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## **ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES**

### **Fourth Opinion on Cyprus adopted on 18 March 2015**

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#### EXECUTIVE SUMMARY

Cypriot society is still recovering from the 2012-2013 economic crisis and the ensuing budget cuts. The resulting widespread loss of employment and reductions in available social and cultural aid programmes have affected the whole of society, including persons belonging to minority communities. Despite the limited resources, support for the preservation of minority identities continues to be provided, predominantly in the education sphere. Armenian, Maronite and Latin representatives maintain a generally close and constructive dialogue with relevant government entities, which includes access to senior level. Roma remain socially and economically marginalised and few efforts have been made to engage directly with representatives in order to promote their equality and access to rights in a more comprehensive manner. Although a general climate of tolerance prevails, inter-ethnic relations have been affected by the economic situation and remain dependent on the status of the settlement negotiations.

**Recommendations for immediate action**

- **ensure the enjoyment of the right to free self-identification, including in respect of multiple affiliations, in all data collection exercises as well as in the broader public debate as a means to overcome ethnic divisions in daily life and to facilitate the formation of an open, multilingual and inclusive society;**
- **raise awareness of applicable human rights norms and antidiscrimination standards amongst the police force and the judiciary and ensure that all cases of police misconduct are adequately and promptly followed-up;**
- **enhance the available support for the promotion of minority languages and identities as an integral part of modern Cypriot society rather than primarily as elements of cultural heritage and ensure that the views and concerns of all minority communities, including the Roma, are adequately established through dialogue and taken into account in all relevant decision-making.**

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## I. KEY FINDINGS

### Monitoring process

1. This fourth cycle Opinion on the implementation of 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 fourth [State Report](#) submitted by the authorities on 29 April 2014, other written sources and on information obtained by the Advisory Committee from governmental and non-governmental sources during its visit to Nicosia and Limassol from 15 to 17 December 2014. As in previous cycles, the Advisory Committee has focused its assessment on the actions taken by the Cypriot authorities to implement the Framework Convention in the territory under their effective control, while fully aware that the lack in progress towards settlement of the situation continues to affect government policy related to minority protection.

2. The Advisory Committee welcomes the authorities' overall constructive and cooperative approach towards the monitoring process, the swift publication of the third cycle Opinion and the timely submission of the fourth state report which reportedly reflected most comments provided by minority representatives. The Advisory Committee further expresses its gratitude for the support and assistance received during the visit.

### General overview of the present situation

3. Cypriot society overall is still recovering from the 2012-2013 economic crisis and the ensuing budget cuts. The resulting widespread loss of employment and reductions in available social aid programmes have affected the whole of society, including persons belonging to minority communities. Despite the limited resources, which are well understood by representatives of these communities, support for the preservation of minority identities continues to be provided, predominantly in the education sphere. Armenian, Maronite and Latin representatives maintain a generally close and constructive dialogue with relevant government entities, which includes access to senior level. Roma remain socially and economically marginalised and few efforts have been made to engage directly with representatives in order to promote their equality and access to rights in a more comprehensive manner.

4. Although a general climate of tolerance prevails in Cyprus, the economic situation is reported to have negatively affected inter-ethnic relations, particularly as some political parties have sought to gain votes through the accentuation of ethnic divisions. In addition, inter-ethnic relations remain dependent on the status of the settlement negotiations. Amid a lack of progress in this regard, the fixation on the bi-communal set-up established in the 1960 Constitution and the rigid classification of all citizens into members of either the Greek-Cypriot or the Turkish-Cypriot community continues to create a sense of inequality in society. This hampers the formation of genuine cohesion, in particular given the fact that a number of constitutional provisions and rights remain *de facto* non-applicable to Turkish Cypriots, a community which, according to the bi-communal classification, includes the Roma. The joint initiative of the religious leaders of Cyprus to emphasise the constructive role of interreligious communication for fostering understanding and overcoming mistrust between the different groups is thriving, and there are encouraging initiatives in civil society towards reconciliation and dialogue that promote the capacity amongst the communities to overcome the existing divides.

### **Assessment of measures taken to implement the recommendations for immediate action from the third cycle**

5. The right to free self-identification was not effectively implemented during the 2011 census. The question related to “ethnic/religious group” of citizens could be responded to only by choosing from a closed list of five possible answers, without the possibility of affiliating as Roma or of indicating multiple affiliations. While the legislative framework is generally considered in line with the EC Equality Directives, awareness of the applicable rights and procedures reportedly remains limited among society and the legal profession alike, with very few cases in courts invoking current antidiscrimination standards. While some efforts have been made, in particular by the Ombudsman Office, to raise capacity among the police force to effectively sanction and combat all forms of discrimination and intolerance, misconduct and abuse by law enforcement officials continues to be reported and trust in the police is low, in particular among communities most exposed to discriminatory attitudes. In the absence of a comprehensive integration strategy, an Action Plan for the integration of legally residing immigrants was developed for the period 2010-2012, including measures to promote Greek language skills among third country nationals and to facilitate access to health and education services as well as the labour market. Considerable efforts have been made by the Ministry of Education and the Pedagogical Institute to adequately respond to the educational needs existing within minority communities and support continues to be provided to enable learning in and of minority languages for the Armenians and Maronites.

### **Assessment of measures taken to implement the further recommendations from the third cycle**

6. Continued efforts are made, despite severe economic conditions, to provide public support to the preservation and development of the cultures of the Armenians, Latins and Maronites. Nevertheless, the groups still lack cultural centres that would enable them to organize cultural events targeting all age groups, and to raise awareness of their distinct identity amongst wider Cypriot society. An Action Plan has been adopted for the revitalization and promotion of Cypriot Maronite Arabic (CMA) as a minority language of Cyprus, which is highly appreciated by the community. While there is great benefit in preserving this language as distinct cultural heritage, it remains important to ensure that the interests of the speakers in revitalizing its use as crucial element of Maronite identity in contemporary Cypriot society, are equally taken into account, and that increased support is provided to the learning of CMA as a living language at schools. Legislative amendments intended to increase the role of the representatives of the Armenian, Maronite and Latin communities in decision-making, have reportedly had a positive impact mainly on the appointment procedure for the school boards at community schools. The Commissioner to the Presidency for Humanitarian Affairs and Overseas Cypriots functions since 2013 as Advisor to the President on issues pertaining to the religious groups, which is appreciated by both sides as open and constructive consultation platform on relevant issues of concern.

7. While no structured dialogue with Roma representatives has been developed and no comprehensive efforts have been made to obtain more information on their specific background and access to rights, assistance continues to be provided through the allocation of housing and other services, and Roma children are largely integrated into the school system. The institutional capacity of the Ombudsman Office remains inadequate to the increasing range of its tasks. Amid a reported deterioration in the general climate of solidarity and respect for diversity in society,

efforts by the authorities to promote mutual respect and inter-cultural understanding in particular through adequate measures in the media and education fields remain insufficient.

## II. ARTICLE-BY-ARTICLE FINDINGS

### Article 3 of the Framework Convention

#### Personal scope of application

##### *Present situation*

8. There has been no change with regard to the personal scope of application of the Framework Convention. As specified in the State Report, its protection extends to citizens of the Republic of Cyprus belonging to the Armenian, Latin and Maronite minorities as well as to Roma. Constitutionally, the Armenians, Latins and Maronites continue to be considered as members of “religious groups” who form part of the Greek Cypriot majority community, given that they opted in 1960 to affiliate with the Greek Cypriot community<sup>1</sup> (see further below). The Advisory Committee notes, however, that the terminology used does not at present appear to pose a serious cause for concern to the representatives themselves, who are – in common language – quite regularly referred to as “minorities”.<sup>2</sup> In addition, Roma are considered a minority group to whom the protection of the Framework Convention applies. The Advisory Committee is not aware of any other group of persons wishing to be protected under the Framework Convention. While the practical impact of limiting the scope of application to citizens may be small, the Advisory Committee reiterates its general viewpoint that such restriction may have a 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.

9. The Framework Convention was conceived as a flexible instrument to be applicable in diverse social, cultural and economic contexts, and in evolving situations. Its application to a specific group therefore does not require the latter’s formal recognition as a “national minority”, nor a specific legal status for such a group of persons. Consequently, the Advisory Committee considers access to minority rights more important than questions related to the status of a group as a “religious group” or “national minority”, and welcomes the overall pragmatic approach applied by the authorities which on the whole facilitates access to rights contained in the Framework Convention of persons belonging to the various minorities living in Cyprus.

##### *Recommendation*

10. The Advisory Committee encourages the authorities to maintain their pragmatic approach to ensure access to rights contained in the Framework Convention to the recognised minority groups, while pursuing flexibility and openness towards any possible other groups, including non-citizens where appropriate, that may wish to claim protection under the Framework Convention in the future.

#### Right to free self-identification

##### *Present situation*

11. The 1960 Constitution of the Republic of Cyprus is based on a bi-communal system, carefully elaborated to distribute political powers among the Greek Cypriot and Turkish Cypriot

<sup>1</sup> According to Article 2(3) of the Constitution, citizens of the Republic who were neither Greek Orthodox nor Moslems had three months to opt to belong to either the Greek or the Turkish Community, upon which they were “deemed to be members of such Community”.

