECRI's mandate are not addressed in the Plan through targeted measures.

Recommendations:

74. ECRI recommends that the Cypriot authorities pay particular attention to combating racial discrimination in employment. It reiterates its call for initiatives to raise the awareness of the antidiscrimination legal provisions in force among workers, and notably those most exposed to the risk of being discriminated against.
75. ECRI recommends that the Cypriot authorities discontinue any practice consisting in requesting from people who apply for employment information relating to their religion that does not serve any legitimate purpose.
76. ECRI encourages the Cypriot authorities in their efforts to promote the integration of and combat discrimination against people at a disadvantage in the labour market. It recommends that the Cypriot authorities address with targeted measures the specific disadvantage faced by people based on grounds covered by ECRI's mandate.

²³ Civil and administrative law provisions.

Vulnerable groups

- *Immigrants and asylum seekers*

77. See Section III and Reception and status of non-citizens.

- *Turkish Cypriots*

78. At the time of ECRI's second report, only a few hundred Turkish Cypriots lived in the government-controlled part of Cyprus. Since the partial lifting of the restrictions to freedom of movement across the Green Line in April 2003²⁴, the number of Turkish Cypriots living in the government-controlled part of Cyprus has increased and is reported to be currently around 2000. In addition, many Turkish Cypriots travel to the government-controlled part of Cyprus on a daily basis to work. Of these, some 3 000 are regularly employed. However, according to some estimates, twice as many Turkish Cypriots may also be working there unregistered. ECRI is pleased to note that the Cypriot authorities have provided some 35 000 Turkish Cypriot citizens with passports and have issued to them around 60 000 identity cards and 75 000 birth certificates. In addition, ECRI notes that the Cypriot authorities have taken measures to improve the position of Turkish Cypriots in a number of areas, including access to health care services, social security provision, including pensions, and education. Information to Turkish Cypriots interested in securing employment has also been provided.
79. ECRI notes, however, that Turkish Cypriots also experience problems of racism and racial discrimination. There have been instances of harassment and ill-treatment of Turkish Cypriot citizens by the police. Turkish Cypriots are also reported to have experienced disproportionate difficulties in securing services from the administration. However, ECRI understands that, following inter alia the intervention of the Commissioner for Administration, the situation in this field has improved. Cases of employment discrimination of Turkish Cypriots at point of recruitment in the private sector have also been reported.
80. Furthermore, ECRI notes that there is only an extremely limited amount of information in the Turkish language to enable Turkish Cypriots to adequately access and exercise their rights in all fields of life, for instance when trying to secure a public service or filing a Court case. The Constitutional provisions which establish Turkish as an official language in Cyprus have not been applied in practice, due to the situation of virtually total separation between the Greek and Turkish communities which has prevailed for now many years. ECRI considers that the increasing presence of Turkish Cypriot citizens in the government-controlled part of Cyprus poses a more pressing need to secure and address the rights and needs of this part of the population of Cyprus, including in the field of language.
81. ECRI notes that Turkish Cypriots also face serious difficulties in having their property in the government-controlled part of Cyprus reinstated or in being compensated for loss of such property. ECRI notes that, in a property reinstatement case filed by a Turkish Cypriot citizen who had moved to the government-controlled part of Cyprus, the Supreme Court ordered in February 2004 the reinstatement of the applicant's property and stated that failure to do so would constitute discrimination on grounds of the applicant's belonging to the Turkish Cypriot community²⁵. An appeal was filed and is currently pending before the Supreme Court.

²⁴ See below New Developments - New opportunities and challenges in the establishment of contacts and mutual trust between the Greek and Turkish Cypriot communities.

²⁵ Mustafa v. The Republic of Cyprus, Supreme Court of Cyprus, Case 125/2004

Recommendations:

82. ECRI recommends that the Cypriot authorities pay attention and address problems of racism and racial discrimination facing Turkish Cypriot citizens. In particular, it draws the attention of the Cypriot authorities to the following areas: the conduct of law enforcement officials, access to services, employment discrimination, availability of information in the Turkish language; reinstatement in and compensation of property.

