




# FIFTH OPINION ON CYPRUS

Advisory Committee  
on the Framework  
Convention for  
the Protection of  
National Minorities  
(ACFC)



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## SUMMARY OF THE FINDINGS

1. A general climate of tolerance prevails in Cyprus, in particular towards the three constitutionally recognised national minorities, i.e. the Armenian, Maronite and Latin (Roman Catholic) religious groups. Support for the preservation of minority identities continues to be provided, predominantly in the educational and cultural spheres. Persons belonging to the Armenian, Maronite and Latin religious groups continue to have influence on policy making on subjects of relevance to them, essentially through their representatives in the House of Representatives.
2. Despite the authorities' official position that Cypriot Roma are deemed to be members of the 'Turkish Cypriot Community' and therefore not formally recognised as a 'national minority' within the meaning of the Framework Convention, the Advisory Committee notes with satisfaction that, in practice, the Framework Convention is being applied on an-article-by-article basis to persons belonging to the Gurbeti Roma community. The Advisory Committee has not been made aware of any other groups of persons seeking protection under the Framework Convention. At the same time, the Cypriot authorities have not made dedicated efforts to spread and increase knowledge about the Framework Convention and its objectives. As a consequence, even amongst communities that could possibly benefit from its protection, there is little awareness about the Framework Convention.
3. The Advisory Committee considers that exercising the right to self-identification remains problematic due to the constitutional set-up of the Republic of Cyprus and lack of effective consultation with religious and ethnic communities other than those recognised by the constitution; it however welcomes the fact that a number of recommendations formulated in its previous opinions and during the visit have been taken into account by the authorities in the preparation of the 2021 census questionnaire. This should help them to obtain a more precise view on the diversity of Cypriot society.
4. Since the last monitoring cycle, the Ombudsperson's Office has seen an increase of human and financial resources, and the possibility was given to this office to recruit staff according to its own criteria. The Advisory Committee considers that these positive developments provide better conditions to ensure more timely examination and treatment of discrimination-related complaints, including those submitted by persons belonging to religious groups and ethnic communities, more *ex officio* investigations, additional awareness-raising activities to reach out to groups most exposed to discrimination and foreseen reporting duties.
5. The Advisory Committee welcomes progress in the codification of the Cypriot Maronite Arabic language and considers that further steps should be taken to produce textbooks and gradually extend its teaching to other educational levels. It regrets, however, that students belonging to the Armenian minority cannot learn Armenian in upper secondary level.
6. Other positive developments include free of charge publications and multimedia materials for the general public dedicated to each of the three religious groups, the overall support to the cultural heritage of the three religious groups and their explicit mention in textbooks, as well as the creation of cultural centres for the Maronite and Latin religious groups.
7. The Advisory Committee welcomes the comprehensive legal framework and existing data on hate crime and hate speech, the revision of the Police Code of Ethics, the publication of a Manual on Human Rights for the police, as well as the organisation of numerous training programmes on human rights and non-discrimination for police officers. However, it regrets that no developments have taken place since the last monitoring cycle to systematically gather disaggregated equality data and considers that a proper evaluation of the performance of trained police officers would be needed to assess the effectiveness of such courses.
8. The Advisory Committee welcomes available offers of radio programmes for religious groups but notes a lack of similar TV programmes. The Advisory Committee also considers that the current public media offer, both on radio and television, falls short of the needs of other religious and ethnic communities, including Roma, to voice their culture, traditions, and views.
9. Despite several positive measures introduced in the education sphere, persons belonging to the Gurbeti Roma community remain socially and economically marginalised. The Cypriot authorities have made efforts to engage directly with representatives of this community; so far this has not led to a major improvement in their situation, in particular in the fields of housing and employment. The classification of Cypriot Roma as being part of the Turkish Cypriot community has negative implications on their ability to access and enjoy certain rights (see Articles 4, 12 and 15). Further research is needed regarding a numerically small Greek-speaking Orthodox Roma community.

## RECOMMENDATIONS

10. The Advisory Committee considers that the present concluding remarks and recommendations could serve as the basis for the resolution to be adopted by the Committee of Ministers with respect to the implementation of the Framework Convention by Cyprus.

11. The authorities are invited to take account of the detailed observations and recommendations contained in the present opinion of the Advisory Committee. In particular, they should take the following measures to improve further the implementation of the Framework Convention:

### Recommendations for immediate action

12. The Advisory Committee urges the authorities to implement their commitment to include the option of ‘multiple affiliation’ in the 2021 census and ensure that relevant state officials and interviewees themselves are made aware of this option and that questions on ethnic and religious affiliation remain non mandatory and open ended.

13. The Advisory Committee urges the authorities to ensure that complaints related to discriminatory treatment, including those submitted by, or on behalf of, persons belonging to religious and ethnic communities, are examined and dealt with by the Ombudsperson’s Office in a reasonable time, *inter alia* through *ex officio* investigations conducted within its mandate, and that decisions are enforced by the public authorities.

14. The Advisory Committee urges the authorities to further increase financial support for teacher training in Armenian and Cypriot Maronite Arabic; it also urges the authorities to support the teaching of Armenian at upper secondary level and to consider creating a department for the Armenian language at university.

15. The Advisory Committee urges the authorities to develop, in close consultation with Roma representatives, organisations and other relevant civil society actors, a detailed action plan for the social inclusion of Roma and their overall participation in socio-economic life, with clear indicators, timetables, distribution of tasks and budgetary allocations, with a view to improving in particular their living and housing conditions and developing tailor-made training programmes to promote the employment of Roma.

### Further recommendations<sup>1</sup>

16. The Advisory Committee reiterates its call to the authorities to ensure full implementation of the right to free self-identification as protected by the Framework Convention and other international instruments.

17. The Advisory Committee calls on the authorities to further support Greek language programmes for non-Greek-speaking residents and introduce literacy classes for Gurbeti Roma adults free of charge.

18. The Advisory Committee calls on the authorities to ensure that the right to education is guaranteed for all children belonging to national minorities and vulnerable groups such as Gurbeti Roma, including by enforcing compulsory school attendance until the age of 15, in order to further reduce school absenteeism and early dropouts, in particular among Roma children; to this end, it strongly encourages the authorities to commission an independent gender-sensitive study to assess the root causes of absenteeism and early school dropouts, involving members of the Roma communities and the competent authorities.

19. The Advisory Committee calls on the authorities to further invest, with adequate and structural state funding along with external donors, in the inclusion of Gurbeti Roma children in the educational system and to increase financial support for Maronite and Latin students in private secondary schools.

20. The Advisory Committee calls on the authorities to consider the establishment of a state institution, with a clear mandate, visibility and sufficient resources, to liaise with relevant entities and address effectively the needs of national minorities, Roma communities, as well as other groups not recognised under the constitution.

21. The Advisory Committee calls on the authorities to extend the possibility to intervene on all issues to the representatives of the three religious groups in the House of Representatives.

22. The Advisory Committee calls on the authorities to increase financial and human resources allocated to the bi-communal Multiservice Centre in Limassol which supports Gurbeti Roma families and to carefully evaluate the impact of budgetary cuts for persons belonging to this community.

### Follow-up to these recommendations

23. The Advisory Committee encourages the authorities to organise a follow-up event after the publication of this fifth cycle opinion. It considers that a follow-up dialogue to review the observations and recommendations made in this opinion would be beneficial. Furthermore, the Advisory Committee stands ready to support the authorities in identifying the most efficient ways to implement the recommendations contained in the present opinion.

<sup>1</sup> The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

## MONITORING PROCEDURE

**Preparation of the state report for the fifth cycle**

24. The state report was received on 1 February 2019 and reflects data provided by various ministries, public services and entities.<sup>2</sup> The representatives of the Armenian, Maronite and Latin religious groups in the House of Representatives were consulted in its preparation. Other ethnic and religious groups were not consulted.

25. In its letter to states parties dated 5 July 2018 announcing the fifth monitoring cycle, the Advisory Committee asked member states to pay particular attention to gender equality in their reporting. Unfortunately, few gender-related issues were addressed by Cyprus in its fifth state report.<sup>3</sup>

**Follow-up activities related to the recommendations of the fourth opinion of the Advisory Committee**

26. The fourth opinion, the comments of the government and the Committee of Ministers' Resolution CM/ResCMN(2016)8 are publicly available on the official websites of the Office of the Law Commissioner<sup>4</sup> and the Ministry of the Interior.<sup>5</sup> The fourth opinion of the Advisory Committee, however, has only been published in English. It was neither translated into nor published in Greek and Turkish, the two official languages of the Republic of Cyprus. No follow-up event addressing specifically recommendations of the fourth opinion of the Advisory Committee took place.<sup>6</sup>

**Country visit and adoption of the fifth opinion**

27. This fifth-cycle opinion on the implementation of the Framework Convention for the Protection of National Minorities (hereinafter "the Framework Convention") by Cyprus was adopted in accordance with Article 26(1) of the Framework Convention and Rule 23 of Resolution (97)10 of the Committee of Ministers. The findings are based on information contained in the fifth state report,<sup>7</sup> other written sources, as well as information obtained by the Advisory Committee from governmental and non-governmental interlocutors during its visit to Nicosia, Larnaca and Limassol from 8 to 11 July 2019. The Advisory Committee expresses its gratitude to the authorities for their excellent co-operation before, during and after the visit, as well as to other interlocutors met during the visit for their valuable contributions.

\* \* \*

28. In the present opinion, a number of articles of the Framework Convention are not addressed. Based on the information currently at its disposal, the Advisory Committee considers that the implementation of these articles does not give rise to any specific observations. This statement is not to be understood as signalling that adequate measures have now been taken and that efforts in this respect may be diminished or even halted. Rather, the Advisory Committee considers that the obligations of the Framework Convention require a sustained effort by the authorities. Furthermore, a certain state of affairs which may be considered acceptable at this stage may not necessarily be so in further cycles of monitoring. Finally, it may be that issues which appear at this stage to be of relatively minor concern prove over time to have been underestimated.

29. As in previous monitoring cycles, the Advisory Committee focused, in preparing this opinion, on the actions taken by the authorities to implement the Framework Convention in areas under the effective control of the Government of Cyprus.

<sup>2</sup> For more details, see [state report](#), para. 4. The Advisory Committee was informed during the visit that the Ombudsperson's Office had not contributed to the state report. The Advisory Committee wishes to recall that, as a public institution, this office is deemed to provide information to the competent authority for the overall implementation of the Framework Convention and designated focal point by the authorities, i.e. the Ministry of the Interior. The Ombudsperson sent written information after the visit.

<sup>3</sup> See fifth [state report](#), para. 66-67 (gender-focused training to primary and secondary school teachers provided by the Cyprus Pedagogical Institute) and para. 80 (application of a gender-balance criterion for the Roma participants of a National Roma Platform meeting organised by the Social Welfare services).

<sup>4</sup> See [Website of the Office of the Law Commissioner](#).

<sup>5</sup> See [Website of the Ministry of the Interior](#) (only published in English).

<sup>6</sup> Para. 8 of the [state report](#) only mentions a series of events of a cultural nature organised by the Office of the Presidential Commissioner with the Armenian, Maronite and Latin religious groups.

<sup>7</sup> See fifth [state report](#).

## ARTICLE-BY-ARTICLE FINDINGS

**Scope of application (Article 3)**

30. Cyprus has maintained its approach as regards the personal scope of application of the Framework Convention. As specified in the state report<sup>8</sup> and during the visit, the term 'national minorities' within the meaning of the Framework Convention is understood to designate citizens of the Republic of Cyprus belonging to the Armenian, Maronite and Latin (Roman Catholic)<sup>9</sup> religious groups who, at the time of establishment of the Republic of Cyprus in 1960, opted by an overwhelming majority to be part of the Greek community<sup>10</sup> (hereinafter "religious groups").<sup>11</sup>

31. Albeit the authorities recalled in the state report and during the visit that the Cypriot Roma were deemed to be members of the 'Turkish Cypriot Community'<sup>12</sup> and therefore not formally recognised as a 'national minority' in the legislation nor within the meaning of the Framework Convention, the Advisory Committee notes with satisfaction that, in practice, the Framework Convention is being applied on an-article-by-article basis to persons belonging to the Gurbeti Roma<sup>13</sup> community and that, accordingly, the state report provides information about this community.

32. The Advisory Committee has not been made aware either during the visit, or on other occasions, of any other groups of persons seeking protection under the Framework Convention.<sup>14</sup> At the same time, the Cypriot authorities have not made dedicated efforts to spread and increase knowledge about the Framework Convention and its objectives. The opinions of the Advisory Committee are also not made public in official languages on official websites. As a consequence, even amongst communities that could possibly benefit from its protection, there is little awareness about the Framework Convention.

33. As regards the limitation of the scope of application to Cypriot citizens, the Advisory Committee wishes to reiterate its general viewpoint that the application of a citizenship requirement may have a restrictive and discriminatory effect and should therefore be avoided in favour of an inclusive

approach that reflects for each right separately whether there is a legitimate ground to differentiate access based on citizenship.<sup>15</sup> It also wishes to recall that "[c]itizenship is not a basis upon which *a priori* to exclude the enjoyment of minority rights. Indeed, both the philosophy and international law of human rights confer minority rights on the bases of specific differentiated needs and desires which relate to all human beings within the jurisdiction of the State, precisely in contradiction to the citizen/alien distinction".<sup>16</sup>

34. Nevertheless, the Advisory Committee welcomes the overall flexible approach to the scope of application of the Framework Convention which facilitates access to rights contained in the Framework Convention of persons belonging to religious groups and to certain rights of the Roma, on an-article-by-article basis.

35. The Advisory Committee encourages the authorities to continue to pursue an inclusive approach in relation to persons belonging to groups who are not officially recognised as national minorities but can benefit from the protection offered by the Framework Convention and to report about them on an article-by-article basis.

36. The Advisory Committee invites the authorities to actively raise awareness of the protection offered by the Framework Convention via the organisation of meetings on specific provisions and the dissemination of information related to the Framework Convention in the country's official languages.

**Right to self-identification (Article 3)**

37. The 1960 Constitution of the Republic of Cyprus establishes a bi-communal system, carefully elaborated to distribute political powers between the "Greek Community" and the "Turkish Community". As a result, all citizens of Cyprus must belong to either of the two communities<sup>17</sup> in order to exercise their civil duties and enjoy their political rights, such as the right to vote.<sup>18</sup>

<sup>8</sup> See fifth [state report](#), para. 5.

<sup>9</sup> Whilst 'Latin' is officially used in the constitution, the Latin community prefers to be called 'Roman Catholics' (see [first opinion](#) of the Advisory Committee on Cyprus adopted on 6 April 2001, para. 20). This should be the meaning behind the use of 'Latins' in this opinion.

<sup>10</sup> In accordance with Article 2(3) of the [Constitution](#) of the Republic of Cyprus.

<sup>11</sup> In 1960, a 'religious group' referred to "a group of persons ordinarily resident in Cyprus professing the same religion and either belonging to the same rite or being subject to the same jurisdiction thereof, the number of whom, on the date of the coming into operation of this [Constitution](#), exceeded one thousand out of which at least five hundred become on such date citizens of the Republic". The Advisory Committee was told that, despite its historical presence in Cyprus for hundreds of years, the Jews were not considered as a religious group in 1960 because the total estimated number was then 120; many Jews had indeed left Cyprus when the State of Israel was created in 1948.

