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**Migrants and their Descendants:
Social Inclusion and
Participation in Society**

Cyprus, 2015

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Executive summary

Executive summary

1. Legislation and policy instruments

The only integration action plan that has ever been implemented in Cyprus was during the years 2010-2012. In February 2013, just before the previous government stepped down, a proposal was adopted by the Council of Ministers for the adaptation and renewal of the national action plan, but no further action was taken since. At present, other than a handful of projects financed by the EIF, there is little integration activity. Since 2012, when the National Action Plan 2010-2012 expired, there has not been any action plan approved.

- The action plan outlined objectives such as:
 - ✓ The integration and participation of immigrants in the social and public life of the Cypriot society;
 - ✓ The recognition of social, economic, political and cultural rights and the needs of immigrants;
 - ✓ Combating racism and discrimination.

- The activities foreseen in the plan targeted both migrants and the host population, as well as various institutions such as local authorities through the training of public officials and the development and maintenance of statistical data. The policies targeting the host population consisted mainly of awareness raising and the training of persons coming into contact with TCNs, including public authorities, teachers and civil servants;
- The policies targeting the migrant population consisted of the following:
 - ✓ Training and supporting institutions that run projects promoting awareness on antidiscrimination, diversity and accessing of migrants' rights;
 - ✓ Language learning;
 - ✓ Vocational and computer training;
 - ✓ Supporting parents with children;
 - ✓ Day centres;
 - ✓ Psychological support.

- Since the action plan was never assessed or evaluated, the impact of the actions undertaken is still unclear. However, a number of weaknesses can nevertheless be identified: the absence of any consultation with or participation of the migrants themselves in the design and implementation, the limited scope of activities targeting asylum seekers and the exclusion of irregular migrants from the scope of this plan, gender mainstreaming was only nominally covered whilst the majority of immigrants in Cyprus are women in domestic/care work working behind the closed doors. In general it was felt by all stakeholders involved that migrant workers in Cyprus have far more pressing needs and priorities than Greek language classes: they need support organisations, access to services and rights, assistance during labour disputes etc.

- The key drivers for the development of a fresh integration momentum are:
 - ✓ The development of the migrant-rights and support movements, by migrants and social movements.

- ✓ Accession to the EU has brought about the development of legislative and policy frameworks and expertise.
- ✓ The process of 'Europeanisation' has also brought into contact various groups, trade unions and research centres in combating discrimination and informing workers and the public.

- The integration aspect came as an "add-on" feature, introduced through Cyprus' EU membership and to some extent from the political conjunctures in 2010 which allowed for an opening that took into account human rights and labour rights. That marked a drastic change: a quarter of a century after the initial change of immigration policy and more than decade after EU accession, the ascendance of the migrant population has had a major impact on the economy, work and different sectors of the labour force. Prior to accession it was estimated that over half of the economic growth up until EU accession should be attributed to the work of TCNs. Not surprisingly, the numbers of migrants since 2013 have gone down since the economic and banking collapse of 2013, which has resulted in mass unemployment and the closure of businesses and industries employing migrants. This has generated transformations in politics as the old 'social questions' have been opened anew. At a societal level, the problem of migrants' integration is becoming one of the major issues of the ideological and political cleavage, in what can be seen as a *dissensus*.

- The short duration of the visas issued to migrant workers (maximum of four years) and the reluctance of the authorities to grant citizenship or the long term migrant visa have been the main barriers in migrants' integration in Cyprus. The absence of any effective mechanisms in addressing discrimination, the restrictions in accessing the judicial system and the limited impact of the activities of the Equality Body have, over the years, created a regime of impunity for the perpetrators of discrimination, both in the field of employment and beyond. The lack of political will to address the rise of the far right, the housing and schooling segregation, coupled with the restrictive immigration policies have over the years pushed migrants into marginalisation and exclusion. The 'short term' approach to immigration leaves little room for substantive and meaningful integration. In order to have a serious impact in terms of integration, bold measures need to be taken in reviewing the current immigration regime and in introducing legislative and policy measures that will enable migrants to access work, health, education, civic and political participation on equal terms as their hosts.

2. Equal treatment and discrimination

- There have been no training or awareness raising initiatives targeting migrants or their descendants. A number of training seminars carried out by the Equality Body targeted public officers offering services but not the migrants and/or their descendants.
- Few surveys have been conducted in recent years recording the views of migrants and none focused on their level of awareness of rights and procedures relating to equal treatment. Studies show that problems persist in the implementation of equal treatment and there is widespread discrimination.

- There are weaknesses in the legislative framework mainly in the field of judicial application. There are no Court decisions in Cyprus invoking the law transposing the Racial Equality Directive or any other legislation on racial discrimination. This may be attributed to the reluctance (and absolute discretion) of the prosecution authorities to prosecute offenders, the cost and length of judicial proceedings, low awareness of rights and procedures amongst both the victims and legal circles and restrictions in legal aid.

3. Political and societal participation

- TCNs face problems and barriers in accessing to citizenship. The naturalisation procedure is discretionary and problematic. A wide margin of discretion is vested in the Naturalisation Department whose decisions were criticised by ECRI and by the national Ombudsman as 'discriminatory', 'excessively discretionary and restrictive', largely reflected in the application of the residency and language requirements.
- Third country nationals have no access to electoral rights at any level or type of election; hence there are no candidates with third country migrant background.
- Consultation is limited and does not involve policy-making. At local level, a few consultative bodies-forums organised by the municipalities have no real role or bearing in shaping policy. There are no national consultative bodies as such and there was no consultation with migrants in the drafting of the first National Action plan. Irregular consultations organised by the Ombudsman on different issues have no bearing on policy development.
- As TCNs are wholly excluded from work in the public sector, they are also not involved in the trade unions of public sector employees. Trade unions in the private sector provide information and occasionally conduct awareness raising in several languages. TCNs are organised mostly at shop floor level; no migrants are elected at leadership level, partly reflecting the fact that their stay in Cyprus is short term. Often they feel intimidated and frightened to be identified as trade unionists for fear of losing the jobs and face deportation.
- Technically speaking, membership of professional, employer and scientific associations (such as medical, engineer, bar associations) is open to TCNs but in practice language and the recognition of their qualifications can act as barriers.
- In most cases there are no legal limitations or barriers in the self-organisation of TCNs in organisations or associations. There are, however, practical barriers mostly related to the fact that their long hours of work leave them with very little free time.
- Studies have located a number of barriers in the design, implementation, monitoring and assessment of policy measures and in the normative framework for the political and social participation of migrants and their descendants.

4. Social cohesion and intolerance

- The activities of the NAPIM (2010-2012) did not refer to social/community cohesion. Since 2003, Cyprus adopted a law providing for a social cohesion fund which however contains no definition of the term. Official documents on social/community cohesion have incorporated the definition of EU

	<p>policy/funding documents. In the absence of a concise definition, public discourses in the media and in political debates in Cyprus loosely refer to “social cohesion” without consistency.</p> <ul style="list-style-type: none">• No indicators are used by authorities to assess, monitor or support social cohesion policies.• There have been no legal measures or case law affecting social cohesion and community relations. Religion has not been a traditional centre-point of contention.
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1. Legal and policy instruments for migrant integration

1.1. Description of existing instruments and target groups

	<p>This section should present the overall state of play concerning national and, where applicable, regional legal and policy instruments focusing on how they address fundamental rights, core EU values and principles, as well as international legal standards and related EU law and policies, such as the Common Basic Principles and the Common Agenda on integration of migrants. Please complete the template in Annex 2.¹</p> <p>Please make sure the brief information you provide in the table includes the following aspects:</p>		
	<table border="1"> <tr> <td data-bbox="300 763 539 1509"> <p>Does the national strategy on migrant integration contain a definition of integration? If so, please include it in the original language and full English translation.</p> </td> <td data-bbox="539 763 1495 1509"> <p>There is currently no official document in force to define the term 'integration'. The closest to a definition was a reference in the Action Plan for the Integration of Third Country Nationals which covered the 2010-2012. Since the action plan expired in 2012, no other plan has been adopted or implemented, although the Council of Ministers has approved a recommendation from the Ministry of the Interior that a new action plan on integration should be introduced.²</p> <p>The term 'integration' began to appear for the first time in official documents in 2007. At that time, the Council of Ministers established a special committee of experts whose task was to develop a policy framework on the integration of legally residing migrants in Cyprus.³ However, the policy framework was only adopted in 2010 with the approval of the first integration action plan,⁴ following a consultation process with stakeholders.⁵</p> <p>The introductory section to the action plan of 2010-2012 set out the definition of integration provided in the Common Basic Principles, which defines integration as 'a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States': «Η ένταξη των μεταναστών και των απογόνων τους είναι μια δυναμική, μακροπρόθεσμη και συνεχής αμφίδρομη διαδικασία αμοιβαίας αποδοχής. Απαιτεί έτσι, τη συμμετοχή όχι μόνο των</p> </td> </tr> </table>	<p>Does the national strategy on migrant integration contain a definition of integration? If so, please include it in the original language and full English translation.</p>	<p>There is currently no official document in force to define the term 'integration'. The closest to a definition was a reference in the Action Plan for the Integration of Third Country Nationals which covered the 2010-2012. Since the action plan expired in 2012, no other plan has been adopted or implemented, although the Council of Ministers has approved a recommendation from the Ministry of the Interior that a new action plan on integration should be introduced.²</p> <p>The term 'integration' began to appear for the first time in official documents in 2007. At that time, the Council of Ministers established a special committee of experts whose task was to develop a policy framework on the integration of legally residing migrants in Cyprus.³ However, the policy framework was only adopted in 2010 with the approval of the first integration action plan,⁴ following a consultation process with stakeholders.⁵</p> <p>The introductory section to the action plan of 2010-2012 set out the definition of integration provided in the Common Basic Principles, which defines integration as 'a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States': «Η ένταξη των μεταναστών και των απογόνων τους είναι μια δυναμική, μακροπρόθεσμη και συνεχής αμφίδρομη διαδικασία αμοιβαίας αποδοχής. Απαιτεί έτσι, τη συμμετοχή όχι μόνο των</p>
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¹ You can use and update the information as in the Table 1.7 of the FRA Annual Report 2012 (pp.62-63). You should add more detail, for example, instead of identifying 'education' under the category 'focus area' be more specific, e.g. review of curriculum in secondary education to address integration issues, etc, provided this level of detail is specifically mentioned in the relevant policy instruments

² Cyprus, Ministry of Interior, Letter to the University of Nicosia, 24 March 2015.