<sup>2</sup> While indicating that they would prefer eventually to be recognised officially as “national minorities”, representatives expressed their understanding for the lack of progress given that this may require a constitutional amendment.

communities. As a result, all citizens of Cyprus must belong to either of the two communities in order to exercise their civil duties and enjoy their political rights, such as the right to vote. While representatives of the Maronite, Latin and Armenian minorities opted in 1960 to affiliate with the Greek Cypriot community (see above comments), the Advisory Committee is not aware that persons belonging to the Roma minority were presented with a choice. They have generally been considered as Turkish Cypriots, as most of them are Turkish-speaking and considered to be Muslims.<sup>3</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.<sup>4</sup>

12. The Advisory Committee acknowledges the very complex constitutional set-up which resonates into all spheres of the Cypriot legal order. It reiterates its concern, however, that the strict division of Cypriot society along ethnic lines continues to interfere with the right of individuals to freely self-identify, one of the main principles of minority protection contained in Article 3 of the Framework Convention. The questionnaire used in the context of the 2011 population and housing census, for instance, contained a question to Cypriot citizens related to “ethnic/religious group” where the head of household had to choose from a closed list of five possible responses, Greek Cypriot, Armenian, Maronite, Latin, or Turkish Cypriot.<sup>5</sup> The Advisory Committee deeply regrets that there was no possibility to indicate affiliation as Roma,<sup>6</sup> nor was it possible to respond “other” or “do not wish to respond”, or to opt for multiple affiliations despite the fact that these are very commonly found in contemporary society as a result of mixed marriages, for instance. According to international standards, questions on ethnic origin should be non-mandatory (i.e. questions should include the possibility for respondents to answer “none”) and possibilities for the indication of multiple affiliations should be included.<sup>7</sup> The possibility to indicate multiple responses to questions related to languages used in daily communications should equally be provided.<sup>8</sup>

13. The Advisory Committee finds that the continued fixation on classifying 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, contradicts the existing diversity in Cypriot society and, moreover, appears to create practical difficulties. Given the closed list of possible affiliations offered to citizens in the census and, according to

<sup>3</sup> According to Article 2 (2) of the Constitution, 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. Some Roma were included in the Greek Cypriot community, however, as they were Christians and spoke Greek. Today, most of them are assimilated in the region of Larnaca. 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 2008.

<sup>4</sup> See Article 2(4) of the Constitution.

<sup>5</sup> Out of a total of 667 398, the following responses were provided: Greek Cypriot (659 115), Turkish Cypriot (1 128), Maronite (3 656), Armenian (1 831), Latin (208) and not stated (1 460). Another question, open to citizens and non-citizens alike, inquired into the respondent’s religion, offering a total of seven possible responses: Christian Orthodox (748 610 respondents), Armenian Church (2 453), Maronite Church (3 800), Roman Catholic (24 460), Moslem (15 279), Anglican/Protestant Church (16 974) and “Other/specify” (28 831, of which 14 738 indicated no religion or did not respond). According to the results, the total population of Cyprus counts 840 407 of which 79.4% are Cypriot citizens. The majority of the 20.3% of non-Cypriots are EU citizens, mainly from Greece and the UK.

<sup>6</sup> The authorities indicated in October 2010 that more information regarding the Cyprus Roma would be available upon completion of the 2011 census. See Comments of the Government of Cyprus on the 3<sup>rd</sup> Opinion of the ACFC, 8 October 2010, page 7.

<sup>7</sup> See for more background Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing, prepared in co-operation with the Statistical Office of the European Communities (EUROSTAT) and the United Nations Economic Commission for Europe, United Nations, New York, and Geneva, 2006, paragraph 426: “respondents should be free to indicate more than one ethnic affiliation or a combination of ethnic affiliations if they wish so”.

<sup>8</sup> See also European Charter for Regional or Minority Languages, Fourth Report on Cyprus, January 2014, para. 10.

government officials also in the course of other regular statistical surveys, the Advisory Committee is concerned that the small amount of existing data related to Roma is gathered based on attributed identification rather than personal choice, and emphasises that the association of persons with a specific group based on visible or linguistic characteristics or on presumption is not compatible with the Framework Convention.<sup>9</sup> This is in particular so as the classification of Roma as Turkish Cypriots has practical implications on the ability to access and enjoy a number of rights (see comments on Articles 4, 12, and 15).

14. While reiterating its acknowledgment of the specific constitutional set-up of the Republic of Cyprus, the Advisory Committee further notes that the Constitution appears not always to be applied consistently. It refers in particular to the range of provisions concerning the communal rights of Turkish Cypriots that were suspended following the formulation of the “doctrine of necessity” in a 1964 Supreme Court case.<sup>10</sup> The Advisory Committee fears that the continued division of society along ethnic lines may encourage ethno-centric sentiments that are not conducive to the formation of a cohesive society in line with the principles and values of the Framework Convention (see further comments on Article 6). Given the high level of heterogeneity in Cypriot society, both traditionally and owing to immigration in recent decades, the Advisory Committee considers that respect for the right to free self-identification of all members of Cypriot society, with their diverse ethnic, linguistic, religious and other backgrounds and including multiple affiliations, may not only allow for a more fact-based assessment 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 citizens of the Republic of Cyprus irrespective of their background.

#### *Recommendation*

15. The Advisory Committee urges the authorities to ensure that the right to free self-identification is respected in all data collection exercises and to ensure that relevant state officials and minority representatives themselves are made aware of this right, particularly where the identification is used as basis for the application of some minority rights.

### **Article 4 of the Framework Convention**

#### **Legal and institutional framework against discrimination**

##### *Present situation*

16. Following adoption of relevant transposition laws in 2004 as well as amendments to the Constitution in 2006 which render EU law directly applicable,<sup>11</sup> the legislative framework in Cyprus is generally considered in line with the EC Equality Directives. No comprehensive

<sup>9</sup> See also ACFC Third Commentary on Language Rights, para. 17.

<sup>10</sup> The Supreme Court found that ensuring the existence of the state is a vital interest that will prevail over the faithful application of the Constitution when the circumstances have so irrevocably changed that the Constitution can no longer respond, *Ibrahim Mustafa and others v Attorney General of the Republic of Cyprus*, 1964, 1 CLR 195. The doctrine was extended in 1974 to cover also measures adopted to address the situation created by the Turkish military operations in northern Cyprus, affecting among others the use of the Turkish language, the property rights of Turkish Cypriots, as well as their right to vote. The latter was addressed by the European Court of Human Rights in the case of *Aziz v. Cyprus* (application No. 69949/01 of 22 September 2004, finding that, although rights may be subject to limitations depending on the country’s special situation, such limitations must be such so as “not to curtail the rights in question to such an extent as to impair their very essence”). Following this judgment, the right to vote was granted to Turkish Cypriots residing in the territory under the control of the Republic of Cyprus for six months or more.

<sup>11</sup> The Cypriot Constitution was amended in July 2006 to give supremacy to EU laws. Since 1989 it has been amended altogether seven times.

review of the domestic legal framework to ensure compliance with the Directives or other relevant international norms, such as those contained in the Convention on the Elimination of all Forms of Racial Discrimination, has been conducted, however, nor have discriminatory laws or provisions been repealed.<sup>12</sup> As awareness of the applicable rights and procedures remains limited among society and the legal profession alike, only very few cases invoke the new provisions and national Courts reportedly continue to consider allegations of discriminatory treatment according to their compatibility with the pre-existing provisions of the Constitution rather than with the now directly applicable EU and international antidiscrimination standards.<sup>13</sup> Against this background, the Advisory Committee regrets that very few steps have reportedly been taken by the authorities in recent years to raise awareness of the applicable antidiscrimination provisions among society and in particular among the judiciary and law enforcement. According to interlocutors of the Advisory Committee, most awareness raising initiatives that have taken place are conducted by civil society organisations as well as by the Ombudsman Office, with funding stemming almost exclusively from the European Commission.

17. The Ombudsman Office continues to play an active role as both the Antidiscrimination Authority and Equality Body. While the Office enjoys trust among society and is regularly turned to, there appears to be continued confusion as to the various functions it fulfills and the remit of its responsibilities related to discrimination issues.<sup>14</sup> The number of complaints received by the Equality Body and the Antidiscrimination Authority raising discrimination based on ethnic or racial grounds remains low compared with the existing reports of such attitudes displayed in the private and public sectors.<sup>15</sup> In addition to the low awareness of the legal remedies available to possible victims of discrimination, the inhibitive cost of litigation and length of proceedings once lodged remain of deep concern to the Advisory Committee as they deter victims from lodging complaints.<sup>16</sup> According to civil society representatives engaged in the defence and representation of victims of discrimination, persons belonging to disadvantaged groups who are most exposed to discriminatory treatment, such as the Roma, only very rarely report incidents, as they are often unaware of their rights and the redress mechanisms available to them, lack the necessary financial means, and lack the confidence that taking action may result in a positive outcome for them. The Advisory Committee welcomes in this context the proactive approach taken by the Ombudsman Office in identifying systemic problems and initiating inquiries into possible areas of concern rather than waiting for individual complaints to be lodged.<sup>17</sup> An investigation lodged by the Equality Body into the education situation of Roma children, for instance, resulted in a report in 2011 criticising the non-inclusive approach of the educational system (see further comments on Article 12).

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<sup>12</sup> See also the Concluding observations of the Committee on the Elimination of all Forms of Racial Discrimination on Cyprus of 23 September 2013, CERD/C/CYP/CO/17-22, mentioning, for instance, the Tenant Law.

<sup>13</sup> See Report on Measures to Combat Discrimination, Country Report 2013 on Cyprus, Corina Demetriou. The Advisory Committee was informed that courts had been instructed in September 2014 to start gathering statistics of cases involving allegations of discrimination or racial motivation.

<sup>14</sup> Out of a total of some 2600 complaints received in 2014, for instance, only 77 addressed the Antidiscrimination Authority and only 62 the Equality Body.

<sup>15</sup> In 2013, 87 out of a combined total of 151 cases received by the Antidiscrimination Authority and the Equality Body raised national or racial origin as ground of discrimination. See European network of legal experts in the non-discrimination field, p.211.

<sup>16</sup> Legal aid is provided only in cases alleging offences that are punishable with imprisonment over one year, which excludes offences under the antidiscrimination provisions for which the penalty is a maximum of six months. While the Supreme Court found this provision unconstitutional in 2008, the law has reportedly not been amended.