<sup>12</sup> See [state report](#), para. 43. In para. 99, the authorities also recalled their position that "Turkish Cypriots are one of the two communities of Cyprus, according to the Constitution of the Republic of Cyprus, and can by no means be considered as a national minority".

<sup>13</sup> Turkish-speaking Roma in Cyprus self-identify as Gurbeti, hence the use of 'Gurbeti Roma' in the opinion to designate this group.

<sup>14</sup> During the visit, the Advisory Committee was informed by the Chief Rabbi of the Jewish community that, due to the existing constitutional provisions, persons belonging to this group were neither seeking official recognition as a national minority or religious group, nor interested to fall under the protection of the Framework Convention.

<sup>15</sup> ACFC [Thematic Commentary No. 4](#), The Framework Convention: a key tool to managing diversity through minority rights. The scope of application of the Framework Convention for the Protection of National Minorities, adopted on 27 May 2016, para. 29.

<sup>16</sup> Venice Commission Report on non-citizens and minority rights, adopted at its 69th plenary session (15-16 December 2006), para. 84.

<sup>17</sup> Until today, all new citizens have to opt to belong to one of the two communities within three months upon acquisition of Cypriot nationality as per Article 2(4) of the [Constitution](#).

<sup>18</sup> However, according to interlocutors of the Advisory Committee, the right to vote at elections continues to be applied differently: Turkish Cypriots need first to register on the electoral roll, whilst Greek Cypriots are automatically registered. Identity cards are sufficient for Greek

38. While the Armenian, Maronite and Latin religious groups opted in 1960 to affiliate with the Greek Cypriot community, the Advisory Committee was informed that, at the time, persons belonging to the Cypriot Roma communities were not asked to opt to affiliate with either community but were included in the Cypriot Turkish community since most of the Cypriot Roma were (and still are) Turkish speaking and Muslims.<sup>19</sup>

39. At this point, the Advisory Committee wishes to emphasise that it was informed about the existence of a numerically small Christian Orthodox Greek-speaking Roma community in Larnaca, known as Mantas or Mantides. Although the Advisory Committee did not meet members of this group during the visit, according to some of its interlocutors, persons belonging to this group seem to be largely assimilated into the Greek-speaking Cypriot community. Its mere existence, however, indicates that there are in fact not one but two Roma communities living in Cyprus with distinct linguistic, cultural and religious features and that the Christian Orthodox Greek-speaking Roma community cannot be regarded as part of the Turkish Cypriot community as per Article 2(2) of the Constitution.<sup>20</sup>

40. Furthermore, at least for the Armenian and the Maronite communities, the categorisation 'religious group' provided under the constitution is too restrictive since the distinctive characteristics of persons belonging to either groups are not limited to religion. During the visit, members of the Armenian minority indicated to the Advisory Committee that what distinguishes them is, first of all, the Armenian language<sup>21</sup> and therefore they would prefer to be referred to as a national or ethnic minority rather than a religious group.<sup>22</sup>

41. While the Advisory Committee acknowledges the specific constitutional set-up of the Republic of Cyprus which has an impact on all spheres of the Cypriot legal order, it reiterates its position that the classification of citizens into either Greek Cypriots or Turkish Cypriots in all spheres of life, even when not related to the exercise of political rights and when not strictly called for by the constitution, does not adequately make allowance for the diversity of Cypriot

society and, moreover, appears to create, on occasions, practical difficulties.<sup>23</sup>

42. The Advisory Committee recalls that the right to free self-identification, as enshrined in Article 3 of the Framework Convention, is of cardinal importance and constitutes the cornerstone of international protection of minorities.<sup>24</sup>

43. The Advisory Committee observes that the strict constitutional division of Cypriot society into two communities continues to interfere with the right of individuals, including women,<sup>25</sup> to freely self-identify, an acknowledged human right, and one of the main principles underlying minority protection,<sup>26</sup> and reiterates its concern that this may encourage ethno-centric sentiments that are not conducive to the formation of a cohesive and integrated society in line with the principles and values of the Framework Convention (see Tolerance and intercultural dialogue under Article 6 below).

44. The Advisory Committee reiterates its call to the authorities to ensure full implementation of the right to free self-identification as protected by the Framework Convention and other international instruments.

#### Data collection through population census (Article 3)

45. According to state authorities, the next population census will be conducted in 2021 by means of personal interviews with all residents in areas under the effective control of the Government of Cyprus, and census interviewers will be recruited and trained specifically for this purpose.

46. During the visit, representatives of the Statistical Service of Cyprus (CYSTAT) informed the Advisory Committee about the envisaged structure of the census questionnaire. Taking into consideration several recommendations of the Advisory Committee's fourth opinion<sup>27</sup> and of the United

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Cypriots to vote, but not for Turkish Cypriots. The Administrative Court of Cyprus in its judgment from 25 July 2018 on the cases submitted in 2014 by Sener Hassan Elcil and others found that the authorities are justified in using their discretion to demand Turkish Cypriots to follow a different procedure in order to be able to vote. According to the same interlocutors, in the 2019 European elections, again many Turkish Cypriots were unable to vote due to insufficient information about the procedure of prior registration in the electoral rolls.

<sup>19</sup> See Nicos Trimikliniotis and Corina Demetriou, *The Cypriot Roma and the Failure of Education: Anti-Discrimination and Multiculturalism as a Post-accession Challenge*, in 'The minorities of Cyprus: Development Patterns and the Identity of Internal-Exclusion', Cambridge 2009. [In 1960] "The Roma were not considered at all; the uncertainty about their numbers, their life-style and the fact that most were Turkish-speaking (and Muslim), and only a few were Greek-speaking (and Christian) who were gradually 'assimilated', presumably made matters complicated in granting a 'religious group' status. They were certainly never politically organised and, on the whole, have always belonged to the poorer sections of the population, never wielding economic power."

<sup>20</sup> See Article 2(2) of the [Constitution](#) which states: "the Turkish Community comprises all citizens of the Republic who are of Turkish origin and whose mother tongue is Turkish or who share the Turkish cultural traditions or who are Moslems."

<sup>21</sup> In the present opinion, 'Armenian language' refers to the Western standardised modern literary form of the language spoken by Armenians in Cyprus. The 'Eastern Armenian' form is spoken, *inter alia* in Armenia.

<sup>22</sup> See [first opinion](#) of the Advisory Committee on Cyprus adopted on 6 April 2001, para. 19, for a similar position expressed by the Maronites.

<sup>23</sup> See [fourth opinion](#) of the Advisory Committee on Cyprus adopted on 18 March 2015, para. 14.

<sup>24</sup> ACFC [Thematic Commentary No. 4](#), para. 9-10.

<sup>25</sup> Article 2.7 (a) of the Constitution of the Republic of Cyprus explicitly limits the self-identification of women, stipulating that "a married woman shall belong to the Community to which her husband belongs".

<sup>26</sup> See, *inter alia* European Court of Human Rights Grand Chamber judgment in the case of *Molla Sali v. Greece*, [no. 20 452/14](#), para. 157, 19 December 2018; and [UN CERD \(1990\), General recommendation VIII Concerning the Interpretation and Application of Article 1, Paragraphs 1 and 4 of the Convention Identification with a Particular Racial or Ethnic Group](#).

<sup>27</sup> [Fourth opinion](#) of the Advisory Committee on Cyprus, para. 12.



Nations Economic Commission for Europe,<sup>28</sup> several scenarios to collect population data have been examined by the authorities. The Advisory Committee was informed that a question on ethnic/religious groups will be asked to all those who have resided in Cyprus for the last 12 months, and therefore no longer only to Cypriot citizens, as was the case in the 2011 census.<sup>29</sup> Furthermore, the option of 'other' in the new questionnaire where the respondent can freely self-declare his/her ethnicity and religion has been positively considered, and, importantly, the affiliation 'Roma' introduced.<sup>30</sup>

47. During the visit, interlocutors from the Gurbeti Roma and Armenian communities indicated to the Advisory Committee that they would welcome the possibility to be able to opt for multiple affiliations in the census questionnaire. Members of the Armenian community also insisted that census interviewers be properly trained to avoid repeating situations that allegedly took place in 2011 when certain census interviewers excluded some questions on their own initiative or answered the question on ethnic/religious affiliation themselves based on visible or linguistic characteristics of the interviewee.<sup>31</sup> They also expressed the wish to be consulted by the authorities on the census questionnaire prior to its finalisation. The Advisory Committee recalls that the association of persons with a specific group based on visible or linguistic characteristics or on presumption without their consent is not compatible with the standards of the Framework Convention.<sup>32</sup>

48. The Advisory Committee recalls that reliable information about the ethnic and linguistic composition of the population is an essential condition for implementing effective policies and measures to protect persons belonging to national

minorities and for helping to preserve and assert their identity. Therefore, the opportunity to express multiple affiliations should be provided explicitly and the respective data adequately processed, analysed and displayed, in particular when they are used as the basis for the applicability of minority rights.<sup>33</sup> The possibility to indicate multiple responses to questions related to languages used in daily communications should be provided. Furthermore, minority representatives should be consulted on the organisation and operation of such data collection processes.<sup>34</sup>

49. Given the high level of ethnic, linguistic and religious heterogeneity in Cypriot society, both traditionally and owing to immigration in recent decades or mixed marriages, the Advisory Committee considers that the possibility to declare multiple affiliations may allow for a more fact-based understanding of the make-up of society in statistical data collection exercises. It may also constitute a positive step in the formation of a common civic identity which is shared by all Cypriot residents irrespective of their background. The Advisory Committee understands from the authorities that this will be the case.

50. For reasons of clarity, the Advisory Committee also wishes to stress that questions on ethnicity and religion should be non-mandatory and open ended<sup>35</sup> and the possibility not to respond should also be guaranteed in the census questionnaire<sup>36</sup> in accordance with international standards.<sup>37</sup>

51. Overall, the Advisory Committee is pleased to note developments related to the preparation of the 2021 census but believes that further improvement is possible. Based on information made available, it suggests three further

<sup>28</sup> See [UNECE recommendations of the Conference of European Statisticians Recommendations for the 2020 Censuses of Population and Housing](#), "Ethno-cultural characteristics" which specifically refers to 'ethnicity', 'religion' and 'language', para. 701-712, pages 149-150 United Nations Economic Commission for Europe, New York and Geneva, 2015.

<sup>29</sup> The questionnaire used in the context of the 2011 population and housing census contained a question to Cypriot citizens related to 'ethnic/religious group' where the 'head of household' or another adult member of the household had to choose from a closed list of five possible responses: Greek Cypriot, Armenian, Maronite, Latin, or Turkish Cypriot. According to data available, there are 5 000 Maronites (75% live in Nicosia, 15% in Limassol and 5% in Lamaca); 3 500 Armenians (60% live in Nicosia, 20% in Lamaca, 15% in Limassol and 5% in Paphos); and 2 300 Latins (50% live in Nicosia, 35% in Limassol, 10% in Lamaca and 5% in Paphos).

<sup>30</sup> So far, official records of the Roma population of the Republic of Cyprus do not exist. In an interview published in 2015 ([Cyprus: the Roma, standing for what they are!](#) 22.08.2015 - Pressenza Hong Kong, Prof. Chryso Pelekani estimated the number of Cypriot Gurbeti Roma between 1 000-1 500. Most of them are settled in the towns of Famagousta, Morphou and Trikomo located in areas which are not under the effective control of the Government of Cyprus, whilst 450 Cypriot Gurbeti Roma are living in the towns of Limassol (>250) and Paphos (>200). In para. 51 of its fifth [report](#) on Cyprus (adopted on 17 March 2016 and published on 7 June 2016), ECRI reported a more recent governmental estimate of 650 Roma living in areas under the effective control of the Government of Cyprus. According to 2012 data of the Ministry of the Interior, "the number of Cyprus Roma in the government-controlled areas is estimated between 650 and 700 and the number for Roma migrants including Roma related groups (Sinti, Travellers) present in Cyprus cannot be estimated" ([fourth state report received on 29 April 2014](#), para. 35). In 2003, Marsh and Strand argued in '[The Gypsies of Cyprus 1322-2003](#)' that their number could reach 2 000-3 000 people, resulting from the annual influx of Anatolian Roma.

<sup>31</sup> As an example, during the visit, a representative of the Armenian community explained that when he was visited by an interviewer, the latter omitted to ask him about his self-affiliation and ticked the box 'Greek Cypriot' on the sole basis that he was speaking fluent Greek. If this Armenian representative had not been aware of the 2011 census questionnaire and not had this corrected by the interviewer, his ethnic/religious affiliation would have been wrongly reported.

<sup>32</sup> ACFC [Thematic Commentary No.3](#), The Language Right of Persons belonging to National Minorities under the Framework Convention, adopted on 24 May 2012, para. 17.

<sup>33</sup> ACFC [Thematic Commentary No. 4](#), para.16.

<sup>34</sup> *Ibid*, para.17.

<sup>35</sup> Following the visit, the authorities indicated that the option 'Other (specify)' will be included under the question on ethnicity in the 2021 census questionnaire. They also indicated that the possibility of multiple affiliation will be proposed.

<sup>36</sup> The authorities have indicated that questions on ethnicity and religion will be optional in the electronic system 'Blaise'. For more information see the [Blaise data entry system](#).

<sup>37</sup> See para. 707 on page 150 of [UNECE recommendations of the Conference of European Statisticians Recommendation for the 2020 Censuses of Population and Housing](#)".

modifications to the census questionnaire. Firstly, under the question about ethnic affiliation, the category 'Roma' should be inserted under 'citizens' rather than under 'foreigners' as was previously the case. Secondly, rather than using the more generic term 'Roma', the term 'Gurbeti Roma' should be used in the questionnaire.<sup>38</sup> Thirdly, bearing in mind the existence of a numerically small Christian Orthodox Greek-speaking Roma community, the Advisory Committee considers that it would be even more appropriate to use 'Gurbeti/Roma' as a single entry or 'Gurbeti' and 'Roma' as two separate entries in the census questionnaire so as to accommodate all possibilities of self-identification in the questionnaire and reflect the existence of two Roma communities in Cyprus.

52. The Advisory Committee underlines the importance of training for census interviewers to avoid situations where they take initiatives to collect data which are neither a personal choice nor a reflection of the self-identification of the interviewees. According to its interlocutors, if only one reference person from a given household is asked to provide information for the census on behalf of all household members, this may lead in practice to one-sided or inaccurate replies.

53. In addition, bearing in mind that not all individuals living in areas under the effective control of the Government of Cyprus are fluent in Greek, e.g. elderly people from the Turkish-speaking Gurbeti Roma community, the Advisory Committee considers that census interviewers should be able to communicate effectively with Turkish-speaking persons. Having in mind the above and considering the mistrust that members of the Gurbeti Roma community may have in some state institutions and their sometimes isolated places of residence, it could be considered to train Turkish-speaking persons, including members of the Gurbeti Roma community, as census interviewers.

54. The Advisory Committee urges the authorities to implement their commitment to include the option of 'multiple affiliation' in the 2021 census and ensure that relevant state officials and interviewees themselves are made aware of this option and that questions on ethnic and religious affiliation remain non mandatory and open ended.

55. The Advisory Committee encourages the authorities to consult representatives of religious groups and ethnic communities prior to the finalisation of the 2021 census, as well as select and train census interviewers from persons belonging to national minorities and Turkish-speaking persons, such as Gurbeti Roma.