³ Cyprus, Ministry of Interior, Setting up of a special committee of experts for developing a policy framework for the integration of lawful migrants into Cypriot society (*Σύσταση ειδικής επιτροπής εμπειρογνομόνων για τη διαμόρφωση πλαισίου πολιτικής για την ένταξη των νομίμων μεταναστών στη Κυπριακή κοινωνία*), 16 March 2007; Cyprus, Council of Ministers Minutes, Setting up of a special committee of experts for developing a policy framework for the integration of lawful migrants into Cypriot society (*Σύσταση ειδικής επιτροπής εμπειρογνομόνων για τη διαμόρφωση πλαισίου πολιτικής για την ένταξη των νομίμων μεταναστών στη Κυπριακή κοινωνία*) Proposal No. 3888/2007, Decision No. 65242, 28 March 2007.

⁴ Cyprus, Ministry of Interior (2010), Proposal to the Council of Ministers, National Action Plan for the Integration of Migrants lawfully residing in Cyprus 2010-2012 (*Πρόταση προς το Υπουργικό Συμβούλιο, Εθνικό Σχέδιο Δράσης για την Ένταξη των Μεταναστών που διαμένουν νόμιμα στη Κύπρο 2010-2012*) 8 October 2010; Cyprus, Council of Ministers, proposal number 1066/2010, decision no. 71104, 13 November 2010.

⁵ Trimikliniotis, N. (2011) 'Labour integration of migrant workers in Cyprus: A critical appraisal' in: Mojca Pajnik and Giovanna Campani (ed.) *Precarious Migrant Labour across Europe*, Politike Symposion Series, Peace Institute, Ljubljana.

	<p>μεταναστών και των απογόνων τους αλλά και κάθε πολίτη. Η κοινωνία υποδοχής πρέπει να δημιουργήσει τις ευκαιρίες για την πλήρη οικονομική, κοινωνική, πολιτιστική και πολιτική συμμετοχή των μεταναστών. Η αποτυχία ενός μεμονωμένου κράτους-μέλους στο να αναπτύξει και να υλοποιήσει μια επιτυχή πολιτική ένταξης μπορεί να έχει δυσμενείς συνέπειες με διαφορετικούς τρόπους για άλλα κράτη-μέλη και την Ευρωπαϊκή Ένωση». The English text of the action plan reads: "The integration of legally residing immigrants and their descendants is a dynamic, long-term, and continuous two-way process of mutual accommodation. It demands the participation not only of immigrants and their descendants but of every citizen. It also involves the receiving society, which should create the opportunities for the immigrants' full economic, social, cultural, and political participation. The failure of an individual Member State to develop and implement a successful integration policy can have in different ways adverse implications for other Member States and the European Union".⁶</p> <p>In 2013, the Ministry of Interior submitted a proposal to the Council of Ministers for the introduction of a new action plan on integration of migrants.⁷ The proposal was adopted⁸ but no plan was compiled or implemented since. The proposal reiterates broadly the same definition and speaks of a strategy based international and EU law and harmonisation of the national legislation in line with the EU acquis but which is adapted to the specific situation of the Cypriot reality. The proposal states: 'As defined by Common Basic Principles for the integration of Migrants that the Commission has adopted in 2004, the National Action Plan for the Integration of Migrants 2010-2012 approaches integration as a dynamic, long term and reciprocal process of responsibilities and rights between the migrants and the host society and as a process that has a prerequisite the participation of the migrants but also every citizen'.</p> <p>The text in Greek reads: "Όπως ορίζουν οι Κοινές Βασικές Αρχές για την ένταξη των μεταναστών που το Συμβούλιο της ΕΕ έχει υιοθετήσει το 2004, το Σχέδιο Δράσης για την Ένταξη των Μεταναστών 2010-2012 προσεγγίζει την ένταξη ως μια δυναμική, μακροπρόθεσμη και αμφίδρομη διαδικασία υποχρεώσεων και δικαιωμάτων μεταξύ των μεταναστών και της κοινωνίας."⁹</p> <p>The parameters of the integration policy use the term "integration" is not translated as <i>ensomatosi</i> (ενσωμάτωση) but <i>entaksi</i> (ένταξη) i.e. inclusion as a type of incorporation that is more inclusive and reciprocal rather than <i>ensomatosi</i> which moves more in an assimilationist direction. This reflects the state of the art in Greek terminology, which prefers the use of the term <i>entaksi</i> (ένταξη)</p>
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⁶Cyprus, UNHCR, Action Plan For Integration Of Immigrants Legally Residing In Cyprus 2010-2012, 18 March 2015. Available at

www.unhcr.org.cy/fileadmin/user_upload/ACTION_PLAN_ON_INTEGRATION_OF_28.92010_FINAL.ENGLISH.pdf

⁷ Cyprus, Ministry of Interior (2013), Proposal to the Council of Ministers, The integration of migrants as a tool for reinforcing social cohesion and development, No. 256A/2013, 19 February 2013.

⁸ Cyprus, Council of Ministers, Extract from the Minutes of the Meeting of the Council of Ministers, 28 February 2013.

⁹ Cyprus, Ministry of Interior (2013), Proposal to the Council of Ministers, The integration of migrants as a tool for reinforcing social cohesion and development, No. 256A/2013, 19 February 2013.

		<p>instead of “<i>ensomatosi</i>” (ενσωμάτωση) demonstrating awareness of the current debates on the subject amongst Greek scholars.¹⁰</p> <p>Since 2013 there are no official documents which define integration. The new Council of Ministers which took office in March 2013 has not dealt with the integration of migrants; the proposal for the adoption of a new action plan, discussed during the term of the previous government’s Council of Ministers, appears to be halted. However, the Strategic Plan of the Ministry of Interior 2014-2016 contains two references to “the smooth integration of migrants in Cypriot society” as part of pillar 3.2.1 “Maximisation of the total benefit from legal migration”.¹¹ No definition is provided and one cannot be certain whether the addition of the term “smooth” amounts to an attempt to redefine what the previous Governments had formulated as integration.</p> <p>In 2014 the Government has officially informed the United Nations¹² that “Cyprus has in place an Action Plan on integration, first adopted by the Government in 2007, which has been revised based on a strategic planning for the years 2014-2016, which provides the policy and operation in this field every three years”. It then translates the relevant section of the Strategic Plan of the Ministry of Interior 2014-2016 and states the following: “A the moment , a new Action Plan has been approved by the Council of Ministers covering the years2014-2016 and it includes the following main targets:</p> <ol style="list-style-type: none"> 1. Maximise the benefits from legal migration by redefining the needs of the labour market based on scientific study; 2. Promote the smoother integration of legal immigrants in the Cyprus society; 3. Manage situations where of ghetto has been established.” <p>It is impossible to interpret what the adjective ‘smooth’ or ‘smoother’ refers to. It is noted that in the Greek text contained in the Strategic Plan of the Ministry of Interior the term used as an adjective in front of the word ‘integration’ is ‘smooth’ rather than ‘smoother’. It may be referring to ‘smoother’ or ‘smooth’ in comparison to the policy of the previous Government’s policy. It may mean a policy subordinated to other policy priorities, which appear dominant in the ministry’s public documents and the minister’s own public statements which primarily set ‘combating illegal immigration’ and ‘security’ as the most important policy priority.¹³ The ministry’s officials are not able to comment on this as there is no officially stated policy on the matter.</p>
	Are there specific	The National Action Plan for the Integration of migrants legally residing in Cyprus 2010-2012 (p.2) makes specific references to

¹⁰Pavlou, M. and Christopoulos, D. (eds.) (2004) Η Ελλάδα της Μετανάστευσης, Κοινωνική συμμετοχή, δικαιώματα και ιδιότητα του πολίτη, Athens: KEMO.

¹¹Cyprus, Ministry of Interior (2013), Strategic Plan of the Ministry of Interior (Στρατηγικό Σχέδιο του Υπουργείου Εσωτερικών) 23 December 2013. Available at [www.moi.gov.cy/moi/moi.nsf/All/F4894C37663C23C5C2257C8B00276E15/\\$FILE/MOI_SP-2014-2016_V5.pdf?OpenElement](http://www.moi.gov.cy/moi/moi.nsf/All/F4894C37663C23C5C2257C8B00276E15/$FILE/MOI_SP-2014-2016_V5.pdf?OpenElement)

¹² Cyprus, Permanent Mission of the Republic of Cyprus in Geneva (2014), Note concerning the General Assembly Resolution A/RES/68/179 of 28 January entitled ‘Protection of Migrants’ (Σημείωμα – Ψήφισμα A/RES/68/179) Ref.: 2411.001.004.001 (203/81/3), 10 June 2014. Available at www.ohchr.org/Documents/Issues/Migration/GA69thSession/Cyprus.pdf

¹³Trimikliniotis, N. (2013) ‘Migration and Freedom of Movement of Workers: EU Law, Crisis and the Cypriot States of Exception’, Laws 2, no. 4: 440-468. Available at www.mdpi.com/2075-471X/2/4/440

	<p>references in the national strategy or relevant legal or policy instruments to fundamental rights in relation to migrants?</p>	<p>international and European law it has complied the EU acquis, with references to the rights derived from various directives and broad principles such as equality and non-discrimination. In particular it refers to the following: "The strategy for the integration of immigrants is based on both the international and European law by adopting international and European conventions and to harmonize our national legislation with the acquis and the rest of our national law. Meanwhile, efforts are focused on measures that reflect the challenges of Cypriot reality. The European Directive on the status of long-term resident third country nationals, the right to family reunification, the entry for the purpose of studying or volunteering for asylum and discrimination have been incorporated into national legislation to facilitate the integration of immigrants. The principle of equality and non-discrimination, gender, race, ethnicity guaranteed by the Constitution and by many human rights conventions ratified by our country, both within the United Nations and the Council of Europe, and acts of the European Union where the May 1, 2004 we are a member. As a result it was important not only changes in our national legislation and the various accompanying measures, such as measures to disseminate information, raise awareness, exchange of experiences, training, learning the Greek language and access to justice that aim to guarantee the effective implementation and compliance with legislation against discrimination."</p>
	<p>Which are the target groups of the national integration strategy? Please provide any definitions relevant or the determination of the persons that are entitled to or beneficiaries of the relevant action plans and policy measures (e.g. 'integration agreements': who signs them and what do they contain). Please specify any residence requirements (e.g. which migrant and/or residence status counts or not for "legally</p>	<p>The policy applies exclusively to "legally residing third country nationals". The National Action Plan 2010-2012 explicitly refers to third-country nationals legally residing in Cyprus, including recognised refugees, individuals under international protection status and partially to asylum seekers.</p> <p>The National Action Plan 2010-2012 concerns the following categories of legal migrants and contains integration measures of various intensity and content for each category:</p> <ul style="list-style-type: none"> • individuals who have recently acquired the Cypriot citizenship (by naturalisation or registration); • holders of Migration Permit; • holders of long-term residence permit; • holders of temporary residence permit valid for an unlimited period; • family members (who are third country nationals) of EU citizens; • Pontians; • recognised refugees; • holders of subsidiary protection status; • holders of temporary residence/work permit; • asylum seekers.