- Roma

83. Roma in Cyprus are generally considered to belong to the Turkish Cypriot community. Although precise figures are not available, a few hundred Roma are reported to live at present in the government-controlled part of Cyprus, mostly in the Limassol and Pafos areas, where they moved from the part of the island not under the effective control of the government of Cyprus in 2001 and 2002. Members of the Roma community are reported to face widespread prejudice, disadvantage and discrimination in different areas. Hostility and rejection by the local non-Roma population is reported to be high and to have in some cases resulted in physical violence. In these cases, the racist dimension of the incidents has reportedly been played down or neglected. Rejection and prejudice from the local community, for instance from parents of school children, have reportedly also resulted in discrimination of Roma children in access to education. Furthermore, it has been reported to ECRI that, around the time when the Roma settled in the government-controlled part of Cyprus, the Cypriot authorities have used language and displayed attitudes vis-à-vis these persons that were not conducive to defusing tensions and promoting acceptance of Roma by the local communities. Although the disadvantaged position of Roma is reflected in virtually all areas of life, it is reported to be particularly serious in housing. The Cypriot authorities highlight that they have provided funds for improvement of Roma housing and created two housing projects for Roma. However, ECRI also notes that there are still Roma families without access to basic facilities such as water and electricity. ECRI notes that members of the Roma communities may benefit from the measures put in place by the Cypriot authorities to assist and support the Turkish Cypriot population. Thus, for instance, Roma children, who are Turkish speaking, receive education in this language in schools.

Recommendations:

84. ECRI recommends that the Cypriot authorities take steps to improve the situation of the Roma and combat and prevent racism and racial discrimination against this part of the population of Cyprus. ECRI draws the attention of the Cypriot authorities to its General Policy Recommendation No. 3²⁶, which proposes a range of legislative and policy measures which governments can take to this end.

- Pontian Greeks²⁷

85. There are about 15 000 Pontian Greeks in Cyprus today, mostly settled in the Pafos and Nicosia areas. The first members of this community moved to Cyprus from the Northern Black Sea region in the years following the collapse of the Soviet Union, after obtaining Greek passports. ECRI has received reports according to which the members of this community are the subject of negative stereotypes and generalisations, including as concerns their involvement in criminal activities, which have in some cases been promoted by the Cypriot

²⁶ CRI (98) 29: ECRI General Policy Recommendation n° 3: Combating racism and intolerance against Roma/Gypsies, European Commission against Racism and Intolerance

²⁷ Pontian Greeks are persons of Greek origin, who have traditionally inhabited the area around the Black Sea known as "Pontos".

authorities in public debate. There have also been reports of de facto school segregation of Pontian Greek children, which have, however, been addressed by the Commissioner for Administration. Pontian Greeks are also reported to have been in some cases subject to ill treatment by the police and discriminated against in accessing certain services, for instance from car insurance companies.

Recommendations:

86. ECRI recommends that the Cypriot authorities pay attention and address problems of racism and racial discrimination facing Pontian Greeks.

- *Armenians, Latins and Maronites*

87. Although the overall situation of the members of the three communities recognised by the Constitution of Cyprus as religious minority communities, i.e. Armenians, Latins and Maronites, is reported to be satisfactory, ECRI notes that the members of these groups experience certain specific difficulties in fully exercising some of their rights. Since ECRI's second report, the institution of the Presidential Advisor for minority religious groups has been abolished and the competence for dealing with issues of relevance to these groups has been moved to the Ministry of Interior. This has reportedly resulted in a loss of inter-institutional co-ordination for dealing with such issues, and, consequently, effectiveness. In this respect, it has been noted that a separate budget line to fund initiatives aimed at these groups could also be beneficial. Furthermore, although positive initiatives for raising awareness of issues relating to minority religious groups among the general population and specific professional categories – for instance the police – already exist, it has been reported to ECRI that better awareness of these issues among school students would be desirable. In addition to these general aspects, different minority groups have highlighted specific concerns. Thus, for instance, representation of Armenians in the public sector appears to be disproportionately low and Maronite students' access to education which genuinely reflects their specific needs could be improved.