#### Legal and institutional framework for combating discrimination (Article 4)

56. Law 12/1967 (as modified by Law 11(III)/1992 and by Law 28(III)/1999) is the law transposing into national law the United Nations International Convention on the Elimination of All Forms of Racial Discrimination. Its Section 2A(1) penalises public incitement (orally or through the press, documents, pictures or any other means) to acts likely to cause discrimination, hatred or violence against persons or groups on account of their racial or ethnic origin or religion (see also Hate speech and hate crime under Article 6 below). Such acts risk imprisonment of up to two years or a fine of up to 1 000 pounds<sup>39</sup> or both.

57. Law 59(I)/2004 on Equal Treatment (Racial or Ethnic Origin) and Law 58(I)/2004 on Equal Treatment in Employment and Occupation together prohibit discrimination on the grounds of racial or ethnic origin, religion or belief, disability, age and sexual orientation.<sup>40</sup> The Advisory Committee considers these laws should be amended to include the prohibition of segregation, discrimination by association, announced intention to discriminate and inciting or aiding another to discriminate, as well as the duty of public authorities to promote equality and to prevent discrimination in carrying out their functions, in particular on national, ethnic or religious basis.<sup>41</sup>

58. The Commissioner for Administration and Human Rights (hereafter the "Ombudsperson")<sup>42</sup> acts under different capacities: either as the Commissioner for Administration and Human Rights or as the head of the Cyprus Equality Body,<sup>43</sup> the latter comprising two separate

<sup>38</sup> This reflects the preference indicated by interlocutors from the Gurbeti Roma community met by the Advisory Committee during the visit who do not self-identify as Roma. Instead of 'Gurbeti' which has been preferred in this opinion, one finds also the spelling 'Gurbeties', 'Kurbet', 'Kurbeti' or 'Kourbetes' to designate this Roma group. According to Prof. Chryso Pelekani, "The group term Gurbet has its origin in Arabic and reached Romani through the Turkish language. It means "foreigners" or "foreign work". They are Muslims and they speak both Cypriot Turkish dialect and Gurbetcha (Cypriot language variation). They call themselves "Gurbet" and their language "Gurbetcha" ... Gurbetcha is a non-Romani language (Para-Romani) adopted by Turkish Cypriots Roma-Gurbeties. They have no structural features of Romani at all. They take only the vocabulary from Romani. They follow Cypriot Turkish grammar" (source: [Cyprus: the Roma, standing for what they are!](#) 22.08.2015 - Pressenza Hong Kong).

<sup>39</sup> 1 000 pounds are equivalent to €1 362, now used in Cyprus.

<sup>40</sup> As compared to ECRI's [GPR No. 7](#) (revised), the grounds of colour, language and citizenship are missing. Article 28(2) of the Constitution of the Republic of Cyprus refers to colour and language, among other non-exhaustive grounds, but only in respect of the rights and liberties provided for in the constitution.

<sup>41</sup> The Advisory Committee notes that the European Commission against Racism and Intolerance (ECRI) had the opportunity in 2016 to examine developments in depth while drawing up its fifth [report](#) on Cyprus (adopted on 17 March 2016 and published on 7 June 2016). The Advisory Committee refers to ECRI's detailed findings and recommendations in this regard, in particular its third recommendation.

<sup>42</sup> The Ombudsperson is appointed by the President of the Republic, at the suggestion of the Council of Ministers, and with the agreement of the majority of the House of Representatives.

<sup>43</sup> The Cyprus Equality Body was set up in compliance with Article 13 of the Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. It is an independent quasi-judicial body which hears, investigates and decides on individual instances of discrimination brought before it. It is empowered to issue binding decisions or make recommendations and impose small fines (not exceeding €350).

authorities, namely the Cyprus Anti-discrimination Body<sup>44</sup> and the Equality Authority.<sup>45</sup> The Ombudsperson ensures legality, promotes good governance, combats maladministration in the public administration and ensures the protection of human rights and equal treatment.<sup>46</sup> The Ombudsperson is empowered to combat direct and indirect discrimination on the grounds of community, race, language, colour, religion, national or ethnic origin and sexual orientation.<sup>47</sup>

59. When acting as Commissioner for Administration and Human Rights, the Ombudsperson has the competency to investigate complaints<sup>48</sup> against actions and/or lack of action of any public service<sup>49</sup> or public official exercising an executive or administrative function, violating human rights or in contravention of the applicable laws and/or rules<sup>50</sup> and transmits to the public authorities concerned reports with suggestions or recommendations that are not binding.<sup>51</sup>

60. When acting as the Equality Body, Law 42(I)/2004 on Combating of Racism and Other Discrimination (Commissioner) extends the Ombudsperson's competences to the private sector and gives him/her additional powers for combating discrimination by issuing orders or imposing fines<sup>52</sup> against a culprit under certain criteria.<sup>53</sup> His/her decisions are also binding. Furthermore, he/she can advise on what measures must be implemented, in order for the discriminatory behaviour/practice to cease and set a certain time frame by which this should be achieved. The Ombudsperson can start an investigation either by order of the Council of Ministers or *ex officio* on matters of general interest. Alternatively, the Ombudsperson may exercise a mediating role and, in co-operation with the relevant authority, succeed in resolving the issue, without submitting a report to the administrative entity concerned.

61. The Advisory Committee was informed by several interlocutors about some controversies<sup>54</sup> as regards the interpretation of the Ombudsperson's mandate in the area of anti-discrimination, in particular on national, ethnic and religious grounds. It heard concerns that, despite the existing legislation, complaints submitted on behalf of the alleged victims themselves might not always be treated. Furthermore, the Ombudsperson has been reproached by these interlocutors neither to have carried out communication activities or actions aimed at supporting vulnerable groups, nor issued any publications, annual reports or recommendations on discrimination issues since 2017, as well as to repeatedly prioritise the media's right to freedom of expression above combating discrimination.

62. After the visit, the Advisory Committee received a summary of 16 reports from the Ombudsperson and of two intervention letters to the Ministry of Health and the Ministry of the Interior respectively containing specific recommendations. The Advisory Committee notes that these documents, as well as the mediatory action of the Ombudsperson over the reporting period (2014-2019) did not concern specifically groups covered by the Framework Convention.<sup>55</sup> In addition, the Advisory Committee was informed that the Ombudsperson's 2017 annual report was submitted to the President and the House of Representatives and published in Greek, and that the 2018 annual report was being drafted (see also Equality data under Article 4 below).

63. The Advisory Committee observes with satisfaction that as a follow-up to recommendations from its previous opinion,<sup>56</sup> the human and financial resources of the

<sup>44</sup> The Cyprus Anti-discrimination Body acts, in addition to Law No.42(I)/2004, on the provisions of the Equal Treatment regardless of Race or Ethnic Origin Law (L.59(I)/2004) and handles claims regarding discrimination in relation to access and supply of goods and services, social security and social protection schemes, education and health care.

<sup>45</sup> The Equality Authority acts, in addition to Law 42(I)/2004, according to the provisions of the Equal Treatment of Women and Men in Occupation and Vocational Training Law (L.205(I)/2002) and the Equal Treatment in Occupation and Employment Law (L.58(I)/2004). It handles claims regarding discrimination in the workplace, conditions for access to employment, self-employment and occupation, working conditions (including dismissal and pay) and membership or/and involvement in an organisation of workers and employers. It also deals with gender issues in all fields.

<sup>46</sup> See [website of the Ombudsperson](#).

<sup>47</sup> Only the ground of citizenship is missing from ECRI GPR No. 7.

<sup>48</sup> Complaints can be filed by a physical person or a legal entity, including associations, trade unions, political parties and any other organised groups. The Commissioner for Administration does not consider complaints concerning private disputes, actions regarding which there is a pending process before a court or a pending examination of the actions before another instance, disciplinary or penal offences, general government policy and the actions of a minister or a member of the Council of Ministers. The complaint must be filed within twelve months since the applicant became aware of the actions or omissions in question.

<sup>49</sup> See the [list](#) of public services subject to the control of the Ombudsperson.

<sup>50</sup> Article 5(1) (a) of the Law on the Commissioner for Administration and the Protection of Human Rights from 1991.

<sup>51</sup> The Ombudsperson, however, is allowed to consult the implicated authority in an attempt to find a way for the authority to adopt the Ombudsperson's positions and comply with them on a practical level.

<sup>52</sup> Article (17)1 of Law 42(I)2004.

<sup>53</sup> These criteria are defined in Articles 14(2), 14(3)(a) and 14(3)(b) of Law 42(I)2004.

<sup>54</sup> For details, see [17 May 2018 news report from the European network of legal experts in gender equality and non-discrimination](#).

<sup>55</sup> It is however worth noting that the Ombudsperson, as an Equality Body, submitted on 13 January 2017 a report to the Minister of Justice and the Chief of the Police recommending the adoption of a legislative provision for the prohibition of acts of ethnic profiling during police checks, the circulation among the police officers of relevant guidelines and their training on the subject.

<sup>56</sup> [Fourth opinion](#) of the Advisory Committee on Cyprus (para. 20), as well as the summary of ECRI fifth [report](#) on Cyprus (adopted on 17 March 2016 and published on 7 June 2016), page 9.

Ombudsperson's Office<sup>57</sup> have improved,<sup>58</sup> even though the overall human resources capacity of this institution remains insufficient in view of its importance and multiple functions.

64. Furthermore, the Advisory Committee regrets that the Ombudsperson does not have yet the power to start or participate in court proceedings, if his/her decisions are not abided by,<sup>59</sup> nor does the Ombudsperson, as an equality body, has the authority to decide on and reward compensation for damages. The Advisory Committee takes note, however, that authorities are considering a gradual upgrading of its status as a National Human Rights Institution (NHRI).<sup>60</sup>

65. The Advisory Committee observes that the Ombudsperson is the most relevant point of contact and complaints mechanism for persons belonging to national minorities if they seek remedy for alleged discrimination.<sup>61</sup> It therefore wishes to stress the importance of ensuring that no members of religious groups or ethnic communities are discouraged from filing complaints. The Advisory Committee also considers that a lack of systematic treatment of complaints submitted by persons other than the alleged victims themselves could lead to the denial of protection to those victims of discrimination, harassment and hate speech who choose to remain unnamed or are unidentified, or victims who are too vulnerable and socially excluded to file complaints themselves (such as the Gurbeti Roma who are also often illiterate and do not speak Greek).

66. The Advisory Committee urges the authorities to ensure that complaints related to discriminatory treatment, including those submitted by, or on behalf of, persons belonging to religious and ethnic communities, are examined and dealt with by the Ombudsperson's Office in a reasonable time, *inter alia* through *ex officio* investigations conducted within its mandate, and that decisions are enforced by the public authorities.

67. The Advisory Committee calls on the authorities to increase awareness about existing legal remedies, targeting

recognised national minorities and other groups most exposed to discrimination and who have a poor command of the Greek language.

68. The Advisory Committee invites the authorities to pursue their efforts to further enhance the human capacity of the Ombudsperson's Office and to upgrade the Ombudsperson's status so as to fulfil its multiple functions effectively, in particular in relation to minorities and groups most exposed to discrimination.

#### Equality data and measures to promote full and effective equality (Article 4)

69. The Statistical Service of Cyprus does not gather disaggregated equality data<sup>62</sup> apart from demographic data collected through population censuses.<sup>63</sup>

70. During the monitoring cycle 2014-2019, the Ombudsperson received 14 142 complaints in total, out of which 445 as the Equality Body. The number of replies/decisions was 13 244, of which 653 as an Equality Body.<sup>64</sup> In addition, a total of 40 *ex officio* investigations have been carried out by the Ombudsperson.<sup>65</sup> (For data provided by the police, see Policing and respect for human rights under Article 6 below).

71. Furthermore, the Advisory Committee was informed that despite a previous recommendation<sup>66</sup> to have courts classifying discrimination cases and keeping statistics concerning discrimination, no developments have taken place. The electronic system of the Supreme Court for filing cases is not yet operational; cases are still filed manually.

72. The Advisory Committee has constantly emphasised the importance of regularly collecting reliable and disaggregated equality data related to the number and situation of persons

<sup>57</sup> See [state report](#), para. 45-47; see also positive developments mentioned in [ECRI Conclusions on the implementation of the recommendations in respect of Cyprus](#) subject to interim follow-up (adopted on 3 April 2019 and published on 6 June 2019).

<sup>58</sup> The Advisory Committee was informed that four additional staff members have recently been recruited and two more staff should join the Ombudsperson's Office in the near future (a request was made for three). The budget has been increased and will be allocated separately for each of the Ombudsperson's mandates. Candidates applying for a job in the Ombudsperson's Office no longer have to pass the general competition for public servants but tailored written and oral exams. The Ombudsperson's recommendation, as member of the recruitment jury, is now decisive.

<sup>59</sup> ECRI fifth [report](#) on Cyprus, para. 17.

<sup>60</sup> In November 2015, the Ombudsperson was accredited as a National Human Rights Institution with B status, under the Paris Principles relating to the Status of National Institutions adopted by [General Assembly resolution 48/134 of 20 December 1993](#).

<sup>61</sup> "For the citizens in particular, the Commissioner for Administration [Ombudsperson] constitutes perhaps the most powerful means of safeguarding their rights and of supporting their claims, as the Commissioner's [Ombudsperson's] activity is turned against any arbitrary act and abuse of power by organs of the state and the services exercising public administration" (extract from the [Website of the Office of the Commissioner for Administration](#)).

<sup>62</sup> Equality data include, *inter alia* qualitative studies, surveys, interviews, and anonymous testing. For more information on what is expected in terms of equality data, see [European Handbook on Equality Data](#) (2016 revision); Equality data indicators: Methodological approach Overview per EU Member State Technical annex published by the European Commission in 2017.

<sup>63</sup> The authorities indicated in the [state report](#), para. 49, that they also "do not conduct any specific surveys to evaluate the impact of various policy measures aiming at the promotion of equality".

<sup>64</sup> This higher number is explained by replies/decisions concerning complaints covered by previous years. The average time for the investigation of a complaint is 18 months.

<sup>65</sup> None of these 40 *ex officio* investigations the three recognised religious groups or Roma. An *ex officio* investigation concerning Muslim residents and their place of worship in Paphos was however conducted in 2018 by the Ombudsperson in her capacity of Equality Body.

<sup>66</sup> See footnote 13 of the [fourth opinion](#) of the Advisory Committee on Cyprus, page 10. See also the comments of the Government of Cyprus on the [fourth opinion](#) of the Advisory Committee, received on 25 September 2015, para 8 on page 5.

belonging to national minorities<sup>67</sup> so as to better evaluate the impact of policies and measures affecting these groups.

73. The Advisory Committee therefore regrets that no developments have taken place to systematically gather disaggregated equality data in line with international standards since the last monitoring cycle.

74. The Advisory Committee reiterates its call to the authorities to systematically collect ethnic and gender disaggregated data in line with international standards to ensure that all policy measures aimed at the promotion of equality are based on reliable data.

### Support for the preservation and development of minority identities, languages and cultures (Article 5)

75. Various actions have been undertaken to preserve and develop the identity and cultural heritage of recognised national minorities. For instance, the Ministry of Education, Culture, Sports and Youth subsidises the teaching of the Armenian language and supports events that promote the cultural identity of the three religious groups.<sup>68</sup>

76. Furthermore, the Advisory Committee was informed that the Office of the Presidential Commissioner<sup>69</sup> works closely with the Representatives of the three religious groups in the parliament, their religious leaders and organisations and organised several events hosted at the Palace of the President of the Republic for the promotion of the historical presence and the cultural wealth of each of the three religious groups.<sup>70</sup>

77. The Advisory Committee was also made aware that the Adult Education Centres are offering a course titled "History-language-culture", especially designed for Cypriot Roma children, where their history and other elements of their cultural heritage are taught free of charge. During the school year 2017-2018 and previous school years, 90-minute lessons have been offered to two groups of children once a week and this lasted for 24 weeks. At university level, however, there are no such programmes.