<sup>17</sup> The Antidiscrimination Authority, for instance, has received a decreasing number of complaints in recent years. Out 134 complaints in 2011, 14 concerned discrimination on ethnic grounds. There were 125 complaints in 2012 (with 13 concerning discrimination on grounds of ethnic origin); 88 in 2013 (12) and 73 in 2014 (10). All figures received from the Ombudsman Office.

18. The Advisory Committee deeply regrets the fact that the Ombudsman Office continues to be severely under-resourced. While appreciating the delicate economic situation and the austerity measures that the government has had to apply, it notes that the budget for the Office has remained unchanged since 2009, while its functions have since multiplied significantly. In addition to his responsibilities as Equality Body and Antidiscrimination Authority, the Ombudsman Office was also appointed as National Mechanism for the Prevention of Torture (in 2009), as National Human Rights Institution (in 2011), as Independent Authority for the Rights of the Disabled (in 2011) and as monitoring body for the return of irregular migrants (in 2013), without these extensions of the mandate being accompanied with any increase of staff or budget. This lack of resources (the Office has less than 30 staff) has resulted in significant delays in the examination of complaints which, according to civil society representatives, has a negative effect on the ability of complainants to obtain an effective remedy, such as in a subsequent court proceeding where the statute of limitation may have elapsed. In addition, the Ombudsman continues to be appointed by the President of the Republic and is not allowed to recruit its staff independently, which likely will result in the National Human Rights Institution not being accorded ‘A status’ according to the Paris Principles.<sup>18</sup> The Advisory Committee considers that the continued lack of adequate resources raises serious concerns regarding the ability of the institution to effectively and independently perform its important tasks.

#### *Recommendations*

19. The Advisory Committee strongly recommends that the authorities raise awareness amongst relevant officials as well as in broader society of the applicable antidiscrimination standards, including as regards multiple forms of discrimination, in close coordination with relevant civil society organisations. Efforts must target in particular those groups that are known to be most exposed to discrimination, including by making information material available in languages most spoken by these groups.

20. It also calls on the authorities to enhance their financial and political support to the Ombudsman Office and to demonstrate the importance accorded by the government to the multiple functions of the Office by granting full independence and an adequate budget.

### **Measures to promote full and effective equality and equality data**

#### *Present situation*

21. Safeguards contained in the bi-communal system of the Constitution in order to ensure that no discrimination shall result from a person’s affiliation with one of the two communities were effectively suspended in line with the “doctrine of necessity” (see comments on Article 3). Consequently, Turkish Cypriots, including Roma who are affiliated with this community, continue to be affected by the resulting restrictions on access to a variety of rights.<sup>19</sup> This reportedly creates a situation of structural inequality and exclusion that is exacerbated by the

<sup>18</sup> An application to the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights was submitted in December 2014.

<sup>19</sup> The Advisory Committee takes note of the view expressed by the authorities in their comments made to the ACFC Third Opinion on Cyprus and in the fourth state report that Turkish Cypriots are not a national minority within the context of the Framework Convention and, as citizens of the Republic, enjoy full and equal access to all rights. It wishes to point out that it is fully aware of the fact that Turkish Cypriots do not have the status of a national minority under the Framework Convention. While all members of society are expressly addressed in Article 6 of the Framework Convention (see below), it refers here to the *de facto* restrictions on the access to rights of Roma, who are considered as Turkish Cypriots, which are reflected in a variety of reports, such as in the recent decision of the Equality Body regarding the obstruction of the right of Turkish Cypriots to marry through undue bureaucratic requirements. See <http://www.non-discrimination.net/content/media/CY-123-Turkish%20Cypriots%20right%20to%20marry.pdf>.

fact that information on the existing restrictions and bureaucratic requirements is usually available only in Greek (see also comments in Articles 10 and 15).<sup>20</sup>

22. The Advisory Committee welcomes the adoption of the “policy measures for the social inclusion of Roma” which were submitted to the European Commission in January 2012, indicating the main measures intended to be taken in the four established priority areas (education, employment, healthcare and housing), as well as the progress report on implementation submitted in December 2013.<sup>21</sup> It reiterates, however, that for effective policies and strategies to be developed, close consultation with representatives of the target group itself must be established and maintained. While welcoming the fact that administrative entities receive Roma families who arrive from areas outside government control and gather information and data in order to adequately respond to their specific needs and concerns, it is unclear to what extent this information is gathered and recorded, in line with international standards, to develop effective policies for their effective equality and integration in Cypriot society jointly with and based on consultation with Roma representatives. Despite the small number of Roma residing in the Republic,<sup>22</sup> the Advisory Committee regrets that there is reportedly still no organisation that would present and channel their views and concerns, or that would engage in raising their rights awareness and enhancing their capacity to pursue these rights and formulate demands towards relevant government agencies (see comments on Article 15).

23. At the same time, the Advisory Committee gained the impression that little effort has been made to engage directly with representatives of the Roma in order to improve their situation. It further understands that, despite the fact that the amendments to the Constitution in 2006 have rendered positive measures compatible with the Constitution, the Advisory Committee understands that a number of courts and legal professionals still view the promotion of the equality of disadvantaged groups as violating the equality principle contained in Article 28 of the Constitution. While some recognition has been expressed by authorities that measures to promote equality can be more effective when designed on the basis of reliable data, there exists to date no comprehensive system of regularly collecting disaggregated data on the access to rights situation of the various groups in society in order to better promote their full and effective equality. The Advisory Committee considers that concerted efforts must be made to obtain an accurate picture of the access to rights situation prevailing among the various groups, including disaggregated data related to age and sex, in order to develop targeted policies to promote the full and effective equality of the respective groups, in close coordination with representatives.

#### *Recommendations*

24. The Advisory Committee calls on the authorities to reach out actively to representatives of disadvantaged groups in society, in particular the Roma, to ensure that their views and concerns are directly taken into account in the development of any strategies or policies aimed at promoting their full and effective equality.

25. The Advisory Committee calls on the authorities systematically to gather disaggregated equality data, in line with international standards, to ensure that all policy measures related to the promotion of equality are based on sound data. In addition, awareness must be raised of the

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<sup>20</sup> See among others ECRI fourth monitoring cycle para. 134.

<sup>21</sup> See State Report, paragraphs 34 and 37.

<sup>22</sup> According to information received in Nicosia and Limassol during the visit, 83 families (335 persons) live in Limassol and 73 families reside in the Paphos district.

role and explicit legality of positive measures to overcome structural inequalities and promote equality more effectively.

## **Article 5 of the Framework Convention**

### **Support for the preservation and development of national minority identities and cultures**

#### *Present situation*

26. The Advisory Committee welcomes the continued support provided by the authorities, mainly through the Ministry of Interior and the Ministry of Education and Culture, to some of the cultural projects organised by the various minority groups (see also under Article 9).<sup>23</sup> It notes, however, that the economic situation has led to a further decrease in the already limited budgets. The difficult climate is also acknowledged amongst the minority communities and there is considerable self-financing by the representatives to maintain at least some of their activities, such as the publication of print material and the maintenance of a website to provide updated information to members of the Maronite community, including those residing outside the government-controlled area. The Advisory Committee considers that given the fact that the various groups had only limited support even prior to the crisis the additional cuts may be affecting them disproportionately. In addition, it appears that no methods have been introduced to enhance the transparency and predictability of allocations to ensure that representatives have an effective opportunity to plan and prioritise their activities according to their own decisions.

27. According to government and minority representatives alike, the main focus in terms of support for the minority cultures and identities is provided in the area of education (see comments on Articles 12 and 14). As a result, the communities maintain contact and gather largely around pre-school or school events.<sup>24</sup> While the Latins, due to their Catholic faith and their close connection to Caritas and other international organisations present in Cyprus, have access to a number of premises to organise cultural or other activities for young adults and adults who have no link to the respective schools, there are no such opportunities for the Armenians and Maronites. The Advisory Committee regrets that no locations for cultural centres have been identified despite the fact that negotiations have been ongoing for years. While a number of options appear to have been discussed, including a possible site that could serve as joint premises for both or all three groups, it understands that the identified location should be centrally located and easily accessible in order to serve its purpose of constituting a well-functioning meeting place for the respective communities, enabling them effectively to preserve and develop their culture, as well as of raising the visibility of the various groups amongst the majority population.

28. While efforts continue among minority communities to raise their level of activity and organise events, including charitable events, which increase their visibility in public life, broader awareness amongst the majority population of the minority communities and their distinct history, culture and traditions continues to be very scarce. The Advisory Committee welcomes in this context the agreement of the Commissioner to the Presidency for Humanitarian Affairs and Overseas Cypriots, who since 2013 also functions as Advisor to the President on issues pertaining to the religious groups, to host an exhibition in the Presidential Palace on the

<sup>23</sup> According to the State Report, the Ministry of Interior provided 7,500 EUR in 2013 to support the publication of printed material and 4,000 EUR were provided for the maintenance of a website entertained by the Armenians.

<sup>24</sup> An Armenian language nursery has been created through private funds as an additional effort to bring the community together, extending to young adults and their infants.

particular cultures, identities and history of the Armenians, Latins and Maronites in Cyprus. It is further pleased to note the publication of three booklets containing information on the cultural identity, history and presence of the Armenians, Latins and Maronites in Cyprus by the Public Information Office in 2012, which, according to representatives, is highly appreciated by members of the communities. In this context it regrets, however, that no efforts have been made vis-à-vis the Roma in Cyprus, whether towards the preservation of their cultural identity or in terms of efforts to raise awareness and respect for their distinct identity and culture amongst society. Given the almost exclusive focus on socio-economic challenges and poverty in the public discourse related to Roma, the Advisory Committee considers it particularly important that positive images of Roma traditions and customs are portrayed to the public and that their specific status as a minority with distinct cultural heritage is not ignored.