Recommendations:

88. ECRI recommends that the Cypriot authorities pursue and intensify their efforts to meet the needs of the members of the Armenian, Latin and Maronite communities and to ensure that the members of these communities may fully exercise their rights, notably as concerns the areas highlighted above. To this end, ECRI recommends that the Cypriot authorities co-operate as closely and effectively as possible with the representatives of these communities.

Media

89. Since its second report, ECRI has continued to receive reports according to which the printed media sometimes cover incidents involving members of minority groups in a sensational way and often mentions the ethnic origin of people when not relevant to the media report. As already noted in ECRI's second report, a code of self-regulation of the media profession, whose application is monitored by the Media Complaints Commission, contains inter alia provisions against racial discrimination. ECRI understands that, since then, these provisions have been applied in two cases. ECRI also understands that the Media Complaints Commission and the Commissioner for Administration have taken measures to raise the awareness within the media profession of issues of racism and racial discrimination. As concerns the broadcast media, ECRI notes that,

since 2003, the Radio and Television Authority has applied the provisions against racism and racial discrimination it is entrusted to monitor²⁸, in 14 cases.

Recommendations:

90. ECRI encourages the Cypriot authorities to impress on the media, without encroaching on their editorial independence, the need to ensure that reporting does not contribute to creating an atmosphere of hostility and rejection towards members of any minority groups. ECRI encourages the Cypriot authorities to engage in a debate with the media and members of other relevant civil society groups on how this could best be achieved.

Conduct of law enforcement officials

91. In its second report, ECRI expressed concern at reports of excessive use of force by the police against non-citizens who enter or stay in Cyprus illegally. Since then, ECRI has continued to receive reports according to which immigrants and asylum seekers are still exposed to a significant risk of ill treatment and excessive use of force by the police²⁹, particularly, although not exclusively, in the context of checks carried out on individuals trying to gain access to the government-controlled part of Cyprus through the Green Line. There have also been three reports of non-citizens having died in police custody. These cases are currently pending in Court before the Coroner. Although immigrants and asylum seekers are particularly exposed to misconduct of the police, racial profiling practices and racist or racially discriminatory attitudes by border control officials and the police are also reported to have affected minority groups generally, including tourists and Cypriot citizens. The Cypriot authorities have reported that, in 2004, non-citizens made up for less than one fourth of the total amount of complaints filed with the police force for misconduct of its officers and that none of these complaints alleged racist or racially discriminatory behaviour. The authorities also report that, out of 91 criminal cases against police officers pending before the courts, 90 were filed by Greek Cypriots and one by a Turkish Cypriot.
92. In its second report, ECRI recommended that all incidents of ill-treatment and excessive use of force by the police, including those involving non-citizens, be investigated by an independent body and that all persons found responsible following such investigations be punished. As already noted in ECRI's second report, in addition to the police and the courts, alleged victims of police misconduct may file complaints with the Attorney General, who, following investigations carried out by specially-appointed independent investigators, may institute criminal proceedings. Alleged victims of police misconduct may also seize the Commissioner for Administration. ECRI notes that, in some cases, these mechanisms have found that asylum seekers had been ill-treated or that excessive force had been used against them. ECRI understands that other complaints, including of racial discrimination by the police are currently being investigated. ECRI notes that a Bill currently pending before Parliament envisages the establishment of an independent authority tasked with investigating those criminal offences committed by the police which constitute human rights violations.

²⁸ Article 30 of the Radio and Television Stations Law 7(l) of 1998 establishes that : "Stations have an obligation to ensure that their broadcasts shall not include any incitement to hatred due to differences in race, gender, religion or citizenship". Furthermore, according to Regulations 25(3) and 26(iv) of the Radio and Television Stations Regulations of 2000, the stations shall forbid "the use of language in a manner which may offend the sensitivities of religious, racial, political or other social groups". Finally, broadcast of entertainment programs insulting the dignity of gender, racial, national and religious groups or individuals with special needs shall be forbidden.

²⁹ See above, Reception and status of non-citizens – Asylum seekers and refugees.