	<p>residing third country nationals" that eventually would be covered by these policies) for persons to be considered members of the targeted groups.</p>	
	<p>In reference to the CBP 1¹⁴ <i>'Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States'</i>: please specify if and how the majority population is explicitly targeted; distinguish, if possible, between policies or measures targeting the general population and specific target groups, such as public authorities, e.g. teachers, police, judiciary, etc.; outline the objectives of such policies and measures, and their duration.</p>	<p>The National Action Plan 2010-2012 consisted of 8 Priority Pillars with specific objectives and specific actions for their implementation, as well as time tables, competent services of implementation and funding sources of the actions. The pillars were:</p> <ul style="list-style-type: none"> • 1st Priority Pillar: Information – Service – Transparency. • 2nd Priority Pillar: Employment, Training, Trade Unions. • 3rd Priority Pillar: Education and Language Learning. • 4th Priority Pillar: Health. • 5th Priority Pillar: Housing – Improvement of quality of life, social protection and interaction. • 6th Priority Pillar: Culture, Civics, basic elements of political and social reality. • 7th Priority Pillar: Participation. • 8th Priority Pillar: Assessment – Annual and Total. <p>The National Action Plan 2010-2012 contained various activities targeting migrants and the host population (e.g. awareness campaigns) as well as various institutions such as local authorities through the training of public officials and the development and maintenance of statistical data.</p> <p>Four objectives were outlined:</p> <ul style="list-style-type: none"> • The integration and participation of immigrants in the social and public life of the Cypriot society; • The recognition of social, economic, political and cultural rights and the needs of immigrants; • Combating racism and discrimination. <p>The policies targeting the host population consisted of the following:</p> <ul style="list-style-type: none"> • measures targeting the general population: for instance, awareness training to the general public through media campaigns on antidiscrimination, diversity and rights, as well as targeting specific groups and institutions in the private domain such as trade unionists, employers; • measures specific target groups, such as public authorities: these include training of public officials such as teachers, civil servants; • Funding activities and projects run by local authorities, public bodies, trade unions and employers facilitating and supporting migrants. <p>The policies targeting the migrant population consisted of the following:</p>

¹⁴Common Basic Principles for Migrant Integration Policy in the EU (2004) available at http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/82745.pdf

		<ul style="list-style-type: none"> • Training and supporting institutions that run projects promoting awareness on antidiscrimination, diversity and accessing of migrants' rights; • Language learning; • Vocational and computer training; • Supporting parents with children; • Day centres; • Psychological support.
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1.2. Drivers & barriers in developing, implementing and assessing legal and policy instruments

	<p>On the basis of material collected, including past research, studies, assessments, evaluation and contacts with the authorities, public officials and key actors for social inclusion and participation of migrants, outline the main drivers and barriers for social inclusion and integration policies in general. Please mention also any important differences at regional level. A more detailed outline of specific drivers and</p>	<p>During the preparation of the first national action plan as important barrier in the development of an integration agenda was the lack of debate on the subject: there has never been a national debate as such; only a handful of articles appeared in the in national newspapers.¹⁵ In fact prior to the adoption of the first national action plan there was little, if any, national literature on the subject reflecting the absence of public debate on the general subject matter of 'integration'. Moreover, a critical analysis of the public debate has revealed various distortions and exaggerations in what is referred to as the "numbers game",¹⁶ being the practice of blaming migrants and asylum-seekers for receiving "too many benefits", for the rise in crime, for car accidents, public health risks, etc.¹⁷ The <i>Migrant Integration Policy Index (MIPEX)</i>¹⁸ located Cyprus in a generally <i>unfavourable</i> integration position, which provides a point of departure and comparison across the EU: "Cyprus is one of only five EU Member States where the majority of non-nationals are from other EU countries; 5.7% of the total population is from outside the EU. Asylum seekers and international students make up a large part of the immigration flows. Legislative developments have been restricted to the delayed transposition of the EC Directives on family reunion and long-term residence, as well as some minor amendments to the laws transposing the two anti-discrimination Directives, in order to bring the transposing legislation in line with the equality Acquis."</p> <p>The key drivers are the following:</p> <ul style="list-style-type: none"> • EU laws and policy instruments; • The balance of forces and arguments in the tripartite process between Government, the employers and trade unions, as a mechanism for addressing labour disputes; • The mobilisation of the labour movements, initiatives, NGOs, migrant and human rights groups.
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¹⁵ Trimikliniotis, N. (2012), 'Το μείζον διακύβευμα της Ένταξης – Αντιμετωπίζοντας τον ρατσισμό και τις διακρίσεις σε βάρος των μεταναστών' in: Phellas, C., Peristianis, N., Amitsis G. (eds.) *Το Κοινωνικό Πορτραίτο της Κύπρου 2012*, University of Nicosia, Nicosia, pp.178-214. . Morfitis, A. (2013) *Το Μεταναστευτικό και οι Επιπτώσεις του*, Epifaniou, Nicosia.

¹⁶Trimikliniotis, N. (2012), 'Το μείζον διακύβευμα της Ένταξης – Αντιμετωπίζοντας τον ρατσισμό και τις διακρίσεις σε βάρος των μεταναστών' in: Phellas, C., Peristianis, N., Amitsis. (eds.) *Το Κοινωνικό Πορτραίτο της Κύπρου 2012*, University of Nicosia, Nicosia, pp.178-214.

¹⁷Morfitis, A. (2013) *Το Μεταναστευτικό και οι Επιπτώσεις του*, Epifaniou, Nicosia.

¹⁸Migrant Integration Policy Index: Cyprus. Available at www.mipex.eu/cyprus

	<p>barriers for specific policy areas will be required in the following sections.</p>	<p>The key barriers are the following:</p> <ul style="list-style-type: none"> • The system of employing migrants from third countries, which is based on short term visas attached to specific employers, resembling something in between the Gastarbeiter and the sponsored systems (Kafala) in the Middle East, is a major barrier to developing a proper integration program.¹⁹ • Domestic work, which is the field of occupation for about half of Cyprus' migrant labour force, is unionised and lacks any monitoring or inspection mechanisms. The fact that the policy-makers have failed to address what one scholar called a "very special form of vulnerability" of domestic workers is an effective barrier to integration.²⁰ • The procedure made available by the Ministry of Labour and Social Insurance to migrants workers for filing complaints about labour disputes is flawed and ridden with pro-employer bias,²¹ with instances of victimisation of the complainants that involved arrest, detention and deportation.²² • The general practice of excluding asylum seekers from integration policies leads this group to marginalisation and exclusion. Their situation is intensified by policies that restrict their access to the labour market and the sectors in which they are allowed to work, which are by definition low-paid and low status: agriculture, fisheries, animal farming, animal food production, sewage, refuse collection, recycling of animal excrement, slaughterhouse waste, cleaning of buildings and external spaces, distribution of leaflets, fast food deliveries. Also, drastic cuts in welfare benefits and the introduction of food coupons in 2013 have further led asylum seekers into conditions of extreme poverty. • The preferred practice of the authorities of granting subsidiary protection to asylum seekers rather than full refugee status as a means of preventing family reunification and accessing full work and welfare leave many of these persons and their families in a state of limbo.²³ • Restrictive and intrusive policies regarding mixed marriages, leading to detentions and deportations on the allegation that a marriage is not genuine.
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¹⁹Pande, A. and Trimikliniotis, N. (2015) "Europeanising the Kafala system: Migrant Domestic Work and the Sponsorship System in Cyprus and Lebanon", submitted to *International Migration Review*.

²⁰ Pavlou, V. (2014) *A very special vulnerability: Migrant domestic workers in Cyprus*, *The GraSe Blog*, EUI Blogs, 9 July 2014. Available at blogs.eui.eu/grase/a-very-special-vulnerability-migrant-domestic-workers-in-cyprus.html. Also Pavlou, V. (2014) 'Migrant domestic workers in Cyprus: vulnerable subjects and the law', [Video] *Paid domestic work: contemporary forms and past legacies*, organised by the Gender, Race & Sexuality Working Group at the European University Institute, *The GraSe Blog*, EUI Blogs, 16 April 2014. Available at blogs.eui.eu/grase/video-paid-domestic-work-contemporary-forms-and-past-legacies.html

²¹ National Human Rights Institute (2013), Position of the Commissioner for Administration as National Human Rights Institute regarding the status of domestic workers in Cyprus, N. A/D 3/2013, 2 July 2013. Available at [www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/DC20DCBBB5D083ECC2257BB900302745/\\$file/%CE%91%CE%943.2013-02072013.doc?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/DC20DCBBB5D083ECC2257BB900302745/$file/%CE%91%CE%943.2013-02072013.doc?OpenElement)

²² Cyprus, Commissioner for Administration and Human Rights, Report on the regarding the arrest and detention of a domestic worker pending the examination of her complaint for a labour dispute against her employer and the handling of her complaint, No.A.P. 588/2012, 05 June 2012. Available at [www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/ED41637545E0E7A6C2257A33001B4DB8/\\$file/588.2012-05062012.doc?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/ED41637545E0E7A6C2257A33001B4DB8/$file/588.2012-05062012.doc?OpenElement)

²³ Cyprus, UNCHR Cyprus (2014), *UNHCR regrets the lowering of international protection standards in the Republic of Cyprus*, 16 April 2014; Cyprus, Ombudsman, Position of the Ombudsman regarding the procedures for examination of asylum applications by Syrians, 17 September 2014.

		The failure to address the rise of the far right, racism in the media and in political discourse, the inability to pursue and secure convictions from the court for hate speech and for racially motivated crime ²⁴ have further undermined integration efforts.
1.2.1.Drivers		
	The key drivers for successful integration policies, therefore factors that are considered to contribute positively in the design, development, implementation, assessment and accomplishment of policy goals and in	The key drivers for the development of the first integration action plan and the new interest in the subject of strengthening social inclusion and participation of migrants and their descendants are the combination of the following factors: <ul style="list-style-type: none"> The development of the migrant-rights and support movements, by migrants themselves and within Cypriot institutions which are crucial in this field, such as the labour and trade union movement,²⁵ educationalists²⁶ and intellectuals, the new media activists' groups which have emerged over the last ten years.²⁷ <p>Integration to the EU has brought about the development of legislative and policy frameworks as soft law and funding opportunities that facilitate the development of concepts at policy-making level²⁸ and ideas about the role of institutions such as local governance,²⁹ diversity projects at city level,³⁰ research on tolerance and acceptance,³¹ monitoring, research and expertise on combating discrimination,³² various funded civil society integration</p>

²⁴ U.N. Committee on the Elimination of Racial Discrimination, Concluding observations on the seventeenth to twenty-second periodic reports of Cyprus, adopted by the Committee at its eighty-third session (12-30 August 2013) and published on 23 September 2013 (CERD/C/CYP/CO/17-22). Available at http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fCYP%2fCO%2f17-22&Lang=en

²⁵ Trimikliniotis, N. (2012), 'Το μείζον διακόβευμα της Ένταξης – Αντιμετωπίζοντας τον ρατσισμό και τις διακρίσεις σε βάρος των μεταναστών' in: Phellas, C., Peristianis, N., Amitsis, G. (eds.) *Το Κοινωνικό Πορτραίτο της Κύπρου 2012*, University of Nicosia, Nicosia, pp.178-214.