78. Whilst expressing their gratitude to the authorities for their support, some members of religious groups at grass-roots level expressed concerns about the lack of information about mid- or long-term strategic planning regarding the preservation and development of their identities, languages and cultures, as well as about a lack of transparency and consistency in the-allocation of funds to their communities; they would prefer to be consulted about the comprehensive vision and financial plans for the entire triannual state budgetary allocation for a more effective implementation of projects.

79. The Advisory Committee recalls that the creation of suitable conditions for persons belonging to minority groups to preserve and develop their cultures and to assert their respective identities is considered essential for an integrated society.

80. In this context, the Advisory Committee welcomes the fact that Cultural Services of the Ministry of Education, Culture, Sports and Youth, in close consultation with the representatives of the religious groups in the House of Representatives, have taken the decision to reserve separate funds in order to facilitate the subsidisation of cultural activities from 2018 onwards through the "Culture" programme.<sup>71</sup> It also welcomes the programme entitled "Encounters in the paths of Art" developed by the Ministry of Education, Culture, Sports and Youth with the participation of students from Nareg, Terra Santa, Stavros and Agios Vasilios High Schools.<sup>72</sup>

81. The Advisory Committee praises the authorities' commitment to financially support cultural activities of religious groups and welcomes the efforts undertaken by the Press Information Office aimed at producing, updating, and/or reprinting publications<sup>73</sup> and multimedia materials<sup>74</sup> dedicated to each of the three religious groups, making them available free of charge to the general public

<sup>67</sup> ACFC [Thematic Commentary No. 4](#), para.66.

<sup>68</sup> See examples in the [state report](#), para. 9.

<sup>69</sup> The Office of the Presidential Commissioner ensures contacts between the three religious groups and the President of the Republic of Cyprus on matters related to education, culture, sports and social cohesion, and secures the President's participation at cultural events. The Presidential Commissioner co-operates with the Ministry of Education, Culture, Sports and Youth and other relevant public services towards meeting the needs of the members of the three religious groups and ensuring that their rights are being fully exercised.

<sup>70</sup> For details about inauguration and cultural events, as well as festivals, dance and singing performances, supported by the Office of the Presidential Commissioner often with the presence of the President of the Republic of Cyprus, and visits by the Presidential Commissioner to public and private schools of religious groups, see [state report](#), para. 8 and 32.

<sup>71</sup> This Grant-Aid-Scheme provides financial support for music, theatre, literature, cinema, art, folklore, dance and other cultural events. The eligible applicants are the Office of the Representative of each religious group and the maximum number of applications is three per year and per group. The approved budget for this scheme was €50 000 for 2019.

<sup>72</sup> In this programme, the students studied and presented the life and work of significant and influential Maronite, Armenian, Latin and other Greek Cypriot figures, such as musicians, artists, photographers, authors, etc.

<sup>73</sup> During the period 2014-2018, several publications by the Press Information Office included reference to the three religious groups such as the attractively designed and richly illustrated trilingual (English, Greek, French) publication "Multi-Religious Cyprus" which showcases the prevalence of religious pluralism and religious respect in Cypriot society. This 2016 publication, reprinted in 2018, includes dedicated chapters on the three constitutionally recognised religious groups and many other communities including Muslims, Jews and Protestants, their presence on the island and their places of worship. In addition, texts on the three religious groups and photographs are included in the hardcover publication "A Window on Cyprus," which was published in a revised format in English in 2015, as well as in French in 2016, on the occasion of Cyprus' Chairmanship of the Committee of Ministers of the Council of Europe. In 2017, it was also published in Russian.

<sup>74</sup> The CD "Aspects of Cyprus", produced by the Press and Information Office (PIO) in Greek and English, includes a section on the three religious groups.

and accessible online via its website.<sup>75</sup> A similar publication on the Roma could also be envisaged, as already suggested by the Advisory Committee in its previous opinion.<sup>76</sup>

82. The Advisory Committee calls on the authorities to ensure transparency, consistency and sustainability in the allocation of funds for the three religious groups.

83. The Advisory Committee invites the authorities to publish material on 'the Roma of Cyprus' for the general public similar to those available on the Armenians, Latins and Maronites.

### Support and promotion of the identity and cultural heritage of the Armenian religious group (Article 5)

84. The Advisory Committee expresses satisfaction about several initiatives undertaken by the bi-communal Technical Committee on Cultural Heritage (TCCH),<sup>77</sup> the Cyprus Symphony Orchestra Foundation, as well as Nicosia and Paphos municipalities, aimed at promoting and supporting the cultural heritage and history<sup>78</sup> of the Armenian community. It also takes note that an Armenian Cultural Centre operates in Larnaca since 2011.

85. Whilst expressing gratitude to the authorities and to the United Nations Development Programme (UNDP) for including several Armenian sites in renovation projects,<sup>79</sup> representatives of the Armenian community regretted the absence of representatives of this community in the TCCH.

86. The Advisory Committee was made aware of a request from the Armenian religious group, through its representative in the House of Representatives, for governmental support in the creation of an Armenian museum in Cyprus.

87. The Advisory Committee calls on the authorities to find suitable solutions to involve members of relevant religious groups to participate in the work of the Greek Cypriot delegation in the bi-communal Technical Committee on Cultural Heritage.

88. The Advisory Committee invites the authorities to examine the request of the Armenian community about their wish to establish a museum.

### Support and promotion of the identity and culture of the Latin religious group (Article 5)

89. In response to one of the recommendations of its previous opinion,<sup>80</sup> the Advisory Committee was informed that persons belonging to the Latin religious minority have their own cultural centre since 2017 named the House of the Latins in the old quarter of Nicosia.<sup>81</sup> The premises, which were used in the past by the Cultural Services of the Ministry of Education, Culture, Sports and Youth, have been rented from the Nicosia District Administration Office. The Advisory Committee takes note that the rent paid is substantially lower than the market value and that the ministry subsidised the initial expenses of this cultural centre.

90. Furthermore, the Advisory Committee takes note of cultural activities initiated by the Cyprus Symphony Orchestra Foundation, with the support of the Embassy of Italy in Cyprus.<sup>82</sup>

91. The Advisory Committee welcomes the establishment of, and financial support provided to, the House of the Latins acting as a cultural centre for the Latin religious group.

### Support and promotion of the identity, language and culture of the Maronite religious group (Article 5)

92. The Advisory Committee takes note that the Ministry of Education, Culture, Sports and Youth continues to support the preservation of Cypriot Maronite Arabic (CMA), allocating every year a significant amount to support the scientific work carried out by the researchers, in accordance with the Action Plan for the Revitalisation of the CMA and the decisions of the relevant Committee of Experts. Whilst the initial phases<sup>83</sup> of the project were mainly dedicated to interviews with native speakers of the CMA, orthographic and phonetic transcription of the language, as well as the production of teaching material, the ongoing sixth phase of the project focuses on the actual use of the language in everyday life,<sup>84</sup> the production of teaching materials and the increase of its proficient speakers.<sup>85</sup> It also takes note that

<sup>75</sup> This [page](#) contains several publications, such as "The Maronites of Cyprus", "The Armenians of Cyprus", the Latin of Cyprus", "Muslim Places of Worship in Cyprus", etc.

<sup>76</sup> [Fourth opinion](#) of the Advisory Committee on Cyprus, para. 28.

<sup>77</sup> The bi-communal Technical Committee on Cultural Heritage was established in April 2008, following an agreement between the Leaders of the two communities and operates under the auspices of the United Nations. The TCCH is composed of an equal number of Greek Cypriot and Turkish Cypriot experts - ten each - appointed by the Leaders. The mandate of the TCCH includes the implementation of practical measures for the proper preservation, physical protection and restoration (including research, study and survey) of the immovable cultural heritage of Cyprus. To date, the numerous cultural heritage sites island wide have been conserved, structurally supported, physically protected and/or restored, including Orthodox, Maronite and Armenian churches, mosques and minarets, fortifications, hammams, aqueducts and watermills.

<sup>78</sup> See [state report](#), para. 88.

<sup>79</sup> See [state report](#), para. 91.

<sup>80</sup> [Fourth opinion](#) of the Advisory Committee on Cyprus, para. 32.

<sup>81</sup> The House of the Latins was inaugurated by the President of the Republic of Cyprus on 12 October 2017. This centre has become a reference point in the community through which the public can learn about the historical and continuous presence of Latins in Cyprus, and through which the Latin community is able to promote cultural and socio-economic development through different activities.

<sup>82</sup> See [state report](#), para. 88.

<sup>83</sup> The results of phases 1-3 were presented to the general public in a Press Conference in January 2016.

<sup>84</sup> The codified CMA is used in Limassol Agios Antonios Primary School.

<sup>85</sup> Training seminars for native speakers of the CMA have been organised by the Committee of Experts for the CMA, at the request of the NGO *Hki Fi Sanna* and other members of the Maronite religious group. Three training seminars were delivered in April and May 2016 during

the Ministry of Education, Culture, Sports and Youth has contributed to the creation of an Archive of Oral Tradition for the CMA.

93. In response to one of the recommendations of its previous opinion,<sup>86</sup> the Advisory Committee was informed about the inauguration of the House of St. Maron, acting as a cultural centre for the Maronite community.<sup>87</sup> The Advisory Committee takes note that the Cypriot Government has contributed an amount of €250 000 for the renovation of the building which now hosts a library, a museum, and a multipurpose hall used for various activities.

94. Whilst expressing their gratitude to the authorities for supporting the renovation of several Maronite sites and infrastructure projects, representatives of this community shared with the Advisory Committee their wish for an upgraded, institutionalised and more structured support through the adoption of a long-term development plan. They also underlined a risk of disappearance in the long term of Maronites as a distinct minority in areas under the effective control of the Government of Cyprus due to the absence of compact Maronite settlements.

95. The Advisory Committee expresses its satisfaction about several initiatives undertaken by the bi-communal Technical Committee on Cultural Heritage aimed at supporting church restorations and promoting the cultural heritage of the Maronite community.<sup>88</sup>

96. The Advisory Committee welcomes the financial support provided for the renovation of the House of St. Maron and its transformation into a cultural centre for the Maronite community, among other initiatives aimed at supporting the Maronite cultural heritage and identity, and at the codification and revitalisation of the CMA language.

97. It equally welcomes the financial support provided by the Office of the Presidential Commissioner for the (re-) settlement plan of Maronites in the historical Maronite villages located in areas which are not under the effective control of the Government of Cyprus,<sup>89</sup> and the financial support provided by the Youth Board of Cyprus<sup>90</sup> for cultural and sports events of the Catholic Maronite youth.<sup>91</sup>

98. The Advisory Committee calls on the authorities to develop a structural and long-term development plan with adequate financial and human resources for their support to the Maronite community at risk of long-term assimilation, in close co-operation with representatives of this religious group.

## Tolerance and intercultural dialogue (Article 6)

99. As regards the promotion of respect and openness towards diversity in general, and national minorities in particular, the authorities reported that “the creation of a sensitization culture against racism and intolerance and the promotion of equality and respect [form] an integral part of the Curricula of various [school] subjects”.<sup>92</sup> This is reflected in practice through several intercultural activities,<sup>93</sup> some of them involving Gurbeti Roma.<sup>94</sup> Furthermore, reportedly, at the beginning of the school year, each school designs an action plan that includes activities and measures for promoting inclusion and respect of diversity.

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which native speakers were trained in writing their language and the basic orthographic conventions included in the handbook “How do they say it in our language?” The final proposal for the CMA alphabet, as well as already prepared teaching material for the CMA were presented.

<sup>86</sup> [Fourth opinion](#) of the Advisory Committee on Cyprus, para. 32.

<sup>87</sup> The House of St. Maron was inaugurated by the President of the Republic of Cyprus on 6 December 2018. It has a historical, religious and cultural significance for the Maronites and contributes significantly to the conservation and promotion of the Maronite identity.

<sup>88</sup> See [state report](#), para. 92.

<sup>89</sup> Apart from food support, between €10 000 and €15 000 were provided for maintenance work of houses/buildings and €3 000 to support small business. Efforts are under way to re-open the Kormakitis Maronite School located in the area not under the effective control of the Government of Cyprus.

<sup>90</sup> The Youth Board is a semi-governmental organisation under the auspices of the Ministry of Education, Culture, Sports and Youth.

<sup>91</sup> This support is provided under the ‘Youth Initiatives Project’ and the ‘Student in Action’ programme.

<sup>92</sup> For example, history, literature, modern Greek language, and religious education. See also [state report](#), para. 72.

<sup>93</sup> Such as the celebration of the European Language Day or the organisation of a food festival with children from different countries.

<sup>94</sup> As an example, Gurbeti Roma students participated in an anti-racist conference entitled ‘All different, all the same’ and in various activities (creation of an anti-racist mosaic, theatre, choir, presentations of words in the Turkish-Cypriot dialect, and a visit to the regional mosque).

100. At municipal level, the Advisory Committee was positively impressed by the broad range of measures and actions promoting tolerance, intercultural dialogue and a cohesive society and improving social inclusion which are supported or implemented by the municipality of Limassol through, *inter alia* its Intercultural Council<sup>95</sup> and EU-funded programmes.<sup>96</sup> An Intercultural Strategy for the City of Limassol 2018-2020<sup>97</sup> was elaborated, comprising a number of themes<sup>98</sup> identified by the members of the Intercultural Council as particularly relevant for 'migrant' communities. A multitude of projects and measures laid out in this strategy have been implemented during the reporting period.

101. The Advisory Committee wishes to recall that Article 6(1) of the Framework Convention obliges states to "take effective measures to promote mutual respect, understanding, and co-operation among all persons living on their territory".

102. The Advisory Committee notes with satisfaction the overall climate of tolerance<sup>99</sup> and openness to diversity of Cypriot society. While acknowledging the firm commitment and initiatives of the authorities at national and municipal level to promote tolerance and intercultural dialogue in society in line with Article 6(1) of the Framework Convention and welcoming the involvement of external donors in this process, the Advisory Committee notes that the primary responsibility for addressing the above rests with the state authorities. Heavy reliance on external funding<sup>100</sup> can undermine the authorities' ownership of the implementation process and risk hampering the effectiveness and long-term impact of these actions.

103. The Advisory Committee calls on the authorities at all levels to progressively move from a project-based to a more

structural and sustainable approach in the promotion of tolerance and intercultural dialogue through state funding.

104. The Advisory Committee invites the authorities to continue to provide overall awareness to the general public about the Armenian, Latin and Maronite religious groups, their history, religion, values and contribution to the development of Cypriot society.

105. The Advisory Committee invites the authorities to encourage other large municipalities in Cyprus, in particular Nicosia, Larnaca and Paphos, to follow the example of Limassol and create their own municipal intercultural council and strategy, as well as to develop a network of those intercultural councils at national level.