29. The Advisory Committee welcomes the continued support by the authorities for the preservation of the cultural identity of the Maronites living in villages outside the Government-controlled area, as well as for the maintenance of contacts of the community throughout the island. It is pleased to note in particular that the summer camp for Maronite children in the traditional village of Kormakitis continues to be organised on a yearly basis. Visits of religious sites located outside the Government-controlled area are also organised, such as the visit of the Armenian Monastery organised in November 2013, and the Advisory Committee notes with interest that the bi-communal Technical Committee operating under the auspices of the United Nations is engaged in conservation and renovation activities of the Maronite Saint George Old Church in Kormakitis.

30. Furthermore, progress continues to be made regarding the preservation of Cypriot Maronite Arabic (CMA) as a minority language of Cyprus. Implementation of the Action Plan for the Revitalisation and Empowerment of CMA has commenced, albeit in a reduced way owing to financial constraints. The Advisory Committee understands that the first phase of the Plan, i.e., the recording of native speakers in order to “store” the language in its original form has been completed at the end of 2014 and efforts are underway to establish writing conventions with the aim of developing teaching material for use in schools (see further comments on Article 14). While the Advisory Committee highly appreciates this important engagement by the University of Cyprus to preserve the distinct cultural and linguistic heritage of the Maronites, it notes the concerns of representatives of the group that efforts are focussed more on the scientific benefits of archiving the language than on the interests of the speakers themselves to revitalise CMA as a crucial element of the Maronite identity in current day Cyprus (see also comments on Article 10). It reiterates in this context that the rights contained in Article 5 of the Framework Convention do not only apply to traditional elements of minority cultures but also to their modern expressions, which must equally be supported to promote their development and evolution in line with the concerns and wishes of representatives.<sup>25</sup>

#### *Recommendations*

31. The Advisory Committee strongly encourages the authorities to increase their support for the cultural activities of minority communities and to ensure that the views and interests of the representatives are effectively taken into account in all planning and decision-making.

32. The Advisory Committee further calls on the authorities to identify without delay and in close consultation with minority representatives suitable premises that can serve as cultural centres for the relevant groups.

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<sup>25</sup> See ACFC Second Thematic Commentary on Effective Participation, para. 66.

33. The Advisory Committee encourages the authorities to reinforce their efforts towards the preservation of CMA while ensuring that the views and concerns of the speakers are adequately taken into account at all stages of the process.

## Article 6 of the Framework Convention

### Tolerance and inter-cultural dialogue

#### *Present situation*

34. While a general climate of tolerance still prevails in Cyprus and respect for diversity is shown in particular towards members of the Armenian, Maronite and Latin communities, the Advisory Committee is concerned by reports of a deterioration since 2010, coinciding with the onset of the economic crisis, which culminated in 2013. While acknowledging the heavy burden imposed on all parts of society by the economic situation, it regrets the effect this has had on the broader sense of cohesion and solidarity among Cypriot society and the apparent lack of measures taken by the authorities to promote integration of society.<sup>26</sup> As a result, radical political parties have gained support and the division between the two Communities, the Greek Cypriots and the Turkish Cypriots, has been accentuated, in particular in periods leading up to elections.<sup>27</sup> Amid the continued influx of migrants to Cyprus, incidents of hostilities against migrants and asylum-seekers as well as Turkish Cypriots and Roma are reportedly increasing. The Advisory Committee notes with concern that certain political parties, amplified by some media outlets, have been nurturing and instrumentalising xenophobic sentiments in the population by publicly blaming migrants for the economic situation and high unemployment in Cyprus. This has reportedly resulted in an increasing sense of a shift towards a three-pronged society where members of the predominant Greek Cypriot linguistic and religious community are viewed as “first class citizens”, EU citizens and wealthy immigrants are regarded as coming second, and Turkish Cypriots, Roma, refugees and asylum-seekers are considered as falling into a third category, a possible perception that has direct implications for the lives of and attitudes amongst residents of Cyprus on a daily basis.<sup>28</sup>

35. The Advisory Committee appreciates that the development of intercultural understanding and trust depends to a large extent on the status of the settlement negotiations which are currently on hold.<sup>29</sup> It is particularly welcome in the current context that the joint initiative of the religious leaders of Cyprus to emphasise the particular and constructive role of interreligious communication and dialogue for fostering understanding and preventing or overcoming mistrust between different groups has continued and is thriving, despite the temporary halt in political negotiations. The Advisory Committee also notes with interest a joint declaration by the Cyprus Chamber of Commerce and the Turkish Cypriot Chamber of Commerce of September 2014, which proposes to transform the buffer zone into a zone of unity,

<sup>26</sup> Beyond the Action Plan for the integration of immigrants who are legally residing in Cyprus 2010-2012, which elapsed, there is no broader integration strategy in Cyprus.

<sup>27</sup> See for an overview *The interaction between racist discourse and the rise in racial violence in Cyprus*, European University Institute, N. Trimikliniotis and C. Demetriou, Work Package 4 – National Case Studies of Challenges to Tolerance in Political Life, 2012/31, pages 9-10. In 2012 the Equality Body issued a decision condemning the electoral campaign of a candidate for the municipal elections.

<sup>28</sup> Interlocutors of the Advisory Committee welcomed in this context the fact that sign-posts indicating separate lanes for “Greek Cypriots” and “Turkish Cypriots” at the crossing points along the green line, such as for instance at the Ledra Palace crossing, were removed in December 2014.

<sup>29</sup> While considerable hope was expressed by interlocutors during the Advisory Committee’s visit that these negotiations would recommence in early 2015, the UN Secretary General’s Special Representative on Cyprus expressed caution in January 2015, conceding that chances for the resumption of direct Cyprus peace talks in the near future were slim despite his efforts. See Eide: no prospects for resumption of talks (update) in Cyprus Mail of 14 January 2015. <http://cyprus-mail.com/2015/01/14/eide-should-brief-unsco-objectively-says-the-government/>.

including initiatives to support young entrepreneurs from both sides.<sup>30</sup> It further welcomes in this context the efforts of the Cyprus Community Media Centre as well as the NGO Resource Centre which operate in the buffer zone and are thus freely accessible to Cypriots from both sides to meet, participate in training and capacity building events, and engage in debates on issues of mutual interest. It considers these developments very positive from a reconciliation perspective and finds that such efforts, including in the field of education and language policy (see also comments on Articles 10 and 12) could create additional platforms for intercultural dialogue and thereby promote capacity in society to overcome ethnic divisions.<sup>31</sup>

### *Recommendation*

36. The Advisory Committee calls on the authorities to enhance their efforts to overcome the ethnic divide that still marks society, among others, by establishing more dialogue platforms for the various parts of society, including youth, to interact and develop tolerance and mutual understanding.

## **Protection from hate crime**

### *Present situation*

37. The Advisory Committee welcomes the adoption of legislation in October 2011, transposing the EU Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law,<sup>32</sup> following which racial motivation is considered as an aggravating circumstance of any offence. It regrets, however, continued reports of a general upsurge in racially motivated violence and hate crime in Cyprus, directed in particular against migrants and refugees but also against Turkish Cypriots and Roma.<sup>33</sup> Moreover, according to most observers and as acknowledged by some government officials, there is significant under-reporting of such incidents. Police and law enforcement officers are reportedly still insufficiently aware of their role in the initial recording and investigation of complaints to ensure that hate crime is appropriately identified from the beginning. While welcoming the work of the special unit within the Crimes Investigations Department of the Cyprus Police that deals with combatting discrimination, gathering information on racially motivated crimes and providing guidance to the police force on the issue,<sup>34</sup> the Advisory Committee notes reports pointing to inconsistencies in the recording of cases by the department as well as a lack of clarity prevailing among police officers what criteria they should apply to classify an offence as racially motivated.<sup>35</sup> According to its interlocutors, most victims of racially motivated offences are still hesitant to turn to the police as they lack trust in the officers' capacity or willingness to investigate properly the case, or worse, are afraid that the involvement of the police may exacerbate their situation. Indeed, there are recurrent reports of discriminatory

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<sup>30</sup> See Report of the Secretary General on the United Nations operation in Cyprus, S/2015/17 of 9 January 2015. [http://www.unficyp.org/media/SG%20Reports/2015/SG\\_report\\_2015\\_Jan.pdf](http://www.unficyp.org/media/SG%20Reports/2015/SG_report_2015_Jan.pdf).

<sup>31</sup> See, among others, *A Potential Untapped: Media working Together across the Divide in Cyprus*, Collaborative Media Initiative, Cyprus Community Media Centre and UNDP, April 2012, <http://www.coe.int/t/dg4/cultureheritage/mars/source/resources/references/others/11%20-%20Media%20Working%20Together%20-%20CCMC%202012.pdf>.

<sup>32</sup> Law N. 134(I)/2011) came into effect on 21 October 2011, transposing the EU Council Framework Decision 2008/913/JHA. So far, there has reportedly not been one case where the court took racial bias into account when sentencing.

<sup>33</sup> See for more background fourth ECRI report on Cyprus, March 2011 and European Network against Racism, Shadow report 2011-2012, Racism and related practices in Cyprus, 2013.

<sup>34</sup> Since 2013 the official data gathered by this department is also made public. See [http://www.police.gov.cy/police/police.nsf/All/EDDAF2C24740CBC0C2257CC9001199C4/\\$file/Ratsismos%20Agglik%202005-2013.pdf](http://www.police.gov.cy/police/police.nsf/All/EDDAF2C24740CBC0C2257CC9001199C4/$file/Ratsismos%20Agglik%202005-2013.pdf).