²⁶ Theodorou, E. (2010) "‘Children at our school are integrated. No one sticks out’: Greek-Cypriot teachers' perceptions of integration of immigrant children in Cyprus", *International Journal of Qualitative Studies in Education*, *iFirst*, 1-20.

²⁷ Trimikliniotis N., Parsanoglou, D. and Tsianos, V. (2015) *Mobile commons, migrant digitalities and the right to the city*, Palgrave Macmillan, Pivot Series Mobility & Politics.

²⁸ Trimikliniotis, N. (2012) *Shaping and Implementing Integration Policies: The Role of local and regional Authorities and Communities*, Concept Note and Background/Discussion Paper, for the Expert Conference organised by the Ministry of Interior of Cyprus under the auspices of the Cyprus Presidency of the EU, co-funded by the European Integration Fund of the European Union, Nicosia, 20 November 2012, available at http://www.cy2012.eu/index.php/en/file/IW_sLnz1XX2nxXo9+AUZw

²⁹ Cyprus, Ministry of Interior, (2013) *Shaping and Implementing Migrant Integration Policies: The Role of Local and Regional Authorities and Communities*, Report of Experts' Conference, held in Nicosia on 20 November 2012 in by the Framework of the Cyprus Presidency of the Council of the EU, funded by the European Integration Fund of the European Union, available at [http://www.moi.gov.cy/moi/moi.nsf/all/877123C2E3E11A24C2257B350020CBD7/\\$file/Integration%20Conference%20Nicosia%20-%20Conference%20Report.pdf?openelement](http://www.moi.gov.cy/moi/moi.nsf/all/877123C2E3E11A24C2257B350020CBD7/$file/Integration%20Conference%20Nicosia%20-%20Conference%20Report.pdf?openelement)

³⁰ Kyriakides, C, Avraamidou, M., Bajjali, L. (2012) *Shaping Perceptions and Attitudes to Realize the Diversity Advantage Intercultural Integration in the City of Limassol*, SPARDA A report carried out on behalf of the European Union and the Council of Europe and Limassol Municipality by the Ethnicity and Communications Research Team (ETHCOM), Cyprus University of Technology, March 2012, available at <https://www.coe.int/t/dg4/cultureheritage/culture/Cities/Limassolmapping.pdf>

³¹ Trimikliniotis, N. and Demetriou, D. (2011) 'Tolerance and Cultural Diversity Discourses in Cyprus', Work Package 1 – Overview of National Discourses on Tolerance and Cultural Diversity, Published by the European University Institute Robert Schuman Centre for Advanced Studies, ACCEPT PLURALISM 7th Framework Programme Project, available at http://cadmus.eui.eu/bitstream/handle/1814/19789/ACCEPT_2011_01_WP1_background_report_Cyprus.pdf?sequence=1 and <http://symfilioti.org/wp-content/uploads/2013/03/Tolerance-and-Cultural-Diversity.pdf>

³² Demetriou, C. (2014) *Report on measures to combat discrimination - Directives 2000/43/EC and 2000/78/EC – Cyprus*, European Network of Legal experts in the Non-discrimination field, available at <http://www.non-discrimination.net/countries/cyprus>

	strengthening social inclusion and participation of migrants and their descendants. For example, are these policies mainstreamed in other public policies, for example in employment, education, housing, etc. and how is this achieved?	projects, ³³ migrant women from various ethnic groups such as African women ³⁴ and vulnerable workers. This must also be related to the development of human rights knowledge and monitoring brought about as a result of the role of international bodies such as the various UN agencies and ECHR instruments, as well as the enhancement of human rights specialised bodies with authority such as the Equality Body and the several other authorities operating from its premises, NGOs, ³⁵ unofficial initiatives and expertise. The process of 'Europeanisation' has also brought into contact various groups, trade unions and research centres in combating discrimination and informing workers and the public, ³⁶ initiatives as it forces facilitates potential common action amongst migrant and international groups and initiatives at an activists level. ³⁷
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1.2.2.Barriers

	Barriers, limitations, constraints or resistance faced in designing, developing and implementing such policies and measures, therefore factors that may hinder their effectiveness	Key barriers relate to the absence of a proper debate, the absence of effective consultation and participation of migrant themselves in decision-making bodies, the lack of any system of political accountability, as the vast majority of migrants do not vote and have no economic power. ³⁸ There are of course the exceptions: the lobbies of the rich individual TCNs who have major financial power, many of whom are increasingly granted citizenship, taking advantage of a scheme that grants citizenship, even if not present in the country, to any person who has invested major amounts of money in Cyprus. ³⁹ Even though migrants (TCNs and EUNs) make up over one fifth of the economically active population, political parties have not seen migrants as a particular constituency in their
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³³ CARDET (2015)“Integration policies: Who benefits? The development and use of indicators in integration debates” (MIPEX 2015), available at <http://www.cardet.org/en/projects/current/44-integration-policies-who-benefits-the-development-and-use-of-indicators-in-integration-debates>

³⁴ CARDET (2015) *LeFAMSol: Learning for Female African Migrants' Solidarity*, available at <http://www.cardet.org/en/projects/current/40-lefamsol-learning-for-female-african-migrants-solidarity>

³⁵ KISA (2013) *Alternative Report for CERD* (Committee on the Elimination of Racial Discrimination), 9 August 2013, available at http://kisa.org.cy/wp-content/uploads/2013/04/KISA-Alternative-Report-on-Cyprus_14925_E.pdf

³⁶ INEK-PEO (2014) *Action Against Discrimination*, Website produced with the financial support of the PROGRESS Programme of the European Union, available at <http://www.inek.org.cy/AAD/>

³⁷ Trimikliniotis N., Parsanoglou, D. and Tsianos, V. (2015) *Mobile commons, migrant digitalities and the right to the city*, Palgrave Macmillan, Pivot Series Mobility & Politics.

³⁸ Trimikliniotis, N. (2013) ‘Migration and Freedom of Movement of Workers: EU Law, Crisis and the Cypriot States of Exception’, *Laws* 2, no. 4: 440-468, available at <http://www.mdpi.com/2075-471X/2/4/440>; Trimikliniotis, N. (2012), ‘To μείζον διακύβευμα της Ένταξης – Αντιμετωπίζοντας τον ρατσισμό και τις διακρίσεις σε βάρος των μεταναστών’ in: Phellas, C., Peristianis, N., Amitsis G. (eds.) *To Κοινωνικό Πορτραίτο της Κύπρου 2012*, University of Nicosia, Nicosia, pp.178-214. Morfitis, A. (2013) *To Μεταναστευτικό και οι Επιπτώσεις του*, Epifaniou, Nicosia; Interview with former Minister of Interior, Nicosia 11 March 2015.

³⁹ Trimikliniotis, N. (2015) ‘The Migration question, Political Parties and the Cypriot State of Dissensus’, Christophorou, C. and Charalambous, G. (eds.) *Party–Society Relations in the Republic of Cyprus, Political and societal strategies in a partyocratic country*, Routledge, London; Panayiotou, A. (2015) ‘Classes, Elites and Parties: Business Groups Strategies Vis à Vis Parties and Power’, Christophorou, C. and Charalambous, G. (eds.) *Party–Society Relations in the Republic of Cyprus, Political and societal strategies in a partyocratic country*, Routledge, London.

	<p>and influence negatively their outcomes. For example, budgetary limitations, or problems of coordination of governance levels, priority of interventions, lack of training or lack of mainstreaming of relevant policies, lack of action by competent actors or limited data about the interested population, could be factors that may function as obstacles or affect negatively the implementation of selected migrant</p>	<p>pool of voters:⁴⁰ they were seen as a temporary, transitional feature, often referred to in official documents as “working hands” to meet labour shortages.⁴¹ Essentially, the permit regime for TCNs was, from its’ inception not designed as an integration regime; it was designed as a temporary and transitional regime⁴² but has grown to resemble an eclectic “Europeanised” version of a model in between the ‘Gastarbeiter model’ based on four-year visas for third country nationals (TCNs) and the <i>Kafala</i> system in the Middle Eastern countries⁴³ that ties the worker to the employer.⁴⁴ Consequently, up until the end of 2010 there was no integration policy, no civic rights or other settlement-related features. The integration aspect came as an “add-on” feature, introduced through Cyprus’ EU membership and to some extent from the political conjunctures in 2010 which allowed for an opening that took into account human rights and labour rights.⁴⁵ That marked a drastic change: a quarter of a century after the initial change of immigration policy and more than decade after EU accession, the ascendance of the migrant population has had a major impact on the economy, work and different sectors of the labour force.⁴⁶ Prior to accession it was estimated that over half of the economic growth up until EU accession should be attributed to the work of TCNs.⁴⁷ Not surprisingly, the numbers of migrants since 2013 have gone down since the economic and banking collapse of 2013, which has resulted in mass unemployment and closure of businesses in industries employing migrants (in construction, retail etc.). This has generated transformations in politics as the old ‘social questions’ have been opened anew. The situation remains highly volatile.⁴⁸ At a societal level, the problem of migrants’ integration is becoming one of the major issues of the ideological and political cleavage, in what can be seen as a <i>dissensus</i>.⁴⁹</p> <p>The immigrant integration action plan may have been pioneering and unique for the Cypriot context, however it was criticised by NGOs and migration experts on a number of counts; in many ways,</p>
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⁴⁰ Trimikliniotis, N. (2015) ‘The Migration question, Political Parties and the Cypriot State of Dissensus’, Christophorou, C. and Charalambous, G. (eds.) *Party–Society Relations in the Republic of Cyprus, Political and societal strategies in a partitocratic country*, Routledge, London.

⁴¹ Cyprus, Planning Bureau (1989) *Study on Labour Shortage. A Note on Importing Labour from Abroad*. September 1989, Republic of Cyprus Planning Bureau, Nicosia.