### Policing and respect for human rights (Article 6)

106. Recent developments mentioned in the state report include the signature of a Memorandum of Understanding for the Protection and Promotion of Human Rights between the Cyprus Police and NGOs,<sup>101</sup> the revision of the Police Code of Ethics,<sup>102</sup> as well as publication on the police internal portal of a Manual on Human Rights.<sup>103</sup>

107. The Advisory Committee was informed that the Cyprus Police Academy provides general education related to human rights, racial and other forms of discrimination and combating xenophobia and racism at various levels of police training.<sup>104</sup> Furthermore, with a view to further upgrading the training of police recruits, the Cyprus Police has created an additional module on Human Rights and Policing, delivered at the University of Cyprus since September 2019. The Cyprus Police Academy also organises conferences on the respect and protection of human rights.<sup>105</sup>

<sup>95</sup> The [Intercultural Council of Limassol](#) involves over 40 representatives of migrants' associations, representatives of religious and social groups, diplomatic representations, labour unions and local municipal actors. It makes proposals to address challenges faced by migrants.

<sup>96</sup> For the fifth consecutive year Limassol municipality takes action to improve social inclusion, cohesion and socialisation and to prevent discrimination of immigrants under the project 'Integration programmes by local authorities' with the title 'Limassol, one city the whole world'.

<sup>97</sup> This strategy was produced within the framework of a pilot scheme "Limassol Intercultural Council", being part of a wider integration project "Limassol – one city, the whole world". It is based on good practices coming from "Intercultural Cities" Programme, run by the Council of Europe. The strategy aims to become a guiding chart facilitating the development of Limassol as an open and intercultural city by 2020.

<sup>98</sup> Culture, education, youth, parenting, housing, health, labour, policing and security, access to public services, citizenship and participation, and intercultural branding and media.

<sup>99</sup> The authorities indicated in the [state report](#), para. 100, that despite nearly two million crossings of Greek Cypriots and Turkish Cypriots per year via the crossing points along the Green Line, no single incident has been reported, which – for them - speaks in favour of "a high level of tolerance and willingness for co-existence between the two communities".

<sup>100</sup> The project 'Integration programmes by local authorities' with the title 'Limassol: One city the whole world' is co-funded by the European Asylum, Migration and Integration Fund (90%) and by the Republic of Cyprus (10%), with a total budget of €187 000.

<sup>101</sup> This memorandum of understanding aims at improving and developing closer co-operation for the protection and promotion of human rights between the contracting parties. It was signed on 9 March 2017 with 15 NGOs (none of them are religious or ethnic-based NGOs).

<sup>102</sup> The Police Code of Ethics is an institutional framework of principles and rules that promote mutual respect and trust between the Police and citizens. It contains provisions related to the general obligations and duties of the police, behaviour during police action, behaviour during investigation and questioning, behaviour during arrest and detention and was issued in a booklet form and was distributed to all members of the police. In 2016, it was enriched with new provisions concerning the behaviour of police officers on duty, taking, *inter alia* into consideration the European Police Code of Conduct and the Guide of Conduct and Ethics for Public Servants.

<sup>103</sup> This manual was prepared by the police in order to raise awareness and sensitise its members on the protection and promotion of human rights and deals, *inter alia* with the use of force, the treatment of detainees, and detention conditions. It is not accessible to the public.

<sup>104</sup> Lectures or workshops were offered on preventing and combating discrimination and on human rights; combating xenophobia and racism; communication in a multicultural society; policing a multicultural society; human rights; racial discrimination and other forms of discrimination; human rights and police ethics. They are included in the academy's basic courses, such as the Sergeants' Training Programme, the Inspectors Training Programme, the Chief Inspectors' Training Programme, as well as at specialised training programmes. Other actions mentioned after the visit include the project "TOGETHER! Empowering civil society and Law Enforcement Agencies to make hate crime visible" co-funded by the European Commission, the project C.O.N.T.A.C.T. (Creating an Online Network, monitoring Team and phone App to Counter hate crime and Tactics). For overall data recorded in C.O.N.T.A.C.T. EU partner countries, consult this [Website](#).

<sup>105</sup> For more details, see [state report](#), para. 29-30.



108. Apart from the academic curriculum provided by the Police Academy, the Office for Combating Discrimination under the Crime Combating Department of the Police Headquarters, in co-operation with NGOs or/and the Police Academy, has organised specific training on eliminating stereotypes, prejudices, and discriminatory attitudes, and produced new modules on anti-discrimination policy for combating all forms of discrimination and racism for any types of vulnerable groups and national minorities, including the three religious groups and the Gurbeti Roma. These training programmes involve key public institutions.<sup>106</sup> The Advisory Committee regrets that persons belonging to national minorities have not been systematically involved in such training.

109. The Advisory Committee welcomes the revision of the Police Code of Ethics, the publication of a Manual on Human Rights for the police, as well as the organisation of numerous training programmes and conferences on human rights for police officers. The Advisory Committee, however, believes that a proper evaluation in due course of the performance of trained police officers would be needed to assess the effectiveness of such courses.

110. The Advisory Committee encourages the authorities and law enforcement bodies to pursue their efforts to promote respect for human rights and to involve persons belonging to religious groups and the Roma communities in their training programmes and in any other awareness-raising activities addressing the protection of human rights of vulnerable groups, and to assess in due course the effectiveness of training programmes.

#### Hate speech and hate crime (Article 6)

111. Article 8 of the Law on Combating Certain Forms and Expressions of Racism and Xenophobia by Means of Criminal Law (L.134(I)/2011), was repealed by L.30(I)/2017 on 7 April 2017 and the Criminal Code was amended by L.31(I)/2017.<sup>107</sup> The abovementioned Article 8 and the recently amended Article 35A of the Criminal Code regard racist, xenophobic (as well as homophobic) motivation as an aggravating circumstance, which makes this legislation fully in line with ECRI General Policy Recommendation No. 7 (revised).<sup>108</sup> It is the Advisory Committee's understanding

that anti-Semitic or anti-Gypsyist motivated crimes would be regarded as an aggravating factor under Article 35A of the Criminal Code.<sup>109</sup>

112. Since 2013, the Office for Combating Discrimination, in co-operation with the Police Academy, continues to support training programmes in the Police Academy, covering specific lectures for police officers and sergeants,<sup>110</sup> such as the Policy for the combating of racist violence, xenophobia and discrimination and Recognition and Investigation of Racial and Hate Crimes. The Advisory Committee was also informed that schools are encouraged to use the Code of Conduct Against Racism and Guide for Managing and Reporting Racist Incidents.

113. Almost no specific cases<sup>111</sup> of racist incidents, hate speech and hate crime were reported by members of religious groups and various ethnic communities<sup>112</sup> met by the Advisory Committee during the visit. However, according to some other interlocutors, there have been cases of offences against 'Black persons'<sup>113</sup> and 'migrants'. Furthermore, interlocutors from the Gurbeti Roma community informed the Advisory Committee that they do not experience any discriminatory or racist attitudes on the street from the rest of the population but pointed out indirect discrimination practices in the employment and linguistic fields (see Articles 10 and 15 below), as well as alleged racist attitudes from public servants working in the Turkish Cypriot Properties Management Department.

114. According to the statistical data compiled by the Office for Combating Discrimination within the Crime Combatting Department of Cyprus Police Headquarters,<sup>114</sup> for the reporting period (2014-2018), 40 of the incidents recorded by the office had "nationality or ethnic origin" as a motive; 33 had "community"; 14 had "sexual orientation"; 12 had "colour"; eight had "religion"; five had "political views"; one had "special needs"; another one had "race"; none had "language", "gender" or "age". Most cases and incidents imply multiple bias motives.<sup>115</sup>

115. For the same reporting period (2014-2018), 96 incidents of racial nature and/or with racial motive<sup>116</sup> were recorded, involving a total of 121 complainants/victims and 146 accused/perpetrators; 70 of these incidents concerned

<sup>106</sup> In addition, a specific training programme with the subject "Community/ethnic groups, behaviour, racism and ways of combating it" was organised on 13-14 October 2016 by the Office for Combating Discrimination in co-operation with the Ombudsperson for 75 police members of Community Policing. A training of trainers was also conducted among officers of all Police Divisions in September 2016 so as to further train other members of the police in their respective district jurisdiction.

<sup>107</sup> More precisely, Article 35A of the Criminal Code provides that the court, when imposing the penalty, may take into account as an aggravating factor the motivation of prejudice against a group of persons or a member of such a group of persons on the basis of race, colour, national or ethnic origin, religion or other belief, descent, sexual orientation or gender identity.

<sup>108</sup> See ECRI fifth [report](#) on Cyprus, para. 9.

<sup>109</sup> The authorities indicated that although anti-Semitism and anti-Gypsyism are not specifically mentioned, anti-Semitism may fall, among others, under the bias of religion, and anti-Gypsyism, among others, under the biases of nationality or ethnic origin.

<sup>110</sup> Such training programmes target in particular police officers and sergeants working in investigation and similar policing procedures.

<sup>111</sup> The Chief Rabbi of the Jewish community, when asked about the presence of the police in front of the synagogue in Lamaca, referred to some occasional incidents which, according to him, did not involve Cypriot citizens but more recent migrants from the Middle East.

<sup>112</sup> This includes Armenians, Latins, Maronites, Jews, Gurbeti Roma, Kurds, Lithuanians, Palestinians, Serbs, and Vietnamese.

<sup>113</sup> "Black persons shall mean persons that identify themselves as Black, often in the sense of belonging to a/the Black community." (ECRI Glossary, April 2019).

<sup>114</sup> Updated in April 2019 and distributed to the Advisory Committee during the visit.

<sup>115</sup> The authorities provided an example of a Turkish Cypriot taxi driver who was injured by two offenders in 2016; this attack involved various bias motives such as ethnic origin, community and religion.

<sup>116</sup> The authorities explained this distinction as follows: the 'racial nature crime' is the offence based on specific anti-racist legislation, whilst the 'crime with racial motive' is based on common offence of penal code with bias-motivations.

verbal assaults (hate speech/acts/threats). Criminal investigations were conducted in 55 cases which led to seven convictions based on the Criminal Code.<sup>117</sup>

116. The Advisory Committee recalls that hate speech and hate crime concern and threaten society as a whole. Law enforcement agents should therefore be appropriately trained to ensure that such incidents are prevented, identified and recorded, as well as duly investigated and punished through targeted, specialised and prompt action.<sup>118</sup>

117. The Advisory Committee welcomes the comprehensive legal framework on hate crime and hate speech, as well as the various training programmes and projects initiated by the authorities. Overall, hate speech<sup>119</sup> and hate crime seem to be relatively rare which suggests a high level of respect for minorities, including religious groups, in Cypriot society. However, on the basis of ECRI recent findings,<sup>120</sup> as well as recent research on hate speech in public discourse,<sup>121</sup> and statistical data provided by the authorities, instances of online hate speech need to be addressed.

118. Whilst the Advisory Committee welcomes the fact that data on incidents of a racial nature and/or with racial motive are collected and were provided during the visit, it regrets that data provided for the Greek Cypriot community and the Turkish Cypriot community are not further disaggregated by gender, religion and ethnicity which makes it difficult to assess the number of victims of racist incidents and those accused of such crimes among those groups.<sup>122</sup> The authorities' statement contained in the state report that "religious groups are not the groups most exposed to discriminatory treatment and hate crime" can therefore not be underpinned by any factual data. It is also difficult to assess any cases of anti-Semitism and anti-Gypsyism<sup>123</sup> based on existing data collection. Furthermore, the Advisory

Committee regrets that no data disaggregated by gender was communicated.

119. The Advisory Committee calls on authorities to disaggregate official data by gender, religion and ethnicity and add the motive 'bias against Roma' and 'bias against Jews' in the hate crime national statistics so as to provide, if necessary, a basis for more targeted policy measures against anti-Gypsyism and anti-Semitism.

120. The Advisory Committee strongly encourages the authorities to further prevent cases of hate speech and hate crimes and to ensure that the police record and investigate the possible racist motivation of hate crime and hate speech.

### Portrayal of minorities in the media (Article 6)

121. The responsibilities of the Cyprus Radio Television Authority (CRTA)<sup>124</sup> include the safeguard of the right to freedom of expression, the right to free and pluralistic information, and transparency in the ownership of media service providers. Its regulations provide the specific conditions and restrictions that are necessary to serve the public interest and ensure that human rights are not violated. Its duty is therefore to take all necessary action to combat effectively any forms of discrimination and intolerance that may emerge in the programmes provided by audiovisual media service providers and to sanction any expressions of racism and/or xenophobia on the basis of the existing legislation.<sup>125</sup> Following the examination of a complaint that may be anonymous, or as a result of an *ex officio* investigation, the CRTA may decide to impose a sanction, such as a warning, an administrative fine or the revocation of a licence.<sup>126</sup> In addition, the CRTA issues circulars<sup>127</sup> on various matters and publishes news bulletin on its website, including in the Turkish language.

122. The Advisory Committee notes that the CRTA decisions are directly enforceable, and their execution does not require the approval of any other body and that it

<sup>117</sup> In four of these seven convictions, charges of a racist nature were raised, whilst 13 of the cases are still pending in court. There were also convictions on bias-motivated crimes based on other specific legislations, such as Law 12/1967, Law 48(I)/2008 Article 72 (racist symbols and expressions at athletic events) and Law 26(III)/2004 (racist and xenophobic expression via the internet).

<sup>118</sup> ACFC [Thematic Commentary No. 4](#), para. 56.

<sup>119</sup> Racist hate speech is punishable under various provisions of Law 12/1967, Law 134(I)/2011 and the Criminal Code.

<sup>120</sup> Despite special training to the police on hate crime and discrimination, including how to recognise acts committed with a racist motivation, the police do not necessarily investigate the potential racist element and "there are examples of cases where the police failed to 'unmask' the racist bias of crimes even when racist language had been used at the time of the crime. There appears, therefore, to be some reluctance on the part of law enforcement authorities to deal with racially motivated crime" (ECRI fifth [report](#) on Cyprus, para. 30).

<sup>121</sup> See for instance [KISA report on Hate Speech in Public discourse in Cyprus](#), June 2019, as well as the [Report 'Online Hate Speech in the European Union: A Discourse-Analytic Perspective'](#), chapter 4.6.

<sup>122</sup> The authorities indicated that incidents against Gurbeti Roma are usually recorded, unless another bias is involved, under 'community', not under 'ethnicity'; they would therefore be mixed up with incidents against Turkish Cypriots and receive no visibility in the statistics. The complainants and the accused are classified by 'nationality/ethnic origin'; there is no classification by 'religion' and in fact, from the list provided to the Advisory Committee, there is no classification by 'ethnicity'.

<sup>123</sup> See ECRI GPR No. 13 for a definition of 'anti-Gypsyism'.

<sup>124</sup> The CRTA was established as an independent body by the Radio and Television Stations Law 7(I) of 1998. This Law also regulates matters such as the establishment, installation and operation of private radio and television bodies in Cyprus. The CRTA has its own resources, budget and services to carry out its duty and to fulfil its mission. For further information regarding its role, composition and selection criteria and appointment of the Chairperson, Vice Chairperson and the members, see [CRTA website](#).

<sup>125</sup> Namely the Radio and Television Stations Law L. 7(I) of 1998, as amended; the Radio and Television Stations Regulations Law P.I. 10/2000; and the Cyprus Broadcasting Corporation Law CAP.300A, as amended.

<sup>126</sup> The CRTA has so far examined a limited number of cases on grounds of race and religion and has issued warnings or imposed fines ranging from €500 to €3 000.