93. In its second report, ECRI recommended that the Cypriot authorities extend provision of training in human rights and non-discrimination for police officers. The Cypriot authorities have reported that, since then, this type of training has been intensified. They have stressed, in particular, that training is a central element of the Action Plan of the police to combat discrimination³⁰ that they are currently implementing.

Recommendations:

94. ECRI recommends that the Cypriot authorities set up an independent mechanism, totally separate from the police structures and with due respect to the competences of the Commissioner for Administration, for investigating allegations of police misconduct, including racist or racially discriminatory behaviour.
95. authorities pursue and intensify their efforts to provide thorough initial and in-service human rights training to law enforcement officials. In particular, it recommends that all serving police officers be provided with specific training in policing a diverse society.

Monitoring the situation

96. In its second report, ECRI considered that the collection of data broken down by categories such as ethnic origin, language, religion and nationality in different areas of policy would be beneficial in order to monitor the situation of different minority groups and highlight possible problems of direct or indirect discrimination. ECRI understands that the Cypriot authorities only collect data broken down by nationality and, to a lesser extent, religion, although it is not clear to ECRI that this latter type of data is collected for purposes of monitoring discrimination on grounds of religion or addressing inequalities.
97. As already highlighted in respect of criminal law provisions³¹, ECRI notes that the Cypriot authorities do not systematically collect data concerning the implementation of the existing legal provisions in force against racism and racial discrimination.
98. ECRI notes that there are a number of civil society organisations active in the field of combating racism and discrimination and defending the human rights of asylum seekers and immigrants in Cyprus, which can provide the Cypriot authorities with valuable input in their efforts to monitor the situation as concerns these areas.

Recommendations:

99. ECRI recommends that the Cypriot authorities improve their monitoring systems by collecting relevant information broken down according to categories such as ethnic origin, language, religion and nationality in different areas of policy and to ensure that this is done in all cases with due respect for the principles of confidentiality, informed consent and the voluntary self-identification of persons as belonging to a particular group. These systems should also take into consideration the gender dimension, particularly from the point of view of possible double or multiple discrimination.
100. ECRI recommends that the Cypriot authorities systematically collect data on the implementation of the existing civil, administrative and criminal law provisions against racism and discrimination.

³⁰ See above, Criminal law provisions.

³¹ See above, Criminal law provisions.

101. ECRI recommends that the Cypriot authorities provide wider support to civil society organisations active in the field of combating racism and discrimination and defending the human rights of asylum seekers and immigrants in Cyprus.

II. NEW DEVELOPMENTS

New opportunities and challenges in the establishment of contacts and mutual trust between the Greek and Turkish Cypriot communities

102. In its second report, ECRI expressed concern at the impact of the situation prevailing in the island of Cyprus as a whole, and resulting at that time in virtually complete separation between the Greek and Turkish Cypriot communities, on the relations between such communities. ECRI expressed the hope that a solution for the re-unification of the island would be identified in the near future. It stressed, however, that a return to life together in an atmosphere where human rights are respected could only be brought about through the gradual re-establishment of contacts and restoration of mutual trust between the two communities. In this respect, ECRI expressed serious concern at the lack of opportunities available at the time for the members of the two communities to do so. ECRI therefore called for strengthened initiatives involving members of both the Greek and the Turkish Cypriot communities aimed at promoting a climate of tolerance, restoring confidence and countering prejudice.

103. Since ECRI's second report, the restrictions to freedom of movement across the cease-fire line (so-called Green Line) were partially lifted. As a result, since April 2003, the population of Cyprus living on either sides of the Green Line has increasingly been moving across it. The Cypriot authorities have reported that some 8 million crossings have taken place since then. Such increased mobility has brought about significant changes in terms of contacts between members of the Greek and Turkish Cypriot communities, including those resulting from the simple fact that an increasing number of Turkish Cypriots currently live and work in the government-controlled part of Cyprus³². These circumstances have naturally favoured the gradual re-establishment of day-to-day contacts both among the general population and between Turkish Cypriot citizens and the Cypriot administration. Furthermore, the measures that the Cypriot authorities have taken to improve the position of Turkish Cypriot citizens in different fields (such as employment, issuing of personal documents, health insurance, social security and education) are, in ECRI's opinion, also crucial pre-requisites to the process of reconciliation and restoration of confidence between the members of the Greek and Turkish Cypriot communities. ECRI considers, however, that in order to support and speed up this process, a more proactive approach by the Cypriot authorities specifically to developing contacts and good inter-community relations would be beneficial. In this respect, ECRI notes that initiatives taken by the Cypriot authorities specifically aimed at involving members of the Greek and Turkish Cypriot communities in dialogue and joint activities in different fields of life have so far been limited. ECRI also notes that a number of civil society organisations which can offer their experience and motivation in this field exist in Cyprus.