<sup>35</sup> According to the database, for instance, there were only eight cases of racist crime recorded in 2013, and 13 recorded in 2012. These numbers are far lower than anecdotal evidence and estimates suggest.

behaviour and excessive use of force by the police, reports of alleged racial profiling, or cases where the police failed to intervene appropriately.<sup>36</sup>

38. According to the Independent Authority for the Investigation of Complaints and Allegations Against the Police (IAIACAP), the number of complaints received is rising, which is interpreted as a sign of increasing trust in its work.<sup>37</sup> The Advisory Committee notes, however, the very low number of complaints directed against the Independent Authority that resulted in criminal proceedings being launched against the police officers in question.<sup>38</sup> It welcomes in this context reports of decisive intervention of the Minister of Justice and Public Order in early 2014, who publicly committed himself to eradicating racism in the Cyprus Police, following which investigations have reportedly been followed up more promptly. It further notes efforts by the Equality Body in 2013 to formulate, in collaboration with the police, a policy for addressing and preventing hate crime, which however, does not appear to entail specific obligations for police officers, nor sanctions in the event of contraventions.

### *Recommendations*

39. The Advisory Committee urges the authorities to intensify their efforts to raise awareness of human rights norms and antidiscrimination standards among the police force through targeted training activities and to ensure that all cases, in particular those related to hate crime, brought to the attention of the law enforcement authorities are effectively investigated and appropriately sanctioned.

40. The Advisory Committee further calls on the authorities to engage in dialogue with civil society representatives of migrant groups in order to increase awareness of and trust in the legal remedies available against hate crime amongst those parts of society most exposed to such offences and ensure due reporting of such cases.

## **Article 8 of the Framework Convention**

### **Religious education and the right to manifest one's belief**

#### *Present situation*

41. According to its Constitution, Cyprus has no official religion.<sup>39</sup> At the same time, the predominance of Greek-Orthodox Christianity manifests itself in the observation of Orthodox holidays, the presence of Orthodox icons in schools, as well as the practice of organising confessions to Orthodox priests in the course of religious education classes in some schools. The

<sup>36</sup> No conclusive investigations appear to have been conducted, for instance, in the case of the violent assault against two Turkish Cypriots during the Rainbow Festival in Nicosia in October 2010. There have been other reports, including on a long-term legal resident of Cyprus, originating from Cote d'Ivoire, who was seriously injured during a random police check in November 2013, and on the beating and insulting of a legal resident from Pakistan in March 2014 during another random check.

<sup>37</sup> See for background *Complaints against police on the rise*, Cyprus Mail of 2 November 2013. The Head of the Authority is quoted as comparing 132 complaints (of which only one ultimately led to the Attorney General's decision to launch a criminal case) in 2011 with 145 cases in 2012 (of which reportedly three led to criminal cases being launched). According to figures provided by the IAIACAP in February 2015, there were 138 complaints in 2013 of which in five cases criminal procedures were launched by investigators and an additional three complaints were submitted to the Attorney General for his decision, and 212 cases in 2014, with criminal procedures opened by investigators in five cases and four complaints forwarded on to the Attorney General.

<sup>38</sup> The Attorney General reportedly decided not to open a criminal case in the above-mentioned case of the Ivorian legal resident as no wrong-doing from the side of the police was established.

<sup>39</sup> Article 18 of the Constitution safeguards freedom of thought, conscience and religion, establishes the equality of all religions before the law, and accords all individuals the right to profess their faith and to manifest their religion or belief.

Advisory Committee welcomes the fact that the syllabus for religious education at all schools has been adjusted as of the school year 2011/2012, focussing less on the Greek Orthodox faith and including more elements aimed at familiarising students with other religious beliefs and broader ethical questions. While members of minority communities have welcomed this development and more students appear willing to attend public schools as a result, Greek Orthodoxy is still established as the predominant religion in practice, as most teachers of religious classes adhere themselves to that faith, and there is resistance in some schools to pursuing a genuine approach of embracing diversity that treats all cultures equally. Religious education still forms a mandatory part of the public school curriculum, including at the schools attended mainly by students of minority background, while additional classes with religious education specific to the minorities continue to be taught on an optional basis.

42. A circular from the Ministry of Education issued in October 2014 clarified that Maronite, Armenian and Latin pupils could be exempted from religious education in elementary schools, provided that a justification is given, indicating the students' differing religion. As the circular further indicated that in secondary schools, 'Non-Christians' may be exempted from religious education, students of Armenian, Maronite or Latin background at secondary schools have faced difficulties, as teachers have pointed out that the circular did not apply to them. The Ministry of Education is reportedly in the process of issuing a second, clarifying circular to ensure that students belonging to the Armenian, Maronite and Latin minorities may be excused from religious education at elementary and secondary school levels. According to its interlocutors, the Advisory Committee understands however that most parents prefer their children to take part in the religious classes as they do not wish them to be left without supervision during school hours or to feel like outsiders in the class. It considers in this context that all children who do actively attend religious education should be treated equally and evaluated based on merit, irrespective of their personal religious belief.<sup>40</sup>

43. The Advisory Committee welcomes the government efforts to promote the right of persons belonging to the Armenian, Maronite and Latin groups to manifest their beliefs including by visiting places of worship in areas outside the government control. It notes with particular interest the efforts of the Grand Mufti of Cyprus and the Archbishop of the Greek Orthodox Church of Cyprus, as well as the Maronite Archbishop, the Armenian Archbishop and the Latin Catholic Priest, under the auspices of the Swedish Embassy, to promote the right of all persons to have full access to their places of worship, without restrictions, including by jointly declaring all cases of vandalism or looting as unacceptable. The Advisory Committee expects that these important developments (see also comments on Article 6) will benefit all persons belonging to minorities in their right to manifest their religion, including the Roma, who, the Advisory Committee understands, mainly practice the Alevi faith.

44. With regard to the oath that military recruits need to take when joining the army, the Advisory Committee welcomes the information that members of the three communities, who, given their Christian creed take the oath, while Non-Christians are asked to sign a declaration, have been allowed since August 2014 to manifest their specific Christian belief during the oath ceremony.

### *Recommendation*

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<sup>40</sup> A student of a secondary school who performed as best of her class in the religious education exam was reportedly not granted the corresponding award because she was a member of the Maronites and thus not of Greek Orthodox creed.

45. The Advisory Committee encourages the authorities to pursue their approach of broadening the curriculum followed in religious education classes towards other religious and broader ethical questions and ensure that the new syllabus is appropriately applied in schools. It further encourages their efforts to promote the rights of all persons to manifest their distinct beliefs including by facilitating access to the various places of worship as far as possible.

## **Article 9 of the Framework Convention**

### **Minority language print media and broadcasting**

#### *Present situation*

46. The Advisory Committee welcomes the fact that Cyprus public radio continues to broadcast one hour of programmes in Armenian on a daily basis, covering public interest issues, news and some programming devoted to children. In addition, there is one 30-minute programme weekly on public radio devoted to the Latin minority group. As regards public broadcasting on television intended for the various minority groups, the Advisory Committee understands that these are rare and are funded entirely by the communities themselves. It further regrets that there has been no support to any print media in Armenian language since 2011. As a result, only one monthly newspaper, “Artsakank”, continues to be published, albeit amid serious financial difficulties, while the other, “Azad Tzayn” was forced to close in April 2013. The Maronite community issues two newsletters, of which one has received government support in the past. The Advisory Committee is conscious of the adverse economic climate in Cyprus but finds that more efforts must be made to enhance the availability of print and public broadcast media in minority languages, in order to promote their prestige and visibility in the public sphere and to raise public awareness of the diversity existing in Cyprus. For this reason it is also particularly important that the presence of minority languages such as Armenian is increased on public television.

47. The Advisory Committee notes with interest that the Armenians, Maronites and Latins avail themselves of online media to a considerable extent to distribute information among their communities and increase their audience (see also comments under Article 5). While appreciating the particularly sensible use made of opportunities involving online media given the limited budgetary means available and the fact that minority communities live dispersed in various cities and sometimes in areas outside government control, the Advisory Committee considers that the capacity of minority representatives in the use and distribution of electronic media could be further strengthened to maximise its usefulness. Particularly noteworthy in this context is the work of the Cyprus Community Media Centre, which is involved in training journalists and civil society representatives to participate in the media more actively and more professionally. Nonetheless, the Advisory Committee wishes to point out that online media cannot wholly replace conventional media as access to the Internet might be difficult or impossible for some members of the communities.

48. As regards the presence of minority concerns, interests and perspectives in the public media generally, the Advisory Committee welcomes the fact that members of the Armenian, Maronite and Latin communities continue generally to be portrayed in a positive light. Documentary film material has been produced on their specific history and distinct culture in Cyprus and the Advisory Committee expects that this material will be adequately amplified through the public television channels to ensure the widest possible distribution. It considers vital that public media professionals and journalists obtain adequate training to ensure that their

awareness and sensitivity towards the specific needs and concerns of diverse groups in society, including Roma, is promoted.<sup>41</sup>

### *Recommendations*

49. The Advisory Committee calls on the authorities to increase the availability of public television and radio broadcasting featuring minority languages and cultures as well as their concerns and interests in close consultations with representatives of the respective groups. Support should also be provided to the various print media, including online.

50. It further encourages the authorities to engage in efforts to raise the awareness of journalists and media professionals to the specific situations and concerns of minorities in Cyprus, and to promote adequate training opportunities for members of minority communities so that they can actively participate in a pluralistic media environment.