<sup>127</sup> See an example in para. 33 of ECRI fifth [report](#) on Cyprus.

encourages the access to media by persons belonging to national minorities and guarantees their freedom of expression. The Advisory Committee considers, however, that the duration of at least one year between the filing of a complaint and a decision by the CRTA is too long.<sup>128</sup>

123. Whilst no recent cases of discrimination or hate speech concerning religious groups or Roma have been reported on radio and television by the CRTA, the Advisory Committee heard concerns voiced by representatives of religious groups about occasional unnecessary mentioning of ethnic or religious affiliation in certain newspapers.<sup>129</sup>

124. The Advisory Committee, while respecting editorial independence, considers that the media should not mention information on ethnic or religious affiliation to the public unless strictly necessary. Such information should not reinforce negative stereotypes against the group in question as it would not be conducive to facilitating intercultural dialogue, a principle enshrined in Article 6(1) of the Framework Convention.

125. Without prejudice to the editorial independence of the press, the Advisory Committee invites the relevant authorities to reduce the duration of complaint examination, and to draw attention of the press against the mentioning of ethnic or religious affiliation of individuals in a negative sense unless strictly necessary.

#### Religious education and the right to manifest one's belief (Article 8)

126. Students learn about the Christian Orthodoxy (the predominant faith in Cyprus), beliefs, as well as other religions, faiths and approaches to religion in accordance with Article (18)4 of the Constitution of the Republic of Cyprus. If a child is not a Christian Orthodox, parents or guardians can ask for an exemption from religious education for their child. Schools have been asked by the authorities to facilitate faith practices in respect of children of other religions (e.g. Muslim children during the Ramadan). Muslim Gurbeti Roma students receive religious education according to their faith. There are, however, no Muslim public or private schools oriented at the Muslim faith in areas under the effective control of the Government of Cyprus.<sup>130</sup>

127. The Agios Maronas Primary School adjusts religious education to the Catholic Maronite faith, with the support of the Pedagogical Institute.<sup>131</sup> Religious education in Nareg Armenian schools<sup>132</sup> follows the Armenian Orthodox faith.

The same applies to the Roman Catholic faith in Saint Mary's School and Terra Santa College (private schools).

128. During the visit, the Advisory Committee was made aware of a limited number of problems in terms of manifestation of its interlocutors' respective religion or belief, and exercise of their religious practice; one of the problems raised by representatives of the Armenian community relates to the lack of an Armenian Apostolic church in Paphos despite the existence in this municipality of a significant Armenian community for many years.<sup>133</sup>

129. The Advisory Committee recalls that Article 8 of the Framework Convention guarantees that "every person belonging to a national minority has the right to manifest his or her religion or belief".<sup>134</sup>

130. The Advisory Committee welcomes the authorities' efforts to provide, overall, persons belonging to religious groups and ethnic communities the right to manifest their own religion or belief and exercise their religious practice.

131. The Advisory Committee encourages the authorities to pursue their efforts at providing religious education for all religious groups concerned.

#### Minority printed media and broadcasting (Article 9)

132. The relevant legislation regarding media and the situation regarding broadcasting in minority languages have remained unchanged since the last monitoring cycle. According to information provided in the state report and during the visit, the Cyprus Broadcasting Corporation (CyBC) radio continues to broadcast a daily one-hour programme in Armenian, with items about, *inter alia* literature, religion, and health, and includes news bulletins and a children's programme. The Latin religious group maintains a 30-minute radio programme in the CyBC every Friday at 4 p.m. On its official website, the CyBC hosts, among others, a documentary film "A journey through yesterday and today with the Latin religious group", which was funded by the government. For the Maronite religious group, a weekly 55-minute cultural programme is hosted by the CyBC radio every Friday.

133. There are only occasional TV programmes for the religious groups on CyBC. The CyBC management held meetings with the representatives of the religious groups, during which the readiness to broadcast on TV readily available programmes that would be provided by the

<sup>128</sup> This was explained by the requirement that all CRTA members be present from the beginning to the end of the examination procedure.

<sup>129</sup> As an example, the Advisory Committee was provided with a copy of a news article published by Reporter on 9 July 2019 entitled "Tragedy ... a Maronite died suddenly in Kyrenia sea".

<sup>130</sup> Muslim students receive religious education of their faith in two public schools in Limassol, Agios Antonios Primary School and Agios Antonios Secondary School, where a large number of Turkish Cypriot and Gurbeti Roma students are enrolled. Muslim students also receive religious education of their faith in a private school: the English School in Nicosia.

<sup>131</sup> The Agios Maronas Kindergarten and Agios Maronas Primary School (for the Maronites) are public schools. The Ministry of Education, Culture, Sports and Youth finances the Maronite School Board.

<sup>132</sup> All Armenian schools in Cyprus are called Nareg in memory of the monk, theologian and philosopher Krikor Naregatsi. The Armenian Nareg kindergarten and elementary schools in Nicosia, Larnaca and Limassol and the Nareg Gymnasium in Nicosia are public schools with a special status by which the Armenian language, history and religion are taught in addition to the public schools' curriculum. They provide trilingual education: Armenian, Greek and English. The Nareg schools are fully subsidised by the state and. The decision-making body at Nareg Armenian schools is the Armenian Schools Committee composed of 11 members appointed by the Council of Ministers upon the recommendation of the representative of the Armenians in the House of Representatives.

<sup>133</sup> For another example, see footnote 179 of the present opinion.

<sup>134</sup> See ACFC [Thematic Commentary No. 4](#), para. 68.

religious groups themselves was expressed. This practice was followed for a short period of time<sup>135</sup> but due to a lack of financial resources religious groups concerned did not manage to maintain these programmes. News-related reportages on the religious groups are included regularly in the CyBC news.<sup>136</sup>

134. Regarding print and online media, the Advisory Committee was informed about the existence of two monthly Maronite newspapers published in Greek,<sup>137</sup> as well as of several Armenian magazines and newspapers with some published in Armenian, and others in Greek or English.<sup>138</sup> The Armenians maintain a trilingual community website sponsored by the Government of Cyprus since 2007,<sup>139</sup> and the Maronites have their own since 2009.<sup>140</sup> Representatives of the three religious groups also have their own Facebook page and website.

135. The Advisory Committee recalls that the possibility to receive and impart information in a language one can fully understand and communicate in, is a precondition for equal and effective participation in public, economic, social, and cultural life. It notes that the abundance of information and media available in today's digital media environment does not diminish existing state obligations to facilitate the production and dissemination of content by and for national minorities.<sup>141</sup> Finally, the Advisory Committee recalls that the division of media audiences according to linguistic backgrounds may enhance the formation of separated and mutually exclusive public spheres.<sup>142</sup>

136. The Advisory Committee welcomes available offers of printed media and radio programmes for religious groups but notes the absence of TV programmes for the three religious groups due to their inability to ensure financial resources. It considers that further measures to address the diversity of the society should be taken to enable access of all religious and ethnic communities to media outlets, including Muslims, Jews and Roma.

137. The Advisory Committee calls on the authorities to sponsor public TV programmes for religious groups, in close consultation with representatives of these groups, and to ensure that all communities are reflected in public media.

## Use of minority and official languages (Article 10)

138. Greek and Turkish are the two official languages of the Republic of Cyprus by virtue of Article 3(1) of the Constitution. The authorities recalled in the state report that the constitution does not include any references to "bilingualism". Both the Armenian and the Cypriot Maronite Arabic (hereafter "CMA") are recognised as minority languages under the European Charter for Regional or Minority Languages.<sup>143</sup>

139. According to the constitution, "legislative, executive and administrative acts and documents shall be drawn up in both official languages",<sup>144</sup> "[a]dministrative or other official documents addressed to a Greek or a Turk shall be drawn up in the Greek or the Turkish language respectively",<sup>145</sup> "[j]udicial proceedings shall be conducted or made and judgements shall be drawn up in the Greek language if the parties are Greek, in the Turkish language if the parties are Turkish, and in both ... languages if the parties are Greek and Turkish",<sup>146</sup> and "[e]very person shall have the right to address himself to the authorities of the Republic in either of the official languages".<sup>147</sup> Article 12(5a) of the Constitution stipulates that "every person charged with an offence has [the right] to be informed promptly and in a language which he understands and in detail of the nature and grounds of the charge preferred against him"; and Article 12(5e) "to have the free assistance of an interpreter if he cannot understand or speak the language used in court".

140. During the visit, the Advisory Committee observed that English is widely used, alongside Greek, as a language of communication, including at municipal level, with non-Greek speaking 'migrants'.<sup>148</sup> The use of Turkish seems very limited in areas under the effective control of the Government of Cyprus. By consequence, Turkish-speaking persons, for instance elderly members of the Gurbeti Roma who do not speak and understand Greek or English, face unequal treatment in practice as they do not receive the

<sup>135</sup> Until 2015, a programme produced by the Maronites entitled "Maronites Routes" was broadcasted a number of times.

<sup>136</sup> The programme *ΠΑΡΕΒ* produced by the Armenians is broadcasted yearly by the CyBC on 6 January (Armenian Christmas Day).

<sup>137</sup> See the list on page 29 of the brochure "The Maronites of Cyprus" published by the [Public Information Office](#).

<sup>138</sup> See the list on page 29 of the brochure "The Armenians of Cyprus" published by the [Public Information Office](#).

<sup>139</sup> See [Website of the Armenians of Cyprus](#).

<sup>140</sup> See [Website of the Maronites of Cyprus](#) (currently unavailable).

<sup>141</sup> OSCE High Commissioner for National Minorities (February 2019), [Tallinn Guidelines on National Minorities and the Media in the Digital Age](#), para. 7.

<sup>142</sup> ACFC [Thematic Commentary No. 4](#), para. 70.

<sup>143</sup> The Advisory Committee notes that the Committee of Experts of the European Charter for Regional or Minority Languages (COMEX) had the opportunity to visit Cyprus in September 2017 and to examine developments in depth while drawing up its fifth [evaluation report](#) on Cyprus (adopted on 22 November 2017). The Advisory Committee refers to detailed findings and recommendations of this report in this regard; see also the [state periodical report](#) on the implementation of the European Charter for Regional or Minority languages (submitted by Cyprus on 11 January 2017) and Committee of Ministers' [Recommendations](#) (adopted on 4 April 2018).

<sup>144</sup> Article 3(2) of the [Constitution](#).

<sup>145</sup> Article 3(3) of the [Constitution](#).

<sup>146</sup> Article 3(4) of the [Constitution](#). The official language or languages to be used for such purposes in all other cases shall be specified by the Rules of Court made by the High Court under Article 163 of the [Constitution](#).

<sup>147</sup> Article 3(8) of the [Constitution](#).

<sup>148</sup> In Limassol for instance, leaflets are produced in Greek, English and sometimes other languages spoken by migrant communities represented in the Intercultural Council. Turkish, however, is not used, although some members of the Kurdish community originate from Turkey and Turkish-speaking Gurbeti Roma citizens reside in the municipality.

same level of information as other residents.<sup>149</sup> The Advisory Committee made observations of a similar nature in its fourth cycle opinion,<sup>150</sup> and regrets that the situation for the elderly Gurbeti Roma has not improved.

141. The Advisory Committee was informed by the authorities that, in line with the provisions of the European Court of Human Rights and the Framework Convention, during court proceedings, a Turkish-speaking Cypriot citizen (e.g. from the Gurbeti Roma community) could be informed about the offence he/she is charged with in his/her language and receives the free assistance of an interpreter; however, the proceedings and the judgment would be made available only in Greek.

142. In contrast, the Ombudsperson's Office responds in Turkish to all correspondence that is addressed to the office in Turkish and is reportedly engaged in efforts to ensure that all basic texts providing general information and guidance to the public will be made available in Turkish.<sup>151</sup> The Advisory Committee welcomes this approach.

143. The Advisory Committee recalls that Article 10(2) of the Framework Convention applies also to areas where only a relatively small percentage of persons belonging to national minorities reside, provided that persons belonging to national minorities traditionally inhabit the areas concerned, that there is a request by these persons, and that "such a request corresponds to a real need". "A threat to the functionality of the minority language as a communication tool in a given region is sufficient to constitute a 'need' in terms of Article 10.2 of the Framework Convention."<sup>152</sup> It also recalls that "language rights are effective only if they can be enjoyed in the public sphere".<sup>153</sup>

144. Therefore, it rests upon the Cypriot authorities to find appropriate solutions for those who are unable to speak Greek, including Gurbeti Roma. The Advisory Committee welcomes the provision of Greek language lessons operated by the municipalities of Limassol and Nicosia in multifunctional and multicultural centres as they contribute to the increase of knowledge of this official language, especially among the young generation. It notes, however, that the participation of Gurbeti Roma adults in language programmes for non-Greek-speaking adults is very limited. One reason might be their illiteracy.

145. The Advisory Committee also considers that court proceedings and judgments should not be exclusively

provided in Greek for people speaking another official language, but also, where relevant, in Turkish, in line with Article 3(4) of the Constitution of the Republic of Cyprus.<sup>154</sup>

146. The Advisory Committee calls on the authorities to further support Greek language programmes for non-Greek-speaking residents and introduce literacy classes for Gurbeti Roma adults free of charge.

147. The Advisory Committee reiterates its call to increase the use of Turkish in official communications with Turkish-speaking persons, especially with Gurbeti Roma.

### **Intercultural education, research and knowledge about minorities (Article 12)**

148. Initiatives promoting intercultural education have been undertaken by the Ministry of Education, Culture, Sports and Youth and the Agios Maronas Primary School and the Nareg Armenian School have developed mutual co-operation and organise an annual event, based on a different subject that derives from history or culture.<sup>155</sup>

149. Terra Santa College, a multicultural school promoting interethnic friendship and solidarity,<sup>156</sup> signed in January 2013 an agreement with the University of Cyprus "to transform Terra Santa into a new prototype secondary school, covering the whole academic curriculum and teaching of its secondary school programme".<sup>157</sup>

150. The Advisory Committee welcomes the positive developments concerning the research-based codification of the Cypriot Maronite Arabic (CMA) language carried out in accordance with the Action Plan for the Revitalisation of the CMA and the creation of an Archive of Oral Tradition for the CMA.<sup>158</sup>

151. Furthermore, the Advisory Committee believes that independent research is needed regarding a numerically small Greek-speaking Orthodox Roma community, mostly living in Larnaca, and considered to be largely assimilated into the Greek Cypriot community, so as to gain knowledge of their historical presence, their present situation and self-identification and possible needs.

152. The Advisory Committee invites the authorities to support independent research regarding the Greek-speaking Orthodox Roma community living in Cyprus so as to gain knowledge of their historical presence, their present situation and self-identification and possible needs.

<sup>149</sup> As an example, most awareness-raising publications and leaflets, including those of the Intercultural Limassol Municipal Council, are published in Greek and English, despite the fact that Gurbeti Roma families have been living in the municipality for a number of years. The municipality website is available in English, Greek and Russian; no information is provided in the second official language.

<sup>150</sup> [Fourth opinion of the Advisory Committee on Cyprus](#), para. 52.

<sup>151</sup> The [Ombudsperson's website](#) provides information in Greek, Turkish and English. Complaint forms are available in Greek and English with information given in Turkish on how to submit a complaint.

<sup>152</sup> ACFC [Thematic Commentary No.3](#), para. 56.

<sup>153</sup> ACFC [Thematic Commentary No.3](#), para. 51.

<sup>154</sup> See also [fourth opinion of the Advisory Committee on Switzerland](#) (adopted on 31 May 2018 and published on 10 December 2018), para. 90-92.

<sup>155</sup> In 2019 the project was based on oral history about the daily life of people living in a multicultural neighbourhood which consisted of Greek Cypriots, Turkish Cypriots, Maronites, Armenians, Latins and others, following interviews conducted by children from both schools.