104. Alongside opportunities, the increased presence of Turkish Cypriot citizens in the territory of Cyprus under the effective control of the Government of Cyprus has naturally brought with it a number of challenges. As mentioned in other parts of this report³³, there are areas where direct and indirect discrimination against members of the Turkish Cypriot community exist and still need to be recognised

³² See above, Vulnerable groups - Turkish Cypriots

³³ See above, Constitutional provisions and other basic provisions – Citizenship legislation, and Vulnerable groups - Turkish Cypriots.

and adequately addressed. ECRI considers that, with the introduction of a national and international legal framework against discrimination and the establishment of the Commissioner for Administration as a body combating racial discrimination and promoting equality, Cyprus has, since ECRI's last report, better equipped itself to this end. However, it stresses the importance of a clear public recognition of problems of direct and indirect discrimination to the process of reconciliation and restoration of confidence.

105. As already mentioned in ECRI's second report, measures aimed at restoring confidence between the Greek and Turkish Cypriot communities are particularly important to prepare these communities for resumed life together on a unified island. At the same time, ECRI considers that such measures may also help to gain further support from the population as a whole for a solution to the division of the island of Cyprus, which has now been in place for over thirty years. In this respect, another important development which has intervened since ECRI's second report is the referendum held on 24 April 2004 on the plan for reunification put forward by UN Secretary General Kofi Annan. ECRI notes that this plan was rejected by a majority of Greek Cypriots and accepted by a majority of Turkish Cypriots³⁴. In view of the seriously negative impact that the continuation of the division of the island has on the relations between the Greek and the Turkish Cypriot communities, ECRI regrets that it has not yet been possible to find a solution to the division of the island. It reiterates its hope, however, that this will be achieved in the near future.

Recommendations:

106. ECRI strongly recommends that the Cypriot authorities take a more proactive approach to developing contacts and good relations between the Greek and Turkish Cypriot communities. To this end, it recommends in particular that the Cypriot authorities intensify their initiatives specifically aimed at involving members of the Greek and Turkish Cypriot communities in dialogue and joint activities in different fields of life. ECRI recommends that, in so doing, the Cypriot authorities support civil society organisations active in the field of promoting dialogue and reconciliation.
107. ECRI recommends that the Cypriot authorities recognise and adequately address problems of direct and indirect discrimination against the members of the Turkish community, including as a way to further facilitate the process of reconciliation and the restoration of confidence between this community and the Greek Cypriot community.

III. SPECIFIC ISSUES

The situation of immigrants and the need for an immigration and integration policy

108. In its second report, ECRI expressed concern at the lack of a comprehensive immigration policy in Cyprus, which, in addition to regulating the entry and stay of immigrants with full respect of their human rights, would establish the necessary legal and institutional framework for their support and for promoting mutual integration between immigrants and the rest of Cypriot society. ECRI notes that this issue has been examined in the context of the reforms that Cyprus has had to carry out in view of its accession to the European Union and that, as part of these reforms, the Cypriot authorities are currently finalising the preparation of an Aliens and Immigration Bill. ECRI expresses concern, however, that since its last

³⁴ Among Greek Cypriots, 75.83 % voted against the Plan and 24.17 in favour. Among Turkish Cypriots, 64.91 voted in favour and 35.09 against.

report, policies concerning immigrants in Cyprus have continued to be based on outdated legislation and ad hoc Ministerial decisions and shaped by the idea of the immigrants as persons present in Cyprus for a limited time only and in order to meet specific labour demands. Civil society organisations have consistently underlined that such an approach has resulted in a particular vulnerability of immigrants to human rights violations, including discrimination. This situation is particularly evident in areas such as deportations, detention, employment and the climate of opinion concerning immigrants, as highlighted below.

