



## NEWS REPORT

<b>Date:</b>	29 October 2010
<b>Expert :</b>	Corina Demetriou
<b>Title:</b>	Third Opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities (FCNM) on Cyprus
<b>Country:</b>	Cyprus
<b><u>Context</u></b>	
<b>Issue at stake:</b>	The Advisory Committee on the FCNM issues its Third Opinion on the situation of minorities in Cyprus
<b>Ground of discrimination:</b>	Ethnic origin
<b>Source:</b>	Opinion of the Advisory Committee on FCNM Is there a reference for this document?
<b>Field:</b>	All fields
<b>Legislative provisions:</b>	N/a

### Content

**Opinion of the Advisory Committee:** On 9 October 2010 the Third Opinion on Cyprus of the Advisory Committee on the Framework Convention for the Protection of National Minorities was released. The Opinion welcomes the extension of the protection provided by the Framework Convention to the Cypriot Roma<sup>1</sup> as a positive development.<sup>2</sup> The Opinion further referred to the continuing non-solution of the Cyprus problem as negatively impacting not only the climate of dialogue and understanding, but also state policy related to minority protection and human rights, especially in respect of the right of self-identification of the three

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<sup>1</sup> Third Periodic Report submitted by Cyprus pursuant to Article 05, paragraph 1 of the Framework Convention for the Protection of National Minorities, received on 30.04.2009, page 23.

<sup>2</sup> The extension of the Framework Convention to cover the Roma is a deviation from previous policy, which did not recognise the Roma as a separate community; indeed the Roma is nowhere mentioned in the Constitution and was deemed to belong to the Turkish Cypriot community, due to their (presumed) common language and religion.

recognised minorities, the Armenians, the Latins and the Maronites. The governmental report rejected this statement, stating that this is “far from being the case as, despite being impeded, the Government continues consistently with policy making in conformity with its international obligations”. Nevertheless the government stated that “the issue of affiliation [of the three recognised minorities to the Greek Cypriot community] cannot be a priority at present, but it could be examined in any future revision of the Constitution.”<sup>3</sup> Responding to the Advisory Committee’s criticisms that the recognised minorities are forced by law to vote in order to elect their representatives, the government responded that there have been no related prosecutions since 2001 but rejected allegations that the statutory obligation to vote was to be revised.

The Advisory Committee’s report further states that in view of the growing number of discrimination complaints, awareness-raising efforts should be intensified and the institutional framework for combating discrimination needs to be strengthened, whilst the competent authorities must be provided with more adequate resources. The governmental report set out a number of laws forming part of the anti-discrimination legal framework but was silent on the issue of directing resources towards the equality body.

With regard to the three recognised minorities, the Opinion states that, although some cultural activities of the three groups were supported by the government, support should be adapted to the existing needs of these groups and more transparent procedures for accessing public subsidies should be established. The Opinion adds that the lack of suitable educational material and qualified teachers remains a source of concern. In response, the governmental report referred to a new initiative launched for the academic year 2010-11 to provide in-service training for the Armenian language teachers working at the Armenian school ‘Nareg’. In addition, with regard to the teaching of Cypriot Maronite Arabic, the government reported that the Ministry of Education is in the process of formulating a new policy in collaboration with representatives of the Maronite

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<sup>3</sup> Comments of the government of Cyprus on the Third opinion of the Advisory committee on the implementation of the Framework Convention for the Protection of National Minorities by Cyprus (received on 8 October 2010), available at [http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_3rd\\_Com\\_Cyprus\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_Com_Cyprus_en.pdf) (12.10.2010)



Community regarding the training of teachers and the production of teaching material. The governmental report is silent on the Advisory Committee's recommendation that the participation of the Armenians, the Latins and the Maronites in decision making on issues concerning them, in particular in the Parliament, should be made more effective.

The Opinion states that despite support measures, the Roma still face serious prejudice and difficulties in many fields, such as employment, housing, education and access to health services, whilst the establishment of a dialogue between the government and the Roma remains problematic. The Committee urged the government to identify ways to establish a structured dialogue with the Roma and to obtain up-to-date information regarding their ethnic, linguistic and religious affiliation. The government responded by stating that "issues regarding the Cyprus Roma are part of the overall policy planning of the Government" without indicating any specific policies to address the problems highlighted. On the issue of affiliations, the government stated that it expects to have up to date information upon completion of the 2011 census.

The Opinion further states that shortcomings continue to be reported regarding the effective participation of Turkish Cypriots in social, economic and cultural life and public affairs and that intercultural dialogue remains problematic. The governmental response went into great lengths to stress that the Turkish Cypriots are not a minority and are thus not covered by the Framework Convention.

Nevertheless, the government report states that "Turkish Cypriot citizens enjoy specifically designed or privileged access to all Government services, irrespective of their area of residence... [involving] priority access e.g. to public medical services (including treatment abroad) or to services dealing with welfare or regarding their civic status."

The Opinion finally states that the growing diversity of Cypriot society remains a challenge for the government, as persons belonging to certain groups, and in particular the immigrants, are confronted with discrimination and intolerance, often fuelled by the media, referring in particular to incidents of racially- motivated insults and acts, as well as police misconduct. The report notes that

measures taken in recent years to combat such manifestations appear to be insufficient and must be intensified. The government responded to this by referring to one of such measures introduced in 2006, namely the setting up of the Independent Authority for the Investigation of Complaints and Allegations against the Police.

The governmental report goes into great lengths to manifest its resentment at the terminology employed by the Advisory Committee<sup>4</sup> when referring to Cypriot territories, inevitably raising the relevance of the ‘Cyprus problem’ to the issue of the protection of minority rights. Additionally, the government report accuses the Advisory Committee of ignoring some of its views communicated to the Secretariat on time and of attributing to Cyprus (“the occupied country”) acts and problems which should be attributed to Turkey (“the occupying power”). In general, the governmental report attempts to politicise the issues involved and is ridden with sensitivities deriving from the Cyprus problem.

**Internet link source:**

The Third Opinion of the Advisory Committee is available at [www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_3rd\\_OP\\_Cyprus\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_OP_Cyprus_en.pdf). The comments of the government of Cyprus on Third opinion are available at [http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_3rd\\_Com\\_Cyprus\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_Com_Cyprus_en.pdf).

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<sup>4</sup> The government objected to the use of the terms: “territory not under government control”; “two territories”; “in the course of the conflict”; “settlement of the conflict”; “once the conflict is settled”, “villages...are... inaccessible”. It suggested that terms that should be used instead are “occupied areas” or “areas not under the effective control of the Government”.