⁴² Cyprus, Planning Bureau (1989) *Study on Labour Shortage. A Note on Importing Labour from Abroad*. September 1989. Republic of Cyprus Planning Bureau, Nicosia.

⁴³ Pande, A. (2013) “‘The Paper that You Have in Your Hand is My Freedom’”: Migrant Domestic Work and the Sponsorship (Kafala) System in Lebanon’, *International Migration Review*, Volume 47 Number 2 (Summer 2013):414–441.

⁴⁴ Pande, A. and Trimikliniotis, N. (2015) ‘Europeanising the Kafala system: Migrant Domestic Work and the Sponsorship System in Cyprus and Lebanon’, submitted to *International Migration Review*.

⁴⁵ Interview with former Minister of Interior, 11 March 2015; Trimikliniotis, N. (2015) ‘The Migration question, Political Parties and the Cypriot State of Dissensus’, Christophorou, C. and Charalambous, G. (eds.) *Party–Society Relations in the Republic of Cyprus, Political and societal strategies in a partitocratic country*, Routledge, London.

⁴⁶ Gregoriou, P., Kontolemis, Z. and Matsi, Z. (2010) ‘Immigration in Cyprus: An Analysis of the Determinants’, *Cyprus Economic Policy Review*, Vol.4, No. 1, pp. 63-88 (2010) 1450-4561, available at http://www.ucy.ac.cy/erc/documents/Gregoriou_Full_Text.010.pdf

⁴⁷ Christofides, L. N., Clerides, S., Hadjiyiannis, C. and Michel S. M. (2007) ‘The Impact of Foreign Workers on the Labour Market of Cyprus’, *Cyprus Economic Policy Review*, Vol. 1, No. 2, pp. 37-49 (2007) 1450-456, available at http://www.ucy.ac.cy/erc/documents/Full_Text_Christofides.pdf

⁴⁸ Trimikliniotis N., Ioakimoglou, E. and Pantelides, P. (2012) ‘A Political Economy of Division, Development and Crisis: Envisioning Reunification Beyond the Cyprus Economic Miracle’, Trimikliniotis, N. and Bozkurt, U. (eds.) *Beyond A Divided Cyprus: A State and Society in Transformation*, MacMillan Palgrave, New York, pp. 217-247.

⁴⁹ Trimikliniotis, N. (2012) ‘Η Μετανάστευση ως Διαφωρία και ως Πολιτική: Παρέκκλιση, Μερισμός του Αισθητού και Προϋποθέσεις Κινηματικών Κύκλων’, *Νέοι, Έργλημα και Κοινωνία*, Vol. 6, November 2012.

	integration measures.	<p>the criticism reflects the kind of barriers faced in Cypriot society. These were the following:</p> <ul style="list-style-type: none"> • There is no basic study examining the state of integration as it exists today. Such a study is necessary even at this late stage. Although a study on the indicators and benchmarks of integration had been commissioned by the interior ministry. The organisation commissioned to carry out this research, CARDET, on behalf of the Civil Registration and Migration Department of the Ministry of Interior suggests that “the objective of the project was to develop indicators and methods for the evaluation of measures of integration”. The research promised “to determine the needs of migrants (Third Country Nationals) and the effectiveness of policies, practices and projects targeting them”. Also it promised that “the exploitation of the results by the Civil Registration and Migration Department and organizations involved in migration issues is expected to add value and quality to reception and integration measures and practices targeting Third Country Nationals”. Moreover, it alleges that “these developments will be reflected on the enhancement of domestic social cohesion and the alleviation of discrimination and marginalization of migrants.”⁵⁰ There is currently another project on indicators running but the findings are still not concluded.⁵¹ • The design of the process of establishing the integration policy did not include consultation with the migrants themselves. In recognition of this shortcoming, the Council of Ministers in its proposal for the next national integration program specifically contains a provision for a consultation process with stakeholders and migrants,⁵² a subject the former Minister of Interior, who in charge at the time pointed out.⁵³ • Gender mainstreaming was only nominally covered by the action plan. This gender blindness leaves gaps in equality issues in several areas such as harassment and labour issues, especially since the majority of immigrants in Cyprus are women working in domestic work and behind the closed doors of their employers’ homes, with no access to trade unions and little access to support NGOs. • Migrant workers in Cyprus have far more pressing needs and priorities than Greek language classes: they need support organisations, access to services and rights, assistance during labour disputes etc.⁵⁴ • As noted by the relevant report of the Cypriot National Human Rights Institute, the plan covers only documented
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⁵⁰ CARDET “Indicators and Evaluation methods for Migrant Integration”, funded by Civil Registration and Migration Department, available at <http://www.cardet.org/en/projects/past/193-indicators-and-evaluation-methods-for-migrant-integration>

⁵¹CARDET “Integration policies: Who benefits? The development and use of indicators in integration debates”, part of MIPEX 2015, available at <http://www.cardet.org/en/projects/current/44-integration-policies-who-benefits-the-development-and-use-of-indicators-in-integration-debates>

⁵²Cyprus, Ministry of the Interior (2013) Proposal to the Council of Ministers, The policy for integration of migrants as a tool of reinforcing social cohesion and development (*Πρόταση προς το Υπουργικό Συμβούλιο, Η Πολιτική για την Ένταξη Μεταναστών ως εργαλείο ενίσχυσης της κοινωνική συνοχής και της ανάπτυξης*), Proposal No. 214/2013, 19 February 2013; Council of Ministers (2013), Extract from the Minutes of the Council of Ministers’ meeting, Decision 256^A/2013, 28 February 2013.

⁵³ Interview with former Minister of Interior, 11 March 2015.

⁵⁴ Interview with officer of migrant support group.

		<p>migrants leaving open the question of undocumented migrants, something that constitutes a barrier to access to integration policies for third country migrants, the vast majority of whom entered the country legally and have fallen out of the system persons. ⁵⁵ The example of other southern EU countries (e.g. Greece, Spain) where regularisation was seen as a step in the path of integration was not looked into, in spite of repeated calls from the Equality Body. ⁵⁶</p> <ul style="list-style-type: none"> • The short term approach to immigration, manifested in the stringent limitation of migrants’ visas to four years leaves little room for substantive and meaningful integration. In order to have a serious impact in terms of integration, bold measures need to be taken in reviewing the current immigration regime. <p>Furthermore, a number of other important barriers identified are the following:</p> <ul style="list-style-type: none"> • Migrants do not participate in civic and political life, as Cyprus has failed to ratify the Convention on the Participation of Foreigners in Public Life at Local Level, the European Convention on Nationality, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, as repeatedly recommended by ECRI. ⁵⁷ • The vast majority of TCNs are excluded from accessing long-term residence. ⁵⁸ Only a handful of elite migrants have access to this status. The problem was first manifested with a decision of the Supreme Court 2008, ⁵⁹ which effectively legitimised the policy of the immigration authorities to exclude from the scope of the long term visa all TCNs on short-term contracts such as domestic workers, who form about half of Cyprus; migrant population. The then the law was changed in 2009 and since then domestic workers and other migrants on low income are allowed to apply, i.e. the authorities accept their applications. However, not a single application for long-term residence from domestic workers or other economic migrants has been approved, as the authorities apply a stringent test on the adequacy of economic means which effectively excludes poorer workers. The authorities maintain that domestic workers and other migrants on a low income who depend on their employer for shelter and food do not qualify as they fail the “adequate means” test. ⁶⁰ • Scholars have criticised the absence of the gender issue from the debates for leaving out vital policy concerns affecting the gendered aspects of integration, ⁶¹ issues relating to female
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⁵⁵ Interview with former Minister of Interior, 11 March 2015; Interview with Ombudsman officer.

⁵⁶ Cyprus, National Human Rights Institute, Report of the NHRI regarding the need to regulate the legal status of migrants with a long and settled stay in Cyprus, Ref. 7/2013, 10 October 2013.

⁵⁷ ECRI (2011) *Report on Cyprus, Fourth Monitoring Round, European Commission against Racism and Intolerance*, Council of Europe, Strasbourg, published on 31 May 2011, point 3, page 9, <http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/cyprus/CYP-CbC-IV-2011-020-ENG.pdf>

⁵⁸ Interview with Ombudsman officer.

⁵⁹ Cyprus, Supreme Court, *Cresencia Cabotaje Motilla v. The Republic of Cyprus (Cresencia Cabotaje Motilla v. Κυπριακή Δημοκρατία)*, No. 673/2006, 21 January 2008. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_3/2008/rep/2008_3_0029.htm&qstring=Motilla

⁶⁰ Interview with Ombudsman officer.

⁶¹ Trimikliniotis, N. and Fulas Souroulla, M. (2010) ‘New Female Migration and Integration related policies in Cyprus’ in: Kontos, M. and Slany, K. (eds.) *The new female migrants in European societies – A state of the Art*, Jagiellonian University

		<p>migrant precarity,⁶² groups of women such as domestic workers, trafficked women and women working in the sex industry in general.⁶³ Gender-related critiques point to the absence of an intersectional approach in a single framework that would address the multiple realities and social inequalities of gendered migration.⁶⁴ However, immigration and gender experts point out that the intersectional approach has its own problems because it does not go beyond integration to transcend notions of “intersectionality” in order to address and challenge inequality and hierarchies.⁶⁵</p> <ul style="list-style-type: none"> • The needs of asylum-seekers have not been taken into account, as they have been excluded from the process and the funding of integration.⁶⁶ The restrictions in the access of asylum seekers to the labour market has been criticised by the Equality Body,⁶⁷ UNCHR⁶⁸ and ECRI⁶⁹ who recommended that measures be taken to facilitate their integration into the job market. • The restrictions imposed on refugees trying to access Cypriot citizenship has been a major source of concern, as the process is extremely long, bureaucratic, expensive, cumbersome and dependent upon the wide discretion of the authorities.⁷⁰ One report noted that “there is scant evidence that the Republic’s Integration Plan 2010-12 has had any tangible effect on promoting integration in general or enabled
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Press, pp. 166-185; Trimikliniotis, N. and Fulas-Souroulla, S. (2006) ‘Conditions of policy formation and policy implementation affecting integration of new female immigrants in the Republic of Cyprus’, *Integration of female immigrants in labour market and society. Policy assessment and policy recommendations* Working Paper No. 11, WP2. Available at www.femipol.uni-frankfurt.de/docs/working_papers/wp2/Cyprus_.pdf

⁶² Trimikliniotis, N. and Fulas Souroulla, M. (2012) “Migrant Women in the EU and informal work: The Migrant Woman Precariat Speaks”, Floya Anthias, Maria Kontos and Mirjana Morokvasic, (eds.) *Female Migrants in Europe: The Paradoxes of Integration*, Springer, New York, 2012, pp. 59-78

⁶³ Agathangelou, A. (2004) *The Global Political Economy of Sex: Desire, violence and Insecurity in Mediterranean nation States*, Powel Publications.