<sup>156</sup> The College offers only some subjects in its secondary school in a second language stream (English), therefore different language streams do interact at the school.

<sup>157</sup> [State report](#), para 106.

<sup>158</sup> See the research "The demographics of the Cypriot Maronite community and of Cypriot Arabic speakers", by Prof. Marilena Karyolemos, The Sanna Project, Paper 2/2010 (Chapter 1).

### Teacher training (Article 12)

153. According to information from the state report, the Ministry of Education, Culture, Sports and Youth subsidises the training of language teachers and supports the organisation of training seminars for teachers of the Armenian language<sup>159</sup> and of the Cypriot Maronite Arabic (CMA) language,<sup>160</sup> giving them opportunities to become more aware of language learning methodologies and teaching methods, and thus increasing the standard and quality of education.

154. The Advisory Committee was informed that training for the teachers of the Armenian language are offered on demand by the Pedagogical Institute. However, the Advisory Committee's interlocutors from the Armenian community expressed considerable difficulties in finding teachers of Armenian.

155. The Advisory Committee was also made aware of the results of the implementation of the In-Service Training for Roma Inclusion (INSETRom) project in Cyprus and conclusions relating to the school inclusion of Gurbeti Roma in the Greek Cypriot educational system. The paper<sup>161</sup> concludes with the discussion of contextual and methodological issues relating to teacher training for educating Gurbeti Roma students in multicultural school settings. The Advisory Committee took note that authors of this research also reflect on several factors beyond teacher training, such as contextual and methodological issues relating to teacher training for educating Roma students in multicultural school settings. The Advisory Committee considers that these factors should be addressed by the educational authorities if education is to become inclusive for all students, and Gurbeti Roma children in particular.

156. The Advisory Committee urges the authorities to further increase financial support for teacher training in Armenian and Cypriot Maronite Arabic.

157. The Advisory Committee invites the authorities to reflect upon the conclusions and recommendations of the INSETRom project in Cyprus as regards teacher training and pedagogical methods for the education of Roma

students in multicultural settings and take appropriate measures.

### Textbooks and teaching materials (Article 12)

158. In the Nareg Armenian Schools, the Ministry of Education, Culture, Sports and Youth is funding the purchase of books for the teaching of the Armenian language, history, geography and religion. In 2010 the new curricula were introduced and in 2018 they were revised in their final form with the implementation of success indicators for all subjects.<sup>162</sup> The next step will be to produce teaching materials and/or propose sources of information that teachers can use when implementing the curriculum.

159. The Advisory Committee was made aware during the visit of the need to obtain more support, including subsidies, from the authorities and the representative of the Maronites, for producing textbooks in the CMA language.

160. The Advisory Committee recalls that states parties need to review regularly the curricula and textbooks of subjects such as history, religion and literature in order to ensure that the diversity of cultures and identities is reflected, and that tolerance and intercultural communication are promoted.<sup>163</sup>

161. The Advisory Committee notes with satisfaction the inclusion of information related to the Armenian, Latin and Maronite religious groups in textbooks for the mainstream population since the last monitoring cycle. Interlocutors of the Advisory Committee expressed satisfaction about this development; the representative of the Maronite religious group, however, found that information provided in textbooks about this community was too succinct.

162. The Advisory Committee welcomes that the new core curricula are based on respect for human rights and diversity and aim at including this approach in various subject curricula. The Advisory Committee, however, wishes to point out the insufficient mention of the historical presence of Roma and of their history in textbooks and teaching materials for all students.<sup>164</sup>

<sup>159</sup> During the school year 2017-2018 three teacher training programmes were implemented. All three were addressed to the 19 teachers who teach subjects in the Armenian language at the primary schools of Nicosia, Larnaca and Limassol, as well as at the gymnasium in Nicosia. The training programme involved teacher-training sessions, classroom observations and mentoring. At the final stage, a formal evaluation of all the teachers took place. Furthermore, in January 2017, an educator from Lebanon provided training for teachers working in the Nareg Schools. A training session entitled '*L'école arménienne et le défi de la transmission de l'arménien occidental*' (The Armenian School and the Challenge of Western Armenian Transmission) was also organised by the University of Cyprus in February 2017.

<sup>160</sup> A four-day teacher-training course was organised for teachers and native speakers of the Cypriot Maronite Arabic (CMA) at the Cyprus Pedagogical Institute in June 2015. Teachers of primary and secondary schools, who are also native speakers of the language, attended the seminar. In addition, in June 2016 and 2017, the University of Cyprus organised training seminars for the teachers that participated in the Summer Language Camp in Kormakitis in the area which is not under the effective control of the Government of Cyprus. The main themes of the training were the teaching of the writing conventions of the CMA, the extensive presentation of the content to be taught in the Language Camp and the discussion of methodological issues, mainly related to the use of modern technology in language teaching.

<sup>161</sup> "[Roma and their education in Cyprus: reflections on INSETRom teacher training for Roma inclusion](#)", Symeou L, Karagiorgi Y, Roussounidou E & Kaloyirou C (2010). "The data for this preliminary phase of the project were collected through semi-structured interviews with Roma pupils and their parents, as well as their teachers, from the three schools attended by the largest numbers of Roma children in the Greek Cypriot educational system. Despite official policies of non-segregation and supportive measures, the data pointed to the marginalisation of Roma children in the school system. On the basis of these findings, the authors then describe the design, implementation and evaluation of the teacher-training programme."

<sup>162</sup> For further information, see [state report](#), para 112.

<sup>163</sup> ACFC [Thematic Commentary No.3](#), page 11; see also OSCE High Commissioner for National Minorities (2012), [The Ljubljana Guidelines on Integration of Diverse Societies](#), page 56.

<sup>164</sup> There is no reference to Roma living in Cyprus in primary school textbooks. Only one reference to Roma being also victims of the Holocaust during the Second World War can be found in a history textbook in the third class of public secondary schools. In a report from

163. The Advisory Committee calls on the authorities to provide more systemic support and funding for the production of textbooks in Cypriot Maronite Arabic so as to strengthen the teaching of this language.

164. The Advisory Committee invites the authorities to ensure that Cypriot students receive adequate information through revised school curricula and textbooks on the history, culture, language and traditions of Roma communities living in Cyprus, as well as on their contribution to Cypriot national history. It also invites the authorities to review the information on the Maronite religious group provided in textbooks in close consultation with this community.

### Equal access to education (Article 12)

165. In February 2017, new regulations<sup>165</sup> for the operation of public secondary schools were issued by the Ministry of Education, Culture, Sports and Youth to safeguard the right of education for all children<sup>166</sup> and to prevent discrimination in access to education.

166. The Advisory Committee was informed that the Ministry of Education, Culture, Sports and Youth has taken several measures to cater for the needs of Cypriot Roma children: they have a priority for admission in public kindergartens, whereas the families receiving a public allowance are exempted from paying fees in public kindergartens.

167. With a view to facilitating school enrolment of Turkish-speaking Gurbeti Roma children, the Ministry of Education, Culture, Sports and Youth employs Turkish Cypriot and bilingual teachers in Agios Antonios Primary and Secondary Schools, where Cypriot Gurbeti Roma children are enrolled: Turkish Cypriot teachers are employed to teach the Turkish language, history and Muslim religion. An interpreter is employed in Agios Antonios Primary School in order to facilitate the communication and interaction of the school unit with the students and their parents. The bilingual teacher in Agios Antonios Secondary School teaches Greek as a second language to the Cypriot Roma children.

168. Furthermore, the Advisory Committee was made aware that these two schools participate in the project School and Social Inclusion Actions, co-funded by the EU European Social Fund. This project aims at supporting the population living below the poverty line or being at risk of poverty and social exclusion. It also aims at ensuring social welfare and supporting financially the weaker groups of the population that are particularly affected by the economic crisis, reducing early school leaving, improving learning outcomes and reducing school failure and delinquency.<sup>167</sup>

169. The Advisory Committee notes that several activities have been implemented, some of them through EU-funded projects,<sup>168</sup> to attract Roma students in both Agios Antonios Primary School<sup>169</sup> and Secondary School<sup>170</sup> and that the Ministry of Education, Culture, Sports and Youth provides

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2011, the Ombudsperson had asked the Ministry of Education, Culture, Sports and Youth to consider adopting a curriculum that would include Roma history, culture and language.

<sup>165</sup> These regulations state that “any person or public authority involved in the interpretation or implementation of the regulations is obliged to refrain from any discrimination based on race, colour, gender, language, religion, political and other beliefs of the child or his/her parents or guardians, citizenship, ethnic or social origin, economic situation, disability, birth, sexual orientation or any other situation”.

<sup>166</sup> This right is guaranteed by Article 20 of the [Constitution](#).

<sup>167</sup> “The objectives of this project ‘School and Social Inclusion Actions’ are achieved through the implementation of various measures, which include, among others, programmes for reinforcing learning and creativity for pupils (during the morning, afternoon and summer months), psychological support for pupils/students by experts and training programmes for the staff involved. Within the context of the project, participating schools can open their doors to their local communities, in order to develop cooperation and synergy with all stakeholders to be able to successfully carry out their role.”

<sup>168</sup> For instance, activities such as theatre, choir, presentations of words used in the Turkish-Cypriot dialect or visits to a mosque.

<sup>169</sup> Such as extra support provided to students in language and mathematics, teacher assistants in all classes, additional extra-curricular activities (theatre, dance, graffiti, poetry recital, and sports events) during school hours, as well as after school hours. The school unit is also implementing projects that involve all children where the diversity of each separate group of children, including the Gurbeti Roma, is respected. Such activities include video recording of poems, songs and other cultural elements, the organisation of multi-cultural food festivals and the celebration of the International Roma Day in various ways, such as presentations, dances and songs.

<sup>170</sup> The Agios Antonios Primary School participates in an EU-funded programme where all stakeholders are involved with an aim to provide a variety of learning opportunities for both students and teachers. Both schools co-operate with the NGO ‘Hope for Children’ and implements the EU-funded project ‘PEER: Participation, Experiences and Empowerment for Roma Youth’.

psychological assistance to the Agios Antonios Primary School through visits of a psychologist once a week.

170. In addition, the Advisory Committee was informed that the Office of the Presidential Commissioner is in the process of concluding memoranda of understanding with several state and private university institutions in Cyprus. These memoranda include provisions for granting scholarships to members of the three religious groups, and a number of these universities may offer them their facilities and sport centres for organising cultural and sports events.

171. Despite the above positive actions, the Advisory Committee was made aware during the visit of cases of absenteeism and early dropout still existing among Roma children.<sup>171</sup> It also received from the authorities data about school dropout rates at national level, but not specifically for Roma children.<sup>172</sup> The Advisory Committee was informed that in case of school absenteeism,<sup>173</sup> the school directors usually inform social welfare services and/or the police who would conduct investigations if families did not manage to bring the children back to school. The Advisory Committee considers that there are insufficient studies, inquiries and consultations with the Roma communities about the root causes of absenteeism.

172. The Advisory Committee calls on the authorities to ensure that the right to education is guaranteed for all children belonging to national minorities and vulnerable groups such as Gurbeti Roma, including by enforcing compulsory school attendance until the age of 15, in order to further reduce school absenteeism and early dropouts, in particular among Roma children; to this end, it strongly encourages the authorities to commission an independent gender-sensitive study to assess the root causes of absenteeism and early school dropouts, involving members of the Roma communities and the competent authorities.

173. The Advisory Committee calls on the authorities to further invest, with adequate and structural state funding along with external donors, in the inclusion of Gurbeti Roma children in the educational system.

### Private educational and training establishments (Article 13)

174. The Terra Santa and Saint Mary's schools of the Latins are both private schools fully subsidised by the Ministry of Education, Culture, Sports and Youth.<sup>174</sup>

175. The Advisory Committee was made aware that the level of financial support for Maronite and Latin students to attend private secondary schools has not changed since 1996 and that no follow-up has been given to a recommendation of the Ombudsperson addressed to the Ministry of Finance in 2010 to increase the grant given to these students to meet the sharp increase in tuition fees.

176. The Advisory Committee was also made aware that despite a relatively large Armenian community living in Paphos, there is no Armenian school in this municipality and other Armenian schools are far away. The Advisory Committee was informed that the Ministry of Education, Culture, Sports and Youth subsidises, at least partly, the transportation of Maronite and Armenian children to their respective schools<sup>175</sup> and wonders whether something similar could be organised for Armenian children in Paphos.

177. The Advisory Committee calls on the authorities to increase financial support for Maronite and Latin students in private secondary schools.

178. The Advisory Committee recommends the authorities to support the access and participation in education of Armenian children from Paphos in nearby Armenian schools.

### Teaching in and of minority languages (Article 14)

179. Agios Maronas Primary School operates as an optional all-day school. The teaching of Cypriot Maronite Arabic (CMA) is taught as an option during the afternoon timetable in school premises provided free of charge. Furthermore, CMA is taught in the Adult Education Centres.<sup>176</sup> Additionally, with the initiative of the Maronites, CMA was taught to a group of children on a weekly basis, from October 2017 to May 2018.

180. The Ministry of Education, Culture, Sports and Youth allocates funds from its structured budget for the targeted support of the teaching of CMA, especially the operation of Agios Maronas Primary School, the lessons provided in the Adult Education Centres, the Annual Summer Language Camp in Kormakitis and the ongoing research on CMA that has now entered its sixth phase. The main focus of the

<sup>171</sup> In 2011, a report from the Ombudsperson recommended the Ministry of Education to tackle the low enrolment and high school dropout rates of Roma children in public schools. In the framework of the investigation of a relevant complaint (no. A.K.P. 31/2016), the Ombudsperson visited the Agios Antonios elementary school in Limassol and addressed a letter to the Ministry of Education, Culture, Sports and Youth about the access to education of Gurbeti Roma children.

<sup>172</sup> According to data from the Ministry of Education, Culture, Sports and Youth regarding the whole population, in the school year 2017-2018, the dropout rate in lower secondary schools was 0.48% (same as in the school year 2016-2017) and in upper secondary school 0.06% (it was 0.25% for the school year 2016-2017). In Agios Antonios Secondary School where usually Roma children are enrolled no dropouts were recorded for the school year 2017-2018, whilst one dropout was recorded for the previous school year.

<sup>173</sup> According to data from the Statistical Service of Cyprus, more than 98% of school-aged children (up to 15) attend schools.

<sup>174</sup> The Terra Santa College is subsidised with the amount of €17 086 annually and Saint Mary receives €25 945 as per the 30 May 2002 Council of Ministers Decision No. 55.709.

<sup>175</sup> The ministry subsidises the transportation of Maronite children to Agios Maronas Primary School in Anthoupolis. Transport of Armenian students to Nareg Schools is partly subsidised by the state and partly by the parents.

<sup>176</sup> The CMA is also taught in the Annual Summer Language Camp for young Maronites in the village of Kormakitis, an area which is not under the effective control of the Government of Cyprus.



researchers implementing the Action Plan for the Revitalisation of CMA has shifted to the production of teaching material and to the organisation of training courses for teachers and speakers of the language. Thus, more emphasis is given at this point to the actual use of the language in everyday life, the production of written texts and the increase of its proficient speakers.