## **Article 10 of the Framework Convention**

### **Support and use of minority and official languages**

#### *Present situation*

51. The Advisory Committee is pleased to note the absence of any restrictions applied to members of minority groups as regards speaking their language in private or in public. It considers, however, that more efforts could be made to promote the presence of traditional minority languages such as CMA and Armenian in the public sphere, in order to increase their visibility and prestige as integral parts of Cypriot society. While welcoming the fact that the name of the Armenian Nareg school is printed in Armenian script, for instance, the Advisory Committee regrets that there is otherwise little emblematic evidence of the Armenian language as part of Cypriot culture and heritage. As regards the efforts towards the revitalisation of CMA (see comments under Article 5), the Advisory Committee considers that they should also aim at strengthening CMA as a current means of communication that contains also modern elements, possibly with the help of material provided by Maronite communities in Lebanon, which could serve to enhance the attractiveness of learning CMA as a living language rather than as an element of cultural heritage only. It reiterates that the promotion of languages of numerically smaller minorities may require active encouragement of their use and the creation of an overall environment that is conducive to the use of different languages in order to prevent the disappearance of lesser used languages from public life.<sup>42</sup>

52. The Advisory Committee notes with regret that the second official language of Cyprus, Turkish, is entirely absent from the public sphere. Contrary to the relevant provisions in the Constitution,<sup>43</sup> it is not used in official communications or in public documents or publications such as the Official Gazette. Successive Supreme Court decisions have ruled that the publication of official documents only in the Greek language is justified given that no actionable right follows from Article 3(1) of the Constitution as its effect have been suspended in line with the “doctrine of necessity”.<sup>44</sup> The Advisory Committee understands that a number of related

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<sup>41</sup> According to some reports, more space is provided in Cypriot media to racist and xenophobic viewpoints expressed by right-wing politicians than to human rights activists and representatives of migrant communities’ efforts to present migrants in a more objective and positive way. See European Network against Racism, Shadow report 2011-2012, Racism and related practices in Cyprus, 2013, page 31-33.

<sup>42</sup> See also ACFC Third Commentary on Language Rights, para. 24.

<sup>43</sup> According to Article 3.1 of the Cyprus Constitution, the official languages of the Republic are Greek and Turkish.

<sup>44</sup> See, for instance, Ahmet Cerkez v. the Republic and Gengiz Karashahim v. Republic (May 2005) and Djemal Kasapoglou v. the Police (May 2005).

complaints, including against the fact that the application forms for student grants are not provided in Turkish language, have been turned down with reference to the Supreme Court. The Advisory Committee considers this situation problematic from the point of view of persons belonging to the Roma minority who speak mainly Turkish and who may be prevented from accessing certain rights due to language constraints.<sup>45</sup> In addition, it shares the concern of some of its interlocutors that the current situation, in which the Turkish language is practically not used in an official capacity in the Republic, results in the marginalisation of a considerable part of its population.<sup>46</sup> It emphasises that the promotion of bilingualism in Cyprus in line with its Constitution could assist in the broader formation of a cohesive society in which linguistic, ethnic or other diversity is welcome and encouraged rather than side-lined (see further comments on Article 14). The Advisory Committee welcomes in this context that the Ombudsman Office does respond in Turkish to all correspondence that is addressed to it 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>47</sup>

### *Recommendations*

53. The Advisory Committee calls on the authorities to promote the right to speak minority languages in private and in public by actively creating an environment that encourages the use of other languages, including Cypriot Maronite Arabic, in public life.

54. It further encourages the authorities to facilitate the increased use of Turkish in official communications and to promote the effective development of bilingualism in line with Article 3(1) of the Constitution.

## **Article 12 of the Framework Convention**

### **Intercultural education and equal access to education**

#### *Present situation*

55. The Advisory Committee welcomes broader efforts to reform the education system in Cyprus aimed in particular at modernising language learning and introducing more elements of intercultural education as well as the promotion of rights awareness and tolerance. At the same time, it notes that the current school system still does not offer many opportunities for the creation of intercultural relations and friendship. The organisation of schools for students with a minority background (see below) results in a situation where the Armenian Nareg schools are only attended by pupils with Armenian roots, while the small St. Maronas School welcomes students from all backgrounds but is mainly considered a Maronite school. The Advisory Committee further understands that the majority of Roma children attend one school in Limassol, the Agios Antonios primary school. While the Ministry of Education has adopted an official policy of discouraging any form of separated education and has made efforts to integrate pupils of all cultural backgrounds, the situation in practice still appears to reflect some division according to ethnic background. The Advisory Committee notes, for instance, that the school in Limassol has somehow become known as a “Roma school”, resulting in it being attended by 28 Roma children from Cyprus and 18 Roma from other EU countries, i.e., by Roma from very

<sup>45</sup> According to interlocutors of the Advisory Committee, Roma in Cyprus speak mainly Turkish, with some also using Kurbetcha, which is referred to by some as a sub-dialect of Turkish spoken in Cyprus.

<sup>46</sup> The number of Turkish Cypriots who commute every day over the green line is reported to be considerable.

<sup>47</sup> The Ombudsman website in early 2015 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. [http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/HowComplain\\_tr/HowComplain\\_tr?OpenDocument](http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/HowComplain_tr/HowComplain_tr?OpenDocument).

diverse language backgrounds.<sup>48</sup> While appreciating that the attendance of students in the mentioned schools is prompted by parental desire in some cases and influenced strongly by residential criteria in others, the Advisory Committee considers that targeted efforts must be made to ensure that students from various backgrounds meet and interact in an effort to develop awareness and understanding of other backgrounds and thereby overcome prejudice or stereotypes.

56. The Advisory Committee understands that a number of private schools in Nicosia, such as the English school and Terra Santa College, are attended by students belonging to the Armenian, Maronite or Latin communities, as well as by Turkish Cypriot students. These schools are chosen as an alternative to the public school system, which is still not regarded as offering an appropriate education for the specific language and religious education needs of these children. As such, the schools are widely considered as an opportunity for intercultural exchange and the promotion of cohesion. The Advisory Committee notes that the Terra Santa College has been identified as a new proto-type secondary school and is supported by the University of Cyprus in its development of modern language learning, in particular regarding English and Italian. It understands however that the different language streams at the school do not interact and that the promotion of interethnic friendship and solidarity, particularly as regards Cypriot society, is not a priority of the school. The organisation of classes at the English school is reportedly such that students have to opt for lessons in either Greek or Turkish. In addition, the Advisory Committee regrets a decision by the school management board of the English School, a bi-communal high school attended by some 150 Turkish Cypriot students, not to celebrate Bayram (Eid) as an official school holiday in the school year 2013/2014. The Advisory Committee is pleased to note successive interventions of the previous Presidential Commissioner for Humanitarian Affairs and Overseas Cypriots as well as the Ombudsman Office, attempting to encourage the board to declare an official Bayram (Eid) holiday for the entire school, but understands that no such steps have been taken. The Advisory Committee reiterates that the promotion of tolerance and respect for diversity must not only be taught as a subject in class but must be lived through the organisation of joint classes wherever possible, as well as through the respectful accommodation and affirmation of the various beliefs present in the schools.

57. The Advisory Committee regrets that incidents of racial prejudice against Roma and migrant children in schools and of Greek parents removing their children from certain schools perceived as having too many non-Greek Cypriot students continue to be reported. It welcomes in this context repeated efforts by the Antidiscrimination Authority to organise school competitions to raise the awareness of the school population as regards the effects of xenophobia and racism on children and thereby prevent further such incidents, as well as the development of an anti-racist code of conduct by the Ministry of Education, with support from the Antidiscrimination Authority in 2014, which will be introduced in schools on a voluntary basis at first.<sup>49</sup> The Advisory Committee regrets in particular that equal access to education and equal opportunities in the education system remain elusive for Roma children. While there are few updated studies or surveys, earlier reports as well as information gathered by the Advisory Committee during its visit point to continued challenges, such as irregular school attendance,

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<sup>48</sup> According to the Director, the overall number of children at the school is reportedly 78.

<sup>49</sup> See <http://cyprus-mail.com/2014/06/14/eradicating-racism-from-the-islands-schools/>. A report issued in March 2013 by the Antidiscrimination Authority had found the response of the Ministry of Education to counter hate incidents in schools inadequate.

early drop-outs, overall low academic achievement and small numbers of students continuing to secondary school.<sup>50</sup>

58. Academic achievement of Roma children is reportedly less problematic in subjects that do not require high command of Greek language knowledge. Cypriot Roma children, who usually speak no Greek but Turkish as well as Kurbetcha, thus require targeted assistance to promote their learning in Greek. The Advisory Committee understands that two Turkish speaking teachers have been assisting in classes and have also been engaged in some teaching of the Turkish language and history. It regrets, however, that no specific education material has been provided, which hinders the learning experience. Efforts have also been made by the school leadership to promote a sense of belonging amongst the Roma community to the school affairs. The open approach towards the celebration of various holidays observed by the diverse groups attending the school is very welcome and may contribute to increased school attendance and academic achievement. A report of the Equality Body of September 2011 considered, among others, that the specific identity of the Roma was not adequately taken into account in Cypriot schools and that schools should be actively involving members of the Roma community in the design and implementation of teaching programmes. In addition, the Advisory Committee considers that the general curriculum in public schools should overall promote awareness and appreciation of Roma culture, traditions and history as an integral part of Cypriot society (see also below).

#### *Recommendations*

59. The Advisory Committee calls on the authorities to enhance their efforts towards the introduction of more intercultural elements into the education system in line with the envisaged reform, in particular by ensuring that teachers and school administrators are adequately trained and encouraged to organise classes and school activities in ways that facilitate intercultural exchanges and the development of friendships.

60. It further calls on the authorities to further increase their efforts towards promoting effective equality of Roma in the school system, including by making suitable learning materials available and by promoting respect and openness towards diversity among students generally.