⁶⁴ Gregoriou, Z. (2011) ‘Questioning the Location of Gender in Integration Discourses and Policies’, Mediterranean Institute of Gender Studies (MIGS) *Integration of Young Migrant Women in the Secondary Education: Promoting Integration and Mutual Understanding through Dialogue and Exchange*, Funded by the European Fund for the Integration of Third Country Nationals of the European Commission, University of Nicosia Press, pp. 7-20, available

www.medinstgenderstudies.org/wp-content/uploads/Integration_of_young_migrant_women_2011.pdf; Gregoriou, Z and Christou, G. (2011) “The Dubious Gift/Debt of Integration: Patriarchal Regimes, Ethnicity and Sexuality in the School Lives of Migrant Girls in Cyprus”, Mediterranean Institute of Gender Studies (MIGS) *Integration of Young Migrant Women in the Secondary Education: Promoting Integration and Mutual Understanding through Dialogue and Exchange*, Funded by the European Fund for the Integration of Third Country Nationals of the European Commission, University of Nicosia Press, pp.21-58. Available at www.medinstgenderstudies.org/wp-content/uploads/Integration_of_young_migrant_women_2011.pdf

⁶⁵ Anthias, F. (2014) ‘Beyond Integration: Intersectional issues of social solidarity and social hierarchy’, Pajnik, M. and Anthias, F. (eds.) *Contesting integration, engendering migration: theory and practice*, Palgrave Macmillan, pp. 13-36 ; Anthias, A. , Morokvasic-Müller, M. and Kontos, M. (2012) ‘Introduction: Paradoxes of Integration’, Anthias, F., Kontos, M. and Morokvasic, M. (eds.) *Female Migrants in Europe: The Paradoxes of Integration*, Springer, New York.

⁶⁶ Consultation with NGO working with Asylum-seekers and Refugees.

⁶⁷ Cyprus, Ombudsman, Position of the Ombudsman regarding the procedures for examination of asylum applications by Syrians, 17 September 2014.

⁶⁸ Cyprus, UNCHR Cyprus (2014), *UNHCR regrets the lowering of international protection standards in the Republic of Cyprus*, 16 April 2014; Cyprus, Ombudsman, Position of the Ombudsman regarding the procedures for examination of asylum applications by Syrians, 17 September 2014.

⁶⁹ ECRI (2011) *Report on Cyprus, Fourth Monitoring Round, European Commission against Racism and Intolerance*, Council of Europe, Strasbourg, published on 31 May 2011, point 3, page 9. Available at www.coe.int/t/dghl/monitoring/ecri/country-by-country/cyprus/CYP-CbC-IV-2011-020-ENG.pdf

⁷⁰ ECRI (2011) *Report on Cyprus, Fourth Monitoring Round, European Commission against Racism and Intolerance*, Council of Europe, Strasbourg, published on 31 May 2011. Available at www.coe.int/t/dghl/monitoring/ecri/country-by-country/cyprus/CYP-CbC-IV-2011-020-ENG.pdf

		<p>those with international protection to become better integrated in particular".⁷¹</p> <ul style="list-style-type: none"> • In spite of the many instances of racial discrimination established by the Equality Body, there has not been a single court decision on racial discrimination invoking the EU equality acquis. Restrictions in legal aid and low awareness amongst both the victims and legal circles operate as barriers in migrants' access to the justice.⁷² • The welfare cuts, the new health charges and other austerity measures introduced in 2013 have affected migrants in a more severe manner than the rest of the population.⁷³ In addition, because of the economic crisis, the European Union's structural funds for the period 2014-2020 will not be used towards financing new projects but to fund existing 'horizontal' policies⁷⁴ the impact of which is disputed. • NGOs report that following the economic collapse in 2013 and the sharp rise in unemployment there has been a toughening up of the repression measures against migrants and a stepping up of deportations.⁷⁵
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1.2.3. Language learning and integration tests

	Please provide information about:	
	<p>Main language learning support programmes and courses. Provide details about organisation of such programmes and actors implementing them, funding support, location, duration, frequency, numbers of beneficiaries, entitlements</p>	<p>Greek language classes to migrants aged 15+</p> <p>Since 2010, the European Funds Unit of the Ministry of Education and Culture operates a program for the teaching of Greek to migrants and non-Greek speakers, offered free of charge to all Cypriot residents aged 15 and over. This program, which will be completed in 2015, has a budget of €3,249,246 covered at 85% by the European Social Fund and 15% by national sources. Since its commencement, a total of 10,800 persons have benefited from this program, annually divided as follows: 3,023 persons in 2010-2011; 3,623 in 2011-2012; 2,830 persons in 2012-2013 and 2013-2014 in 1,324. Lessons were delivered in 93 different educational centres in both urban and rural areas and both public and private learning institutes, by specially trained teachers.⁷⁶</p>

⁷¹ Officer, D. and Takis, Y. (2013) *The Needs of Refugees and the Integration Process in Cyprus*, Report commissioned by the Cyprus Office of UNHCR and conducted by INDEX: Research & Dialogue, May, 2013. Available at www.unhcr.org.cy/fileadmin/user_upload/Images/Protection/The_Needs_of_Refugees_-_26_June_-_pdf

⁷² Demetriou, C. (2014) *Report on measures to combat discrimination - Directives 2000/43/EC and 2000/78/EC – Cyprus*, European Network of Legal experts in the Non-discrimination field. Available at www.non-discrimination.net/countries/cyprus

⁷³ Demetriou, C. (2014) *The impact of the crisis on fundamental rights across Member States of the EU, Country Report on Cyprus*, for Milieu Ltd. (Belgium), Study commissioned by the LIBE Committee On Civil Liberties, Justice And Home Affairs. Available at [www.europarl.europa.eu/RegData/etudes/STUD/2015/510017/IPOL_STU\(2015\)510017_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2015/510017/IPOL_STU(2015)510017_EN.pdf)

⁷⁴ Cyprus, Consultation with officer from the General Directorate of European Programs, Coordination and Development, 10 March 2015.

⁷⁵ KISA (2013) *Alternative Report submitted to the UN Committee on the Elimination of Racial Discrimination (CERD)*, KISA NGO Report, 9 August 2013. Available at <http://kisa.org.cy/09-08-2013-kisa-report-international-convention-on-the-elimination-of-all-forms-of-racial-discrimination-alternative-report-on-cyprus/>

⁷⁶ Cyprus, Ministry of Education and Culture, Letter to the University of Nicosia, 12 March 2015.

	and limitations for accessing courses.	
	Knowledge level of the language achieved through such programmes (please use the <u>Common European Framework Reference levels - CEFR</u>)	<p>Language support to persons aged 15+ For migrants aged 15+ attending classes for the purpose of accessing the long term migrant visa, the knowledge level required by legislation⁷⁷ is Level A2 based on the Common European Framework Reference for Languages .⁷⁸</p>
	Language tests required for migrants to access residence or other legal status affecting equal treatment and access to rights. Please provide information about their content and character, level of knowledge required, numbers of participants, and rates of success/failure	<p>Language tests are only relevant when the migrant applies for long-term residence under the EU Long-term residence Directive. The contradiction is that no such language proficiency is required when applying for “the next step up” in the integration ladder, when applying for Cypriot citizenship.⁷⁹ Other than that, language attainment is not used as a measure for accessing a different legal status. In any case, the widespread use of English, given that Cyprus was a former British colony up to 1960, particularly in the provision of services in the tourism industry, make the learning of Greek not essential for integration, although knowledge of Greek is a strong indication of integration. Turkish, the other official language of the Republic is not offered as an option.</p> <p>The law purporting to transpose the Long-Term Residence Directive requires applicants to have, among other things, ‘sufficient knowledge of Greek’ based on the Common European Framework Reference Level A2.⁸⁰ Candidates are examined in:</p> <ul style="list-style-type: none"> •Listening and reading comprehension •Reading and comprehension •Writing •Basics of modern politics and society in Cyprus <p>In order to test language proficiency, the Examinations Service of the Directorate of Higher Education of the Ministry of Education holds twice a year Greek Language exams specifically in order to test migrants for language proficiency for the purpose of the long term visa. A fee of €25 applies for participation in the exam. The exam program for each year is posted in Greek on the website of</p>

⁷⁷Cyprus, Law on Aliens and Immigration Cap. 105 (*Ο Περί Αλλοδαπών και Μετανάστευσης Νόμος, Κεφ. 105*), Article 18Θ.- (1)(a1). Available at www.cylaw.org/nomoi/enop/ind/0_105/section-sc576ba623-7c58-4ff9-3f08-24a8b0eb9c95.html

⁷⁸ Cyprus, Ministry of Education, Examinations Service, Exams for Certification of Basic Knowledge of Greek Language (Level A2) for migrants and aliens. Available at www.moec.gov.cy/ypexams/exams/pistopoiisi-vasikis-gnosis-ellinikis-glossas-a2.html

⁷⁹Trimikliniotis, N. (2015) *Country Report on Citizenship Law: Cyprus*, European University Institute, Florence Robert Schuman Centre for Advanced Studies EUDO Citizenship Observatory in collaboration with Edinburgh University Law School Country Report RSCAS/EUDO-CIT-CR 2015/1, revised and updated January 2015. Available at www.cadmus.eui.eu/bitstream/handle/1814/34479/EUDO_CIT_2015_01-Cyprus.pdf?sequence=1

⁸⁰Cyprus, Law on Aliens and Immigration Cap. 105 (*Ο Περί Αλλοδαπών και Μετανάστευσης Νόμος, Κεφ. 105*), Article 18Θ.- (1)(a1). Available at www.cylaw.org/nomoi/enop/ind/0_105/section-sc576ba623-7c58-4ff9-3f08-24a8b0eb9c95.html