109. The Cypriot authorities have reported that the Aliens and Immigration Bill that is currently being finalised will contain provisions to reflect the EU acquis relating to family reunification and long-term residence. ECRI hopes that a legal framework establishing these rights will soon be available. However, it has been reported to ECRI that the Cypriot authorities have recently intensified deportations of immigrants in order to avoid having to grant them long-term residence and other rights once these are enforceable in Cyprus. ECRI is particularly concerned at reports according to which deportation orders have been issued in many cases without due consideration being given to the individual circumstances of the persons concerned, including family ties, length of stay – persons having resided in Cyprus for 10 years or more have also been served with deportation orders -- or health conditions. ECRI notes that, although the lawfulness of a deportation order can be challenged before the Supreme Court or the Commissioner for Administration, these remedies do not, as a rule, have a suspensive effect. Non-governmental organisations also stress that in any event, in practice people are often deported before they can file a complaint. It has been reported to ECRI that this situation has resulted in an increasing number of persons falling into illegality or filing asylum applications with little chance of success in order to avoid deportation, in both cases with obvious negative consequences for the persons concerned. The possibility of establishing a special procedure which would allow a number of immigrants to re-gain legal status does not appear at present to be a subject of public debate in Cyprus.
110. In its second report, ECRI considered that immigrants and asylum seekers, even if they are considered by the authorities to have entered or stayed in Cyprus illegally, should not be treated as criminals and that any measures taken with regard to such persons should reflect this approach. ECRI also considered that the detention of aliens under immigration powers should be addressed by the Cypriot authorities as a matter of priority. However, as mentioned above³⁵, ECRI is still concerned at the highly disproportionate use of detention in respect of immigrants. ECRI notes that the extensive use made by the Cypriot authorities of criminal law provisions to deal with illegal entry and stay in Cyprus has repeatedly been criticised at both the national and international level. It has been reported to ECRI that, unless they are charged with other offences, persons apprehended for illegal entry or illegal stay are increasingly less the object of criminal prosecutions and are instead rapidly deported. However, it has also been reported to ECRI that immigrants are regularly detained on the basis of arrest and deportation orders from the Migration Office, and that their detention often lasts for long periods of time³⁶.
111. In its second report, ECRI noted that domestic and other foreign workers were particularly subject to exploitation and abuse by their employers. It therefore recommended that the Cypriot authorities raise awareness among domestic and other foreign workers of their rights and of the procedures by which they can ensure enjoyment of these rights. It also recommended that deportation of these

³⁵ Administration of justice

³⁶ Reception and status of non-citizens – Refugees and asylum seekers.

workers not be carried out before thorough and fair proceedings in each case have taken place. Furthermore, ECRI recommended that means of subsistence, including new employment, should be available to domestic and other foreign workers whose contractual or other rights may have been violated by their employers. It has been reported to ECRI, however, that domestic and other foreign workers are still subject to exploitation and abuse by their employers. A significant number of them are actually reported to be victims of trafficking for purposes of labour exploitation or - as is the case for a growing number of women working as artists in cabarets, night clubs and pubs since ECRI's last report - sexual exploitation. It remains reportedly very difficult for domestic and other foreign workers to change employer when the latter has violated their contractual or other rights. ECRI notes that, since its last report, the Cypriot authorities have introduced changes to the procedures applicable in these cases. Thus, for instance, following the filing of a complaint by the foreign worker with the District Labour Relations Office, the employer may issue a "release paper" which allows the worker to take up employment with another employer. Furthermore, in case the dispute has not been settled by the District Labour Relations Office, the case is now examined by a Committee composed of representatives of the Migration Office, the Ministry of Labour and Social Insurance and the police. ECRI notes, however, that there is no obligation for the employer to issue a "release paper", that the time for the examination of these labour disputes is often excessively long and that during such procedures the complainant is not allowed to work and has therefore, as a rule, no source of income, although the authorities have reported that, in practice, the complainant may apply for a work permit and be allowed to work pending examination of her or his application by the Committee. As a result of this situation and of the close link still existing between employment with a specific employer and the residence permit, domestic and other foreign workers are still reported to endure serious situations of exploitation and abuse in order to avoid deportations. With regard more specifically to women working as artists in cabarets, night clubs and pubs, ECRI notes that an Action Plan to Combat Trafficking in Human Beings is being implemented by the Ministry of Interior.