### **Textbooks and teacher training**

#### *Present situation*

61. The Advisory Committee regrets that information provided in textbooks and education materials on the specific identities, cultures, languages and histories of minorities in Cyprus is reportedly still inadequate. While it is welcome that one third-grade religious education textbook now includes a few pages each on the Armenian, Maronite and Latin communities, representatives of these communities regret the fact that the information provided is very superficial, falling far short of the comprehensive contributions provided by them, and that its presence in only one textbook, without any instruction to teachers to include those pages in the class reading, does not translate into an actual increase of awareness amongst school children generally. The Advisory Committee considers that the teaching aids prepared by the three communities, including documentary and audiovisual material, should be used to the fullest extent in schools to ensure that the historical presence of these communities in Cyprus and their specific identities are appropriately appreciated in all schools. It further considers that more efforts should be made also to include information on the Roma and their distinct cultural

<sup>50</sup> See, among others, *The Cypriot Roma and the Failure of Education: Anti-Discrimination and Multiculturalism as a Post-accession Challenge*, Nicos Trimikliniotis and Corina Demetriou in *The Minorities of Cyprus*, Cambridge 2009.

heritage and history in Cyprus in the school curriculum and education materials. The presence of minority communities as an integral part of Cypriot society should not only feature in religious education but should also be covered in other relevant subjects, such as history, which should be taught in a manner that accommodates multiple perspectives.

62. The Advisory Committee understands that there is a general shortage of qualified teachers in schools with minority profile, in particular those with special language-teaching qualifications. While some training was organised in November 2012 as well as September 2014, which is welcomed by the schools concerned, more regular and intensive training is required to ensure that teachers advance their skills according to modern language learning methodologies. These are particularly important for speakers of minority languages in order to achieve proficiency in multiple languages: their own, official languages, and international languages. The Advisory Committee considers that the relevant training offers at the Pedagogical Institute in Cyprus should be increased to ensure adequate opportunities for the teachers of the schools concerned who have reportedly often not been trained for years. Courses must also contain elements of intercultural education as well as necessary training of teachers to prepare them for the particular requirements of teaching in multilingual and multicultural environments.

63. The Advisory Committee reiterates its appreciation for the support provided to the revitalisation of CMA, including at schools. It welcomes reports that learning material is currently being prepared by the Committee of Experts for teaching CMA at A1 level<sup>51</sup> and should be available as of June 2015. The Advisory Committee considers that these efforts should be complemented with targeted funding for the introduction of more advanced Maronite teaching materials such as those available in Lebanon. The combination of such materials with modern language learning methodologies such as Content and Language Integrated Learning may accelerate the revitalisation of CMA as a living language in Cyprus, which is the main concern of the speakers. The shortage of qualified teachers continues to be of concern to the community, which is reportedly exacerbated by the fact that teachers need to teach for a minimum number of years in other schools before they can request to be assigned to a specific school, such as St. Maronas School. The Advisory Committee understands that exceptions to this rule are applied to other teachers, such as those teaching in the enclaves, and that the community would like these exceptions to be equally applied to teachers who wish to teach at St. Maronas School.

64. As regards the availability of textbooks for Armenian language learning, supplies reportedly remain inadequate. Given cuts in the budget, students have to cover the fees for some textbooks themselves, such as those for the English language, while other subjects including maths, use Greek language books, despite the fact that classes are conducted in Armenian. According to interlocutors of the Advisory Committee, the history and religion textbooks are still imported from Lebanon and are considered particularly unsatisfactory, even though factual information on the specifics of the Armenians in Cyprus is added by teachers.<sup>52</sup> The community has produced some material itself and a decision on possible funding from the Ministry of Education for their printing is reportedly outstanding. The Advisory Committee considers that pragmatic solutions must be found in close consultation with the school community to ensure that the limited funds available are used in an optimal way, taking the specific situation of

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<sup>51</sup> The Common European Framework of Reference for Languages (CEFR or CEF) was developed as guideline in the context of foreign language learning and is not designed for minority language situations. Materials developed at A1 level are intended for learners rather than speakers.

<sup>52</sup> Textbooks for the Armenian language and literature are also imported from other countries where Western Armenian is spoken, such as Lebanon and US.

Armenian students in Cyprus into account. The Advisory Committee underlines the particular significance of adequate teacher training in this regard to ensure that shortcomings in education material are overcome through high-quality teaching.

*Recommendation*

65. The Advisory Committee calls on the authorities to enhance their efforts in close consultation with respective school representatives, to offer adequate opportunities for teacher training, in particular regarding language learning methodologies and teaching methods in multilingual environments, and to identify practical solutions for the adequate supplies of education materials in all subjects.

**Article 14 of the Framework Convention**

**Teaching in and of minority languages**

*Present situation*

66. The Advisory Committee welcomes the fact that the authorities continue to provide considerable support to the promotion of teaching in and of minority languages. There is one public primary school, including pre-school, where CMA as well as elements of Maronites cultural traditions and religion are taught. In addition, three Armenian pre- and primary schools exist in Nicosia, Larnaca and Limassol as well as one Gymnasium in Nicosia. The Advisory Committee notes, however, that the vast majority of funds allocated by the Ministry of Education to the support of minority communities is used to cover the private school fees incurred by secondary school students from the various groups as well as Turkish Cypriots. While changes in practice and in the religious education curriculum (see comments on Article 8) have led to an increase in students with a minority background opting for public schools in their area of residence, the Advisory Committee understands that the increasing cost of private schools, which is not compensated by the government subsidy that has remained equal over years, is the main reason why students opt for public schools at secondary level.<sup>53</sup> The Advisory Committee considers that public funds could be more appropriately and more sustainably spent to promote opportunities for the learning of and in minority languages within the public school system, in close consultation with minority representatives, rather than using them to cover the fees of students with minority background as well as Turkish Cypriots at private schools.

67. St. Maronas School continues to offer optional classes of Maronite language, culture and religion in the afternoon while pupils generally follow the public school curriculum in Greek. The Advisory Committee welcomes the fact that the authorities maintain their support to make the school accessible to children with a Maronite background, including from the areas outside government control, although transportation problems continue to be reported. In the 2014/2015 school year, some 80 children are attending the school, the vast majority belonging to the Maronite community. Despite the fact that the school is open to children from all groups, it is faced with an overall decreasing number of pupils. The Advisory Committee further regrets that currently only about 20 children are enrolled in the afternoon classes. While reiterating its appreciation for the support provided by the Ministry of Education to the University of Cyprus in storing and archiving CMA (see comments under Article 5), it finds that more efforts must be made to revitalise CMA as a living language, in parallel to the ongoing efforts by the University,

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<sup>53</sup> According to information received during the visit, parents of students at Terra Santa College, for instance, have to pay 88.6% of the fees at pre-primary class, 43% of the fees at the primary cycle and 36.4% of fees at secondary cycles. Parents of Armenian students pay 82.1% at secondary cycle.

which may take years before completion.<sup>54</sup> It considers that CMA should be taught in the public curriculum, such as through language classes offered to all children at St. Maronas School in the mornings and/or through the use of CMA as auxiliary language in the teaching of other subjects, in accordance with modern bilingual teaching methodologies. Such an approach, adopted and implemented in close consultation with community and school representatives and in line with adequate expertise related to relevant teaching models, may raise the attractiveness of the school for parents from all communities who are interested in modern language learning methodologies, and will increase the prestige of CMA as a living tool of communication rather than a relic of old times. It is further vital that capacity within the Ministry of Education is developed to establish and oversee adequate standards for the teaching of CMA in Cyprus, possibly with support from neighbouring countries, and that the quality of teaching is supported through the provision of more advanced teaching materials (see comments on Article 12).

68. The “Nareg” Armenian schools continue to function as public schools with special status. The Nareg primary schools, which are attended by some 200 children of Armenian background, do not follow the public curriculum but have developed their own programme, replacing religious education with Armenian literature, for instance, and adding four weekly classes of Armenian language as well as one history and one religion class. While the Advisory Committee welcomes the authority of the school to establish its own curriculum, it shares the concerns of the community that only the Greek language and history classes are supervised by the Ministry of Education and all other subjects, as they are taught in Armenian, fall outside the scope of its inspection capacity. Efforts are reportedly underway to recruit a suitable specialist, which is vital to ensure the continued high quality of teaching at the schools in line with academic standards. Continuity of education remains another concern for the community as the kindergartens at the Nareg schools do not receive sufficient state funding and the payment of fees for roughly half of the students must be subsidised through private donations. In addition, there is only one secondary school, the Nareg Gymnasium in Nicosia, offering Armenian language instruction until graduation. The number of students is reportedly slowly increasing at this school, which follows the main public curriculum and offers Armenian courses as an additional afternoon programme.

#### *Recommendations*

69. The Advisory Committee urges the authorities to increase their support for the learning of minority languages as integral part of the education system and with the appropriate level of supervision from the Ministry of Education in terms of standards and quality of education.

70. The Advisory Committee further calls on the authorities, in close consultation with community and school representatives, to allocate additional funds for the targeted support of the teaching of CMA at school, which should be separate from the efforts of preserving its original forms as cultural heritage.

### **Learning of official languages**

#### *Present situation*

71. Armenian community representatives continue to report disadvantages when proficiency in the official language is required and tested, such as in order to enter the civil service (see comments under Article 15). The Advisory Committee welcomes in this regard the efforts made by the Nareg Gymnasium to follow the public school curriculum in Greek, spreading Armenian

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<sup>54</sup> According to paragraph 85 of the State Report, the teaching of CMA shall be enhanced as soon as the CMA is recorded and transcribed through the activities included in the Action Plan for CMA.

language teaching into the afternoon, thereby presenting its students with the ability to be fully proficient in both Greek and Armenian when graduating. It reiterates, however, that sufficient attention must be paid by the authorities to ensure that schools that teach in another medium of instruction than Greek, in Armenian or English for instance, provide adequate Greek language learning opportunities, including through a possible increase in weekly classes as well as through the introduction of bilingual teaching and learning approaches (see comments on Article 12), as Article 14(3) of the Framework Convention entails the obligation to ensure that persons belonging to minority communities have equal access to the learning of official languages to promote their integration and effective participation in society.