		<p>the Examinations Service;⁸¹ the application form to participate in the exam, available only in Greek, can also be found on this website.⁸² The exam involves three papers of one hour duration each and an oral examination lasting about 10-15 minutes. The successful candidate must obtain an average of at least 50% of the total score and at least 40% in each of the four parts of the examination.</p> <p>The exam requires:</p> <ul style="list-style-type: none"> • Understanding expressions frequently used related to areas of most immediate relevance like basic personal and family information, shopping, regional geography and work; • Ability to communicate for simple and routine tasks requiring basic direct exchange of information on familiar and routine topics; • Ability to describe in simple words aspects of the history of the candidate, the immediate environment and emergency issues. <p>In addition to reading and writing, the exam involves an assessment of the candidate's knowledge of modern social and political realities of Cyprus, the thematic focus of which is constantly evolving based on current developments. Frequent questions include customs and practices in Cyprus, public persons like ministers or MPs who have recently been in the public eye, important dates, holidays, areas in Cyprus etc. The oral exam is divided into three sections: personal information, a brief dialogue on a subject and a discussion with one of the examiners on an issue of current affairs.⁸³</p> <p>The results of the exam are published on the site of the Examination Service and certificates are mailed to the successful candidates.</p>
	<p>Integration tests for access to residence or other status affecting equal treatment and access to rights. Please provide information about their content and character, range of knowledge required, numbers of</p>	<p>No integration tests are carried out in Cyprus. However, in the language and comprehension syllabus there are elements of knowledge of an integration test, as candidates are required to have knowledge about "the basic elements of the modern political and social reality of Cyprus" ("Βασικά στοιχεία της σύγχρονης πολιτικής και κοινωνικής πραγματικότητας της Κύπρου").⁸⁴</p>

⁸¹Available at

www.moec.gov.cy/ypexams/pdf/anakoinoseis/pistopoiisi_elliniki_glossa_allodapoi/2014_09_19_programma_exetasis_2015_vasikis_gnosis_ellinikis.pdf

⁸²Available at: www.moec.gov.cy/ypexams/pdf/entypa/13_01_2014_vasiki_aitisi_symmetochis.pdf

⁸³Cyprus, Ministry of Education and Culture, Examinations Service, Exam material (*Υπηρεσία Εξετάσεων, Εξεταστέα Υλη*). Available at www.moec.gov.cy/ypexams/exetastea_yli.html

⁸⁴Cyprus, Ministry of Education and Culture, Examination syllabus, certification of basic knowledge of Greek according to the law amending the Aliens and Immigration *143(I)/2009*(*ΕΞΕΤΑΣΤΕΑ ΥΛΗ Πιστοποίηση Βασικής Γνώσης της Ελληνικής Γλώσσας σύμφωνα με το Νόμο που τροποποιεί τον περί Αλλοδαπών και Μεταναστεύσεως Νόμο Ν. 143(I)/2009*). Available at www.moec.gov.cy/ypexams/exetastea_yli/2014_09_19_exetastea_yli_vasikis.pdf

	participants, and rates of success/failure	
	Mother tongue learning programmes for children of migrants	Only for Turkish speakers in selected schools where there is a high concentration of Turkish speaking students. These students may or may not be of migrant origin, as Turkish is also the mother tongue of Turkish Cypriots and the Cypriot Roma. In its interim conclusions on Cyprus in March 2014, ECRI has criticized the inadequacy of measures taken to support Turkish speaking children in education. ⁸⁵ In particular, ECRI expressed concern over staff inadequacies in the teaching of both Greek and Turkish language classes.
	Please provide insights about key issues, debates, challenges or problems related to the implementation of the above measures and policies. The findings should be substantiated through existing assessments, research or studies and case law (use template in Annex 9) .	No incentives are offered for migrants to attend language classes: their stay is intended to be short term, Greek is not a widely spoken language outside Cyprus and Greece and their long hours of (often manual) work does not allow them any free time to attend classes. No incentives are offered to employers to facilitate the attendance of language classes by their employees. Knowledge of Greek is a requirement in order for migrants to access the long term visa, however the restrictive manner in which the relevant legislation is applied by the authorities prevents the vast majority of economic migrants from accessing this status anyway. ⁸⁶

1.2.4. Monitoring and assessment – Use of indicators

	In this section please outline monitoring and evaluation procedures applied by public authorities at national and regional level, as applicable,	There is no monitoring, assessment and review using any indicators of social participation, social cohesion, intolerance, inclusive and welcoming society or linking the actions taken to indicators with fundamental rights. Migrants themselves play no role in the designing and reviewing of policies beyond the occasional filling of questionnaires about how satisfied they are with a particular service (essentially as consumers). There are some consultations which are part of EU funded projects at local governance level but they play no role in the formulation of policies or designing actions. ⁸⁷ In the case of the Nicosia municipality, which is leading most local authority initiatives in the field of migrant integration, even its own
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⁸⁵ ECRI (2014) *Conclusions on the implementation of the recommendations in respect of Cyprus subject to interim follow-up*, adopted on 19 March 2014. Available at <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Cyprus/CYP-IFU-IV-2014-021-ENG.pdf>

⁸⁵ ECRI (2011) *Report on Cyprus*, published on 31 May 2011, Fourth Monitoring Cycle. Available at: www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Cyprus/CYP-CbC-IV-2011-020-ENG.pdf

Adopted on 19 March 2014. Available at www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Cyprus/CYP-IFU-IV-2014-021-ENG.pdf

⁸⁶ Interview with Ombudsman officer.

⁸⁷ Interview with officer at the Nicosia Municipality's Multifunctional Centre, Nicosia.

	<p>for migrant integration. In particular, please present any indicators used for the monitoring, assessment and review of integration policies in the areas of political and social participation, social cohesion, and intolerance, inclusive and welcoming society. Please make sure to report here the link of such indicators with fundamental rights and the way their use reflects to the review of such policies.</p>	<p>Multifunctional Centre, which is the body that carries out the integration projects, has no role in the design of the Municipality's policy.⁸⁸</p> <p>Public authorities at national level have not evaluated the first National action plan for integration that expired in 2012. The Ministry of Interior has proposed to the Council of Ministers, and the latter had adopted the proposal, a comprehensive evaluation of the National Action Plan 2010-2012 in collaboration with the Equality Body, following a peer review in line with EU specifications and a consultation process with stakeholders and migrants.⁸⁹ Since the proposal was submitted and adopted, two years have elapsed without any action taking place, nor is there any indication as to whether the Ministry of Interior and the Council of Ministers have the will to proceed with a new action plan or with an evaluation of the impact of the previous one.⁹⁰</p> <p>The procedures in place for monitoring and evaluation of the integration projects carried out by the local authorities at regional level are both internal and external. The internal evaluation consists of a basic stock-taking of what the action proposed to carry out and what was delivered.⁹¹ Typically, such evaluations consist of a basic listing of the actions and proposed deliverables. These are listed in three columns: the title of the program/action; the number of beneficiaries and a comment section. Then there is another listing of events (e.g. campaigns, dance groups or other activity) or deliverables (e.g. publications, leaflets etc.). Finally there is a quantitative indicator system about the frequency, number of users and percentage of satisfaction by the users.</p> <p>The external evaluator followed more or less the same procedure albeit more detailed and elaborate.⁹² The external evaluator's methodology included:</p> <ul style="list-style-type: none"> • A description of the basic elements of the action. • An examination of the reports on how the project was carried out. • An analysis of the responses from the users regarding their degree of satisfaction as indicated in standard questionnaire given to users of services using SPSS
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⁸⁸Interview with officer at the Nicosia Municipality's Multifunctional Centre, Nicosia.

⁸⁹Cyprus, Ministry of the Interior (2013) Proposal to the Council of Ministers, The policy for integration of migrants as a tool of reinforcing social cohesion and development (*Πρόταση προς το Υπουργικό Συμβούλιο, Η Πολιτική για την Ένταξη Μεταναστών ως εργαλείο ενίσχυσης της κοινωνικής συνοχής και της ανάπτυξης*), Proposal No. 214/2013, 19 February 2013; Council of Ministers (2013), Extract from the Minutes of the Council of Ministers' meeting, Decision 256^A/2013, 28 February 2013.

⁹⁰Consultation with integration officer at the Ministry of Interior, 14 March 2015.

⁹¹ Cyprus, Action "Integration Programs from Local Authorities", *Internal Evaluation, Nicosia*, European Integration Fund for TCNs, 2012, Program period 2007-2013, June 2014.

⁹² Cyprus, Action "Integration Programs from Local Authorities", *External Evaluation, Nicosia*, European Integration Fund for TCNs, 2012, Program period 2007-2013, June 2014; Cyprus, Action "Integration Programs from Local Authorities", *External Evaluation, Limassol*, European Integration Fund for TCNs, (*Έκθεση που εκπονήθηκε από την Αναπτυξιακή Εταιρεία Λευκωσίας ANEL στο πλαίσιο εξωτερικής αξιολόγησης της Δράσης Β1 «Προγράμματα Ένταξης ΥΤΧ από Τοπικές Αρχές», Προτεραιότητα 1 «Υλοποίηση δράσεων που στοχεύουν στην εφαρμογή των Κοινών Βασικών Αρχών της πολιτικής ένταξης των μεταναστών στην Ε.Ε.» που συγχρηματοδοτείται από το Ευρωπαϊκό Τομέιο Ένταξης και την Κυπριακή Δημοκρατία για το Ετήσιο Πρόγραμμα 2012*), Program period 2007-2013, June 2014.

	Provide full wording and translation in English of each indicator used per area and dimension covered as well as its full definition, legal basis, rationale, and link with fundamental rights or EU law (use table in the Annex 4) .	
	Please provide data and evidence about the adoption of related Zaragoza indicators, especially in the dimensions of active citizenship and welcoming society. Please consult the publication Using EU Indicators of Immigrant Integration (ESN, MPG) and report more detailed and updated specific descriptions and mapping of indicators used in the Member States.	Cyprus does not use any indicators of integration in any context. ⁹³
1.2.5.Funding integration policies (EIF, ERF, EMIF)		
	Please provide information about the distribution of funds for integration of migrants, as well as their social inclusion and participation. In particular, provide specific breakdown of funding per general area of integration policies – with	Data supplied in Annex 5. The Competent authority does not maintain separate information on initiatives with particular focus on active citizenship, participation, welcoming society, social cohesion. Initiatives do not focused exclusively on this item, therefor no financial or other data is maintained regarding this target.

⁹³Cyprus, Ministry of Interior, Electronic communication to University of Nicosia, 24 March 2015.

	<p>particular focus on active citizenship, participation, welcoming society, social cohesion - in the last year and for the period 2010-2014 if available. (Use the table in the Annex 5).</p>	
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2.Promoting equal treatment and non-discrimination

2.1.The implementation of anti-discrimination legislation and equal treatment

	<p>Briefly provide information on the following:</p>	
	<p>Outreach and awareness raising campaigns, training schemes, etc. undertaken by national or regional public authorities (including national equality bodies) targeting migrants and their descendants on the national anti-discrimination legal framework.</p>	<p>There have been no training or awareness raising initiatives targeting migrants or their descendants. A number of training seminars carried out by the Equality Body targeted public officers offering services but not the migrants and/or their descendants.⁹⁴</p>
	<p>Evidence through polls,</p>	<p>Few surveys have been conducted in recent years recording the views of migrants and none focused on their level of awareness of rights</p>

⁹⁴ Cyprus, Ministry of Justice, Electronic communication to the University of Nicosia, 18 February 2015; Ministry of Labour, Welfare and Social Insurance, Electronic communication to the University of Nicosia, 13 March 2015; Ministry of the Interior, Electronic communication to the University of Nicosia, 24 March 2015.