112. In its second report, ECRI noted the stated commitment of the Cypriot authorities to backing civil society efforts to create support structures for immigrants, including the establishment of a centre which would provide them with information and legal assistance as necessary. ECRI notes that such structures are not yet in place. The Cypriot authorities have reported that the social welfare services provide financial and technical assistance to non-governmental organisations to carry out activities in these fields. However, it does not seem to ECRI that significant support has been provided to civil society organisations active in the field of monitoring the human rights situation of immigrants in Cyprus and providing assistance to them since its second report. In fact, ECRI has received reports according to which, in some cases, the Cypriot authorities have displayed a negative attitude towards these organisations and have publicly criticised their work as contrary to official policy or national interests.
113. In its second report, ECRI noted that there was an apparent trend in Cyprus towards a perception of the immigrant and the foreigner as a potential threat to the Cypriot standard of living. It therefore encouraged the Cypriot authorities to take all possible measures to prevent such a trend from evolving into more overt and generalised manifestations of hostility. This included refraining from using racist or xenophobic discourse in public debate. It has been reported to ECRI that xenophobic attitudes have not decreased among the general public since ECRI's second report and that the climate of opinion towards immigrants is still

predominantly negative. In fact, as mentioned in other parts of this report³⁷, since then instances of racist or xenophobic violence have increasingly been reported to non-governmental organisations active in the field of providing assistance to immigrants. It has been noted that this phenomenon is particularly worrying in consideration of the current economic conditions of low unemployment in Cyprus, which could be expected to be conducive to less intolerant attitudes. Non-governmental organisations have reported to ECRI that, in general, since ECRI's second report, the Cypriot authorities have adopted a more balanced approach to issues concerning immigrants in public debate. However, ECRI notes that instances where xenophobic discourse has been used in public debate by the Cypriot authorities, including representatives of the police, have still occurred.

Recommendations:

114. ECRI urges the Cypriot authorities to adopt a comprehensive immigration and integration policy. In addition to regulating the entry and stay of immigrants with full respect of their human rights, such a policy should establish the necessary legal and institutional framework for their support and for promoting mutual integration between immigrants and the rest of Cypriot society.
115. ECRI strongly recommends that the Cypriot authorities ensure that deportations are carried out in all cases with full respect of the human rights of the persons concerned and taking into consideration their individual circumstances, including family ties, length of stay and health conditions. It encourages the Cypriot authorities to consider the possibility of establishing a special procedure which would allow a number of immigrants to re-gain legal status in Cyprus.
116. ECRI recommends to the Cypriot authorities to ensure that persons detained in view of deportation are not kept in detention beyond the time strictly necessary in order to carry out the deportation.
117. ECRI recommends that the Cypriot authorities intensify their efforts to ensure that domestic and other foreign workers are not subject to exploitation and abuse by their employers. To this end, it reiterates its call for fair procedures and effective remedies to be made available to such workers whose contractual or other rights have been breached by their employers. ECRI recommends that the Cypriot authorities pursue and intensify their efforts to address the situation of women trafficked in Cyprus to work as artists in cabarets, night clubs and pubs.
118. ECRI strongly recommends that the Cypriot authorities provide wider support, including financial support, to civil society organisations with experience in the field of monitoring the human rights situation of immigrants in Cyprus and providing assistance to them.
119. ECRI reiterates its call on the Cypriot authorities to take measures to research and address racist and xenophobic attitudes among the general public and the negative climate of opinion towards immigrants in Cyprus. In particular, it recommends that the Cypriot authorities refrain from using racist or xenophobic discourse in public debate and that they react promptly and effectively to any instances where this type of discourse is used.

³⁷ Criminal law provisions

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