72. The Advisory Committee notes with regret that very few opportunities exist for the learning of Turkish as one of the official languages of the Republic of Cyprus. While the Ministry of Education disburses considerable amounts to cover the school fees of Turkish Cypriots attending private schools in the Republic, such as the English school (see above comments), and these students do have access to Turkish language classes, teaching is reportedly organised at the same time as Greek language courses. This organisation deprives most students of the opportunity to learn both official languages of Cyprus despite the fact that there is an interest in that amongst parents and students alike. The Advisory Committee welcomes efforts commenced in 2003 to offer Turkish language courses in the public school system as well as in adult education centres but notes that these attempts are currently not enhanced and the few students who enrolled reportedly have been faced with resentment and suspicions.<sup>55</sup> It considers that more efforts must be made to promote official bilingualism in line with the Constitution by strengthening the offer of Turkish language teaching in the public school system as the second official language.

#### *Recommendation*

73. The Advisory Committee encourages the authorities to strengthen the opportunities for all students to learn the official languages of the Republic of Cyprus.

### **Article 15 of the Framework Convention**

#### **Participation in public life and decision-making processes**

##### *Present situation*

74. The Advisory Committee welcomes the fact that overall a very good dialogue between government and the various minority communities exists, and that the representatives maintain access to senior decision-makers on issues of their concern. It notes, however, the particular reliance on personal relations and contacts for the discussion of a variety of issues, as institutional channels for consultation remain somewhat limited. According to interlocutors, the adoption in 2011 of the Law on the Representation of Religious Groups, which was intended to strengthen the position of the latter in political decision-making, has not had much impact in reality. While there is an obligation now for members of Parliament and the relevant ministries to consult with the representatives on all issues affecting the three communities before a decision is taken, this obligation is reportedly not always followed. In addition, it does not grant the representatives of the Armenians, Maronites or Latins the right to speak themselves. It is considered positive, however, that since December 2013 the appointment of school boards at minority schools must be decided jointly with the representatives, following a decision by the

<sup>55</sup> See Paper 137 *Desecuritising Turkish: Teaching the language of a former enemy, and intercultural language education*, in Working Papers in Urban Language & Literacy, 2014.

Council of Ministers.<sup>56</sup> The Advisory Committee reiterates its position that effective consultation should be maintained not only on issues that are of exclusive concern to minority communities but also on issues that affect them as members of broader society.<sup>57</sup> It welcomes in this context the open attitude and engagement of the Commissioner to the Presidency for Humanitarian Affairs and Overseas Cypriots, who is showing pragmatism and willingness to promote the issues raised by the representatives, including as regards the requirement to keep them informed on and involved in developments related to the settlement negotiations.

75. Access to employment in the civil service as well as the army by members of the Armenian community is still problematic as high-level Greek language exams continue to function as a gate-keeping device against members of this community (see comments on Article 14). The Advisory Committee considers that alternative options should be identified, such as the organisation of English language tests or the awarding of additional points in the recruitment process for the knowledge of other languages, to overcome the disadvantage faced by members of this group and ensure that equal conditions of access to the civil service are created. It reiterates its viewpoint that the recruitment of members of minority communities in the public sector should be promoted to ensure that the public administration, judiciary, law enforcement and executive bodies, to the extent possible, reflect the diversity of society.<sup>58</sup>

76. The Advisory Committee further regrets that no efforts appear to have been made to promote the effective participation of Roma in public life. While recognising the fact that no members of the Roma community appear to have attempted to formulate the community's concerns or requests, it considers that targeted efforts should be made to enhance the capacity among the Roma to recognise and pursue their rights vis-à-vis relevant government entities. The Advisory Committee is pleased to note the efforts of the Bi-Communal Centre in Limassol, which provides a number of services to Turkish Cypriots and Roma, but considers that its contacts with members of the Roma community, while very important and perceptive, cannot be an effective substitute for genuine representation of the Roma community in decision-making processes related to issues of their concern. It welcomes in this regard the interest expressed by the Commissioner for Humanitarian Affairs and Overseas Cypriots in liaising with Roma representatives in order to inquire into their specific concerns, as well as reports that there is now some engagement of Roma parents in the affairs and management of the Agios Antonios School through the school board. As regards the right of Roma to vote in the European Parliamentary Elections in May 2014, there were reports of unnecessary bureaucratic hurdles placed in the way of Turkish Cypriots which in practice prevented many from voting.<sup>59</sup>

### *Recommendations*

77. The Advisory Committee calls on the authorities to further strengthen the competences of the Armenian, Latin and Maronite representatives in all decision-making processes affecting their communities' interests and concerns. It encourages them to take the necessary steps to effectively promote the recruitment of members of these communities into public administration, the judiciary and law-enforcement bodies.

78. It further calls on the authorities to promote direct representation of Roma interests and concerns in all decision-making affecting this community.

<sup>56</sup> Another Council of Ministers decision of 2014 reportedly provides that Ministers must invite the representatives of the communities to any meeting with civil society organisations on issues affecting the communities.

<sup>57</sup> See also ACFC Second Thematic Commentary on Effective Participation para. 17.

<sup>58</sup> Ibid, paragraphs 120-128.

<sup>59</sup> See, among others, <http://www.non-discrimination.net/content/media/CY-120-Turkish%20Cypriots%20vote%20at%20Euroelections.pdf>.

## **Effective participation in socio-economic life**

### *Present situation*

79. Amid a continued lack of concrete data on the access of persons belonging to various communities to employment, the Advisory Committee notes the reports of representatives that the Armenians, Latins and Maronites generally enjoy satisfactory conditions of employment and broader access to socio-economic affairs in Cyprus. It notes, however, that Roma continue to live in dire conditions, mainly in Limassol and Paphos. While reportedly only very few families remain in the precarious Polemedia settlement at the outskirts of Limassol,<sup>60</sup> the majority of families now reside in the old Turkish quarter where houses are being assigned by the local administration. The Bi-Communal Centre is organising some vocational classes, such as sewing and cooking lessons for women, and the city continues to employ some Roma for minor street work during summer. Overall, however, Roma continue to have no real opportunity to find formal employment as adult illiteracy remains common. The difficult economic climate and resulting austerity measures reportedly have a disproportionate effect on this already disadvantaged community as they are particularly reliant on social services. The Advisory Committee notes with concern reports that changes to the legislative framework governing social benefits, which took effect in July 2014 and substitute social benefits with a guaranteed minimum income, could among other groups affect Roma, who may not have the five years of legal residence that are now required to qualify for the minimum income.

### *Recommendation*

80. The Advisory Committee calls on the authorities to enhance the effective participation of Roma in socio-economic life, in particular through more targeted measures to promote their access to the labour market in close and direct consultation with representatives of their communities.

## **Articles 17 and 18 of the Framework Convention**

### **Bilateral cooperation**

### *Present situation*

81. The Advisory Committee welcomes the close contacts that the representatives of the various groups maintain with cultural and educational establishments in countries where kin-communities reside, in particular Lebanon, and notes the benefits of using some of the more advanced education material available there in respective schools in Cyprus, particularly in view of the remaining budget restrictions.

### *Recommendation*

82. The Advisory Committee encourages the authorities to support the contacts of minority representatives with neighbouring countries and consider ways to increase cooperation in particular for the benefit of new cultural and language learning initiatives in Cyprus.

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<sup>60</sup> See information on the settlement in the fourth ECRI report on Cyprus, March 2011, paragraphs 145 – 150.

### III. CONCLUSIONS

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.

The authorities are invited to take account of the detailed observations and recommendations contained in Sections I and II of the Advisory Committee's Fourth Opinion.<sup>61</sup> In particular, they should take the following measures to improve further the implementation of the Framework Convention:

#### **Recommendations for immediate action<sup>62</sup>**

- **ensure the enjoyment of the right to free self-identification, including in respect of multiple affiliations, in all data collection exercises as well as in the broader public debate as a means to overcome ethnic divisions in daily life and to facilitate the formation of an open, multilingual and inclusive society;**
- **raise awareness of applicable human rights norms and antidiscrimination standards amongst the police force and the judiciary and ensure that all cases of police misconduct are adequately and promptly followed-up;**
- **enhance the available support for the promotion of minority languages and identities as an integral part of modern Cypriot society rather than primarily as elements of cultural heritage and ensure that the views and concerns of all minority communities, including the Roma, are adequately established through dialogue and taken into account in all relevant decision-making.**

#### **Further recommendations<sup>63</sup>**

- enhance the financial and political support to the Ombudsman Office to enable it to fulfill its multiple functions effectively and in full independence; in close consultation with civil society representatives increase awareness of and trust in the legal remedies available in case of discriminatory treatment and hate crime, targeting those groups known to be most exposed;
- systematically gather disaggregated equality data in line with international standards to ensure that all policy measures aimed at the promotion of equality, including positive measures, are based on reliable data;
- identify without delay and in close consultation with minority representatives suitable premises that can serve as cultural centres for the relevant groups;
- increase the availability of public television and radio broadcasting featuring minority languages and cultures and raise the capacity of journalists and media professionals to ensure that the specific situation and concerns of minorities are adequately reflected;

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<sup>61</sup> A link to the Opinion is to be inserted in the draft resolution before submission to the GR-H.

<sup>62</sup> The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

<sup>63</sup> The recommendations below are listed in the order of the corresponding articles of the Framework Convention

- introduce more intercultural elements into the education system and ensure that teachers and school administrators are adequately trained to promote exchange and dialogue across ethnic and linguistic lines, including through the promotion of bilingualism and linguistic diversity;
- enhance the equality of Roma children in the education system, including by making suitable learning materials available and by promoting respect and openness towards diversity among all students;
- provide adequate opportunities for teacher training, in particular regarding language learning methodologies and teaching methods in multilingual environments, and suitable education materials to minority language schools and enhance the opportunities of all students to learn the official languages of Cyprus;
- further strengthen the competences of the Armenian, Latin and Maronite representatives in all decision-making affecting their communities and promote the recruitment of members of these communities into public services; ensure the direct representation of Roma interests and concerns in all strategies or programmes aimed at their improved participation in socio-economic life.