181. The ongoing research conducted for the creation of an archive of oral tradition for CMA is intended to contribute towards the further strengthening of the teaching of the language with the creation of suitable learning material. So far, 17 teaching units for the levels A1 and A2 have been designed and completed. All the units were adapted for the teaching of children, enriched with appropriate illustrations. The educational material for the adults was also illustrated. The material produced is used in Agios Maronas Primary School, the Adult Education Centres and the Annual Summer Language Camp in Kormakitis.

182. Furthermore, in an effort to compile an Anthology of texts written in CMA, the researchers proceeded with the collection and orthographical transcription or correction of 21 literary texts. During the preparation of the teaching material, fluent native speakers expressed the need to easily access language resources such as dictionaries, grammars, etc.<sup>177</sup> The Advisory Committee was told that this material would be further elaborated in view of its publication as an electronic online dictionary. To that end, the University of Cyprus organised a training seminar on 14 December 2016 entitled Principles of Lexicography for the researchers involved in the research for CMA revitalisation.

183. The Advisory Committee's interlocutors from the Armenian community, whilst welcoming governmental support and the fact that Armenian is a medium of instruction in preschool, primary and lower secondary education, regretted the absence of Armenian language classes for the last three years of secondary school and at university.

184. During the visit, members of Limassol Municipal Intercultural Council welcomed the possibility offered by the state and the municipality to use school premises for their own cultural and language activities. They indicated that they could cover transport, where needed, and find certified private teachers for teaching native languages to their children; however, they requested support from the state authorities to cover teachers' fees.

185. Having in mind that the Cypriot Maronite Arabic is only taught in primary education, the Advisory Committee considers that further steps should be taken to gradually extend the teaching of the CMA to other educational levels.

186. Considering efforts already deployed by the authorities to support the learning of Armenian in preschool, primary and lower secondary education, the Advisory Committee regrets that Armenian students can no longer do so as of the upper secondary level.

187. The Advisory Committee urges the authorities to support the teaching of Armenian at upper secondary level and to consider creating a department for the Armenian language at university.

188. The Advisory Committee encourages the authorities to gradually extend the teaching of the Cypriot Maronite Arabic language beyond primary education.

### Effective participation in public affairs and decision-making processes (Article 15)

189. Each of the three religious groups has an elected representative in the House of the Representatives.<sup>178</sup> The representatives of Armenians, Latins and Maronites are observers in the Parliament. They cannot take the floor except when matters relevant to their communities are discussed and do not have the power to vote.

190. The Advisory Committee observes that there is a continuous dialogue between representatives of the three religious groups in the House of Representatives and ministries and services involved in policy making and the implementation of measures affecting the Armenians, Latins and Maronites, in particular the Ministry of the Interior, the Ministry of Education, Culture, Sports and Youth and the Office of the Presidential Commissioner.

191. The Advisory Committee, however, heard complaints from representatives of religious groups and/or members of these communities that the area of intervention of these representatives in the House of Representatives is often limited, whilst they should have the possibility to express the views of the religious groups on all matters.

192. The Advisory Committee heard, in particular from the Armenian community, about the need for recruiting more representatives of the religious groups in the civil service, municipalities and semi-government bodies, as well as the need to have a fair proportion of members of these religious groups in the boards of government-owned companies.

193. Furthermore, during the visit, both the municipality of Limassol and representatives of various 'migrant' communities represented in the Limassol Intercultural Council indicated the need to have a special interlocutor

<sup>177</sup> To this end, relevant material was gathered and compiled, such as all the verbs and all the nouns and adjectives found in previous works on CMA, as well as conjugation tables for 25 verbs.

<sup>178</sup> Article 109 of the [Constitution](#) of the Republic of Cyprus states: "Each religious group which under the provisions of paragraph 3 of Article 2 has opted to belong to one of the Communities shall have the right to be represented, by elected member or members of such group, in the Communal Chamber of the Community to which such group has opted to belong as shall be provided by a relevant communal law." After the Greek Communal Chamber was dissolved in 1965 a law (Law 58/70) was enacted by which the three religious groups were granted a seat in parliament each, over and above the seats for Greek Cypriots and Turkish Cypriots provided in the Constitution.

within the government who could relay their needs throughout the governmental structures.<sup>179</sup>

194. The Advisory Committee recalls that “[i]t is essential that the legal status, role, duties, membership and institutional position of consultative bodies be clearly defined. This includes the scope of consultation, structures, rules governing appointment of their members and working methods”.<sup>180</sup> It also recalls that appropriate attention should be paid to the inclusiveness and representativeness of consultative bodies. This “implies, *inter alia*, that where there are mixed bodies, the proportion between minority representatives and officials should not result in the latter dominating the work”.<sup>181</sup> “Adequate resources should be made available to support the effective functioning of consultative mechanisms.”<sup>182</sup>

195. The Advisory Committee calls on the authorities to consider the establishment of a state institution, with a clear mandate, visibility and sufficient resources, to liaise with relevant entities and address effectively the needs of national minorities, Roma communities, as well as other groups not recognised under the constitution.

196. The Advisory Committee calls on the authorities to extend the possibility to intervene on all issues to the representatives of the three religious groups in the House of Representatives.

#### Effective participation in socio-economic life (Article 15)

197. The Advisory Committee was informed that the Social Welfare Services promoted the establishment of the Cyprus National Roma Platform,<sup>183</sup> which ran from May 2016 to May 2017. During that time frame, four working meetings with general and more targeted themes were organised with the participation of representatives of public authorities,<sup>184</sup> local authorities, independent authorities, such as the Ombudsperson and the Commissioner for the Protection of Children’s Rights, academics involved with equality and/or discrimination and representatives of Cypriot Roma and their only NGO, CypRom.<sup>185</sup>

198. Whilst representatives of the Social Welfare Services met during the visit were pleased to have achieved a combination of different age groups and gender balance

among Gurbeti Roma participants, they regretted a low attendance and participation in the meetings. This low attendance was also confirmed by the president of CypRom who, however, considered that this was already a considerable achievement considering the longstanding isolation in which Gurbeti Roma have been living so far.

199. During the visit, access to employment and cuts in their social benefits were identified by Gurbeti Roma interlocutors of the Advisory Committee as problematic areas. They claimed that most of the time they are refused a job by private employers who are the only ones required to justify to the labour offices the reasons for the refusal (e.g. “not suitable”; “not interested”).

200. Furthermore, the Advisory Committee visited a bi-communal Multiservice Centre in Limassol, mostly used by Gurbeti Roma, which provides, with the support of the Ministry of Labour, Welfare and Social Insurance, counselling and support services<sup>186</sup> to families, youth, children and the elderly from the Turkish-speaking residents in the St. Anthony area of Limassol free of charge.

201. The Advisory Committee recalls that “[i]n order to promote effective integration of persons belonging to disadvantaged minority groups in socio-economic life, comprehensive and long-term strategies should be designed and implemented. ... Adequate resources need to be provided in a timely manner at all levels of operation, especially locally. Furthermore, the implementation of such policies should be carefully monitored, and their impact evaluated, in close co-operation with representatives of the minorities concerned, with a view to adapting and strengthening them over time”.<sup>187</sup>

202. The Advisory Committee notes the efforts of the Social Welfare Services in reaching members of the Gurbeti Roma during meetings of the National Roma Platform and in involving them in discussions on issues affecting them. Despite the low attendance of Gurbeti Roma at these past meetings, the Advisory Committee strongly encourages the authorities to pursue this type of consultation, including via field visits to the Gurbeti Roma families living in the town of Limassol and Polemidia municipality in Limassol district.

<sup>179</sup> The need for such an interlocutor at governmental level was also a specific request from the Chief Rabbi of the Jewish community who reported that the absence of a single interlocutor created unnecessary delays in solving very practical issues for this community, such as the provision of kosher food (currently imported from abroad), slaughtering, autopsies and cemeteries. The Advisory Committee notes in that respect that the Armenian, Maronite and Latin religious groups have their own cemeteries.

<sup>180</sup> ACFC [Thematic Commentary No. 2](#), The effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, adopted on 27 February 2008, para. 116.

<sup>181</sup> ACFC [Thematic Commentary No. 2](#), para. 109.

<sup>182</sup> *Ibid.*, para. 119; see also paras. 138-139.

<sup>183</sup> The Cyprus National Roma Platform (NRP) was financially supported by the EU through the Rights, Equality and Citizenship Programme (2014-2020). The platform’s objectives were to create a forum for disseminating information and enhancing knowledge to facilitate consultation on Roma issues, promote dialogue, mutual learning and exchange of information and good practices building on a climate of co-operation and transparency.

<sup>184</sup> Including the Ministry of the Interior, the Ministry of Health, the Ministry of Education, Culture, Sports and Youth, the Department of Labour and the Welfare Administration Benefits Service.

<sup>185</sup> CypRom is a non-governmental organisation registered on 14 July 2017 and headed by Prof. Chryso Pelekani. Its aim is to improve the situation of Gurbeti Roma in Cyprus in the following four domains: education, welfare, housing and employment.

<sup>186</sup> This includes the assistance of a social worker and a psychologist, Greek lessons for women and teenagers, sewing, cooking and financial management lessons for women, hairdressing lessons for teenagers, computer lessons for girls who dropped out from school, parenting and combating domestic violence workshops, as well as networking with local businesses to help find employment.

<sup>187</sup> [ACFC Thematic Commentary No. 2](#), para. 49.

203. The Advisory Committee regrets that the only outcomes of the Cyprus National Roma Platform reported by the authorities were a press conference in order to inform the wider public of this initiative and the acquisition of the services of an expert on Roma issues who acted as a professional facilitator during the meetings. The Advisory Committee is deeply concerned that despite four meetings organised by the Social Welfare Services, nothing concrete emerged from this initiative and that no policies or measures were either identified or proposed as a follow-up.

204. The Advisory Committee underlines that the governmental policy to cut social benefits aimed at encouraging unemployed persons to actively look for a job cannot be successful in the case of Gurbeti Roma adults who are illiterate, do not speak Greek, have often health problems or need to take care of family members on long-term sickness. Therefore, the cuts in their social benefits put these persons in tremendous difficulties.

205. The Advisory Committee considers that authorities should evaluate carefully the impact of budgetary cuts to ensure that they do not disproportionately affect members of certain minority, religious or ethnic groups; if so, this could amount to indirect discrimination.

206. Whilst welcoming authorities' investment in developing two housing projects under a 2003-2005 governmental programme,<sup>188</sup> the Advisory Committee regrets that no better rehousing solutions could be found over the last monitoring period to improve the living conditions of members of the Gurbeti Roma who still live in prefabricated houses in the Polemidia municipality located in Limassol district, as well as in Paphos. The Advisory Committee stresses that poor housing conditions have negative consequences on socio-economic life.

207. Whilst welcoming a recent initiative to develop music classes with the help of private donors, the Advisory Committee took note that due to a reduction of financial assistance from the authorities, the bi-communal Multiservice Centre in Limassol, had to reduce its action and is prevented from developing additional services and activities to, *inter alia* improve the employability of young Gurbeti Roma and prevent delinquency. In addition, the Advisory Committee is concerned that the work of this Multiservice Centre relies too heavily on volunteers.

208. The Advisory Committee urges the authorities to develop, in close consultation with Roma representatives, organisations and other relevant civil society actors, a detailed action plan for the social inclusion of Roma and their overall participation in socio-economic life, with clear indicators, timetables, distribution of tasks and budgetary allocations, with a view to improving in particular their living

and housing conditions and developing tailor-made training programmes to promote the employment of Roma.

209. The Advisory Committee calls on the authorities to increase financial and human resources allocated to the bi-communal Multiservice Centre in Limassol which supports Gurbeti Roma families and to carefully evaluate the impact of budgetary cuts for persons belonging to this community.

### Bilateral and multilateral co-operation (Articles 17 and 18)

210. The Advisory Committee was informed that an Agreement between the Government of the Republic of Cyprus and the Government of the Republic of Armenia on mutual academic recognition of higher education qualifications for the access and continuation of studies to higher education institutions of the two countries was signed on 15 March 2016. Moreover, the Ministry of Education, Culture, Sports and Youth of the Republic of Cyprus and the Ministry of Education and Science of the Republic of Armenia signed a Business Co-operation Programme in the fields of education and science for the years 2016-2020.

211. In addition, the representative from the Maronite religious group in the House of Representatives informed the Advisory Committee that the Agios Maronas Primary School has developed co-operation with a school in Lebanon, the *Collège Notre Dame des Soeurs Antonines* in Hazmieth, aiming to strengthen relationships, increase knowledge about each other's culture and exchange good practices and ideas.<sup>189</sup> A group of students from Lebanon visited the governmental summer camp in Cyprus in June 2018 after arrangements made by the Ministry of Education, Culture, Sports and Youth and the Agios Maronas Primary school and in May 2019 a group of Cypriot students visited Lebanon, at their own expense, hosted by Lebanese families.

212. The Nareg Armenian School further collaborated with the Armenian Evangelical School in Lebanon.<sup>190</sup> Moreover, in January 2017 an educator from Lebanon provided training for teachers working in the Nareg Schools.

213. In April 2018, the Embassy of Italy supported the Cyprus Church Organ Festival in collaboration with the Custody of the Holy Land – Latin Catholic Church of Cyprus under the patronage of the Representative of the Latins in the House of Representatives.

214. The Advisory Committee welcomes these examples of bilateral co-operation that respond to the needs of the Armenian, Latin, and Maronite religious groups, in a spirit of good neighbourliness, friendly relations and co-operation between states.

<sup>188</sup> In the document [Policy Measures of Cyprus for the Social Inclusion of Roma](#) published on the [website of the European Commission](#), the Cypriot authorities indicated the creation of two housing projects for Cypriot Gypsies, one in Limassol and the other in Paphos, consisting of 18 and 24 prefabricated housing units respectively. The housing units are equipped with all basic amenities such as drinking water and electricity supply, solar water heaters, telephone line installation, sewage system, etc. They also indicated repairs of 20 Turkish-Cypriots' houses inhabited by Gurbeti Roma in Limassol.

<sup>189</sup> The initial project began in 2013 and was titled 'From the cedar of Lebanon to the cedar of Cyprus'. Actions are planned to take place during the school subjects of English, religious education, music and art. Students regularly exchange via emails and Skype and have developed a dictionary with common words in Cypriot Maronite Arabic (CMA) and Arabic, as well as a CD with common songs.

<sup>190</sup> During the school year 2017-2018, 15 students, the school principal and two teachers from the Armenian Evangelical School in Lebanon visited Cyprus and took attended a joint programme of Armenian dance classes with children from the Nareg School. The students performed during the annual Sports Day to the Armenian public.

215. The Advisory Committee encourages the authorities to pursue bilateral contacts with Armenia and Lebanon aimed at supporting the Armenian and Maronite communities.

216. The Advisory Committee invites the authorities to develop bilateral and multilateral co-operation with other states in the field of Roma policy implementation, involving members of the Cypriot Roma communities, so as to increase exchanges at the community and authority level.

The Advisory Committee on the Framework Convention for the Protection of National Minorities is an independent body that assists the Committee of Ministers of the Council of Europe in evaluating the adequacy of the measures taken by the parties to the Framework Convention to give effect to the principles set out therein.

The Framework Convention for the Protection of National Minorities, adopted by the Committee of Ministers of the Council of Europe on 10 November 1994 and entered into force on 1 February 1998, sets out principles to be respected, as well as goals to be achieved by the states, in order to ensure the protection of national minorities. The text of the Framework Convention is available in English and French, as well as in Armenian, Greek and Turkish among other languages.

This opinion contains the evaluation of the Advisory Committee following its fifth country visit to Cyprus.

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