	<p>surveys, academic research, etc. on the awareness of migrants and/or their descendants concerning the right to equal treatment. Please indicate differences between ethnic/ migrant groups, living in different geographic areas, gender and age, as well as trends in time.</p>	<p>and procedures relating to equal treatment. The surveys listed below contained elements of such awareness. Some of the surveys below are not directly addressing the specific focus on the awareness of migrants and/or their descendants concerning the right to equal treatment; nonetheless they are relevant as to the issue of awareness of the rights of migrants given that they informs us on the general context of the relation between migrants and host society.</p> <p>Surveys on societal attitudes towards migrants</p> <p>The European Social Survey which examined behaviour towards migrants, social exclusion and national and religious identity indicates negative predisposition of Cypriots towards immigrants and non-Greek-Cypriots:⁹⁵ On whether Cyprus should allow migrants to stay, 56.8% answered negatively. On whether immigration is bad for the economy, Cyprus ranked third after Hungary and Russia: on a scale from zero to 10 (zero being the position that immigration is bad for the economy) Cyprus ranked fourth. On whether immigration is undermining or enriching the country, Cyprus ranked second after Russia in stating that immigration is undermining national culture. On religiosity the study highlights the link between Christian orthodox religious identity and xenophobia and social intolerance, noting that Cyprus is the most religious country in Europe together with Poland, and one of the most xenophobic. Similar patterns were found by a research commissioned by the Immigration Department on the attitudes of Cypriots towards migrants.⁹⁶ The results, based on a quantitative survey (representative sample 1177 persons) and a qualitative research (5 focus groups) revealed that Cypriots have a negative predisposition towards migrants with the vast majority (68-85%) blaming them for the rise in unemployment, criminality and insecurity, spread of diseases, causing more problems than what they solve etc. Interestingly 68% thought Cypriots must adapt to multicultural setting, 76% thought that in Cyprus there is a problem of racism and 82% thought that migrants are victims of exploitation. Another survey carried out in July 2010 commissioned by the Immigration authorities on Cypriot students' perceptions of immigrants found that 54% of students have negative predispositions towards migrants, 25% positive and 20% ambivalent.⁹⁷ The research was based on a quantitative survey (representative sample of 1281 students)⁹⁸ and a qualitative research (30 in depth interviews), investigating perceptions/ attitudes of Cypriot students in primary and secondary schools with respect to immigrants.⁹⁹</p> <p>The profile of migrant women in Cyprus</p>
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⁹⁵Gouliamos, C. and Vryonis, M. (2010) Οψεις Κυπριακής Κοινωνίας- Διαπιστώσεις Ευρωπαϊκής Κοινωνικής Έρευνας (Perspectives of Cypriot Society- Findings of European Social Research), Evroskopio, Entypois Publications: Nicosia.

⁹⁶ The research was conducted by the University of Nicosia and others in June 2010 on behalf of the Civil Registry and Migration Department - Ministry of Interior and was co-funded by the EU Solidarity Funds and the Cypriot government.

⁹⁷ The research was conducted in July 2010 by CARDET and INNOVADE LTD, co-funded by the EU Solidarity Funds and the Cypriot government.

⁹⁸ The study explored repertoires of respect, empathy, commonalities, multiculturalism, pity, indifference, suspicion, dislike/discrimination, stereotypes, fear, avoidance and peaceful coexistence, it proposes educational policy changes, such as the adoption of an antiracist policy as part of the education reform.

⁹⁹http://www.cardet.org/index.php?option=com_content&view=article&id=6:pub-student-perception-immigrants&catid=6:featured-news&Itemid=10

		<p>The equality body commissioned a survey conducted in February 2010 in the framework of a needs assessment exercise aiming at establishing the vocational training needs of migrant female workers in Cyprus. The sample was composed of 1,702 migrant women and the method used was based on personal interviews. The results established the profile of migrant women in Cyprus as follows: the majority (37%) are aged between 26-35; have secondary education (32 %); are married (50 %); have children (58 %); are of Christian faith (90 %); come from Asian countries (49 %); work as domestic workers (54 %); their salaries range between 201-500 Euros per month (51 %). Their main problems were reported to be their low salary (37 %); discrimination (27 %); large volume of work (25 %); language (16 %). The vast majority did not know where to apply to seek assistance in case of sexual harassment, physical abuse or labour exploitation and only 16 % had heard of the equality body. Also, 35% had experienced 'a lot of' racism, 20 % felt socially excluded, 14 % had been sexually harassed, 12 % had been physically abused by their employers, 6 % had been sexually exploited and 4 % had been raped by their employers. Half of the women interviewed were employed as house maids or cleaners; one out of ten women worked as a retail sales assistant and six % worked as nurses. The situation as regards the type of work performed was more or less the same in their previous job before they came to Cyprus with the exception of the maids/cleaners, from whom only one in ten worked as a maid/ cleaner in her previous job. The survey showed that with their arrival to Cyprus, migrant women make less utilisation of their qualifications and experience than before, whilst salary-wise they are treated unfairly, given that the salary of the majority ranges between 201-500 Euros monthly and have to work long hours.</p> <p>A number of other surveys commissioned in recent years by the Ministry of Interior and co-funded by the EU Solidarity Funds involved interviews with migrants recording their perceptions regarding their lives in Cyprus. Although in many contexts migrants were asked whether they suffered discrimination, their level of awareness of complaints channels has not been investigated. Most of the studies have not been made available to the public; only the titles and abstracts are provided by the Ministry of Interior.</p>
	<p>Evidence of complaints lodged by migrants and/or their descendants - % of total complaints to equality bodies, % of admissible complaints, statistics about outcomes of investigation, % of cases establishing</p>	<p>The statistical record of the Equality Body is incomplete and fragmented. Despite genuine efforts to record complaints using statistically-sound methods, the result is still confusing and does not allow for many conclusions to be drawn. The Equality Body is divided into two departments which maintain a separate statistical record: the Equality Authority, which examines complaints on all grounds in the field of employment, and the Anti-discrimination Authority which examines complaints on all grounds in all fields beyond employment. Both units examine complaints submitted by third country nationals, but they may record these either as 'national origin' or as 'ethnic origin', although more often as ethnic rather than as national origin. Data as regards the outcome of the investigation, however, is not disaggregated by ground of discrimination. Therefore the statistical record as regards whether the complaint was well founded or groundless refers to all five grounds of the Employment Equality Directive plus gender. As regards the outcome of the investigation, the categories into which</p>

	<p>discrimination. Please indicate differences between ethnic/migrant groups, geographic areas, gender and age, as well as trends in time.</p>	<p>data are divided are not always enlightening: for instance some investigations are listed under "Report issued", others under "Position issued", others under "The complainant was informed" etc., rendering it impossible to conclude whether a complaint was well founded or not. The statistical record does not keep details about the origin, gender or age of the TCN complainants. Below are the statistics for the years 2012, 2013 and 2014. For the reasons already explained, few conclusions can be drawn as regards trends in time, except perhaps in the number of complaints submitted. In its annual report for the year 2013, the Equality Authority refers to the impact of the crisis on the number of complaints, noting that the crisis has brought about a drop in the number of complaints, as victims are reluctant to report their discrimination complaint for fear of losing their job.¹⁰⁰</p> <p><u>Equality Authority</u></p> <p>During 2012, the Equality Authority received 106 complaints and investigated 139 including backlog from previous years. Out of the 106 complaints received, six (i.e. 4%) were submitted by third country nationals and two (i.e. 3% by naturalised Cypriots), marking a sharp drop from 2011, where the complaints submitted by third country nationals were 14%.</p> <p>Below is an outcome analysis of 132 out of the 139 complaints:</p> <ul style="list-style-type: none"> - Reports were issued in 16 cases - Positions were issued in 1 case - Complaints deemed groundless: 43 - Complaints outside jurisdiction: 20 - Insufficient data: 3 - Complaints withdrawn: 12 cases - Investigation interrupted for other reasons: 17 - The complainant was informed: 4 cases - Letters with recommendations: 4 - Satisfaction without intervention: 1 - Satisfaction following intervention/mediation: 10 - Guidance/ assistance: 1 case <p>TOTAL: 132</p> <p>During 2013, the Equality Authority received 63 complaints (on all six grounds), marking a sharp drop from the 106 complaints received in 2012 and the 166 complaints received in 2011. In 2013, out of these, 14% were submitted by third country nationals.</p> <p>During 2014 the Equality Authority received 6 complaints from third country nationals, out of a total of 62, These concerned:</p> <ul style="list-style-type: none"> - Discrimination on the ground of national origin:4 - Discrimination on the ground of gender: 2 <p>In its annual report for the year 2013, the Equality Authority noted a decreasing trend in the number of employment-related complaints received, which started from 2012 and continued in 2013, and which</p>
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¹⁰⁰ Cyprus, Equality Authority (2013), Annual report for 2013. Available at [www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/8677050699FE0ACEC2257DCC003C4E11/\\$file/Book%20ISO%20TITAS%202013%20GR%20electr%20edition.pdf?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/8677050699FE0ACEC2257DCC003C4E11/$file/Book%20ISO%20TITAS%202013%20GR%20electr%20edition.pdf?OpenElement)

		<p>affected primarily the private sector and women employees. The report attributed this phenomenon to the economic crisis, the rising unemployment and the deregulation of the labour market. The report further states that although it receives a great number of telephone complaints about discrimination at the work place, very few of these are actually submitted in the form of a formal complaint for investigation. The report finally observed that very little use has been made of the right of representatives of employees (professional organisations and trade unions) to file complaints on behalf of its members, which would have helped overcome the problem of underreporting from employees who fear that an individual complaint may jeopardize their jobs.¹⁰¹</p> <p><i>Anti-discrimination Authority</i></p> <p>In 2012 the Anti-discrimination Authority received 125 complaints, 36 of which were submitted by third country nationals. The field of application was as follows:</p> <p>Immigration related matters: 59 complaints. Access to goods and services: 25 Social protection/welfare: 16 Education: 5 Health: 10 Other 10.</p> <p>During 2012 the Anti-discrimination Authority investigated 118 complaints, which led to the following actions (some categories are overlapping):</p> <ul style="list-style-type: none"> - Reports with proposal submitted: 6 - Reports with recommendations submitted: 10 - Invitation to consultation issued: 1 - Report with proposals submitted: 1 - Letters without recommendations: 2 - Groundless complaints: 31 - Outside jurisdiction : 8 - Insufficient data: 2 - Complaint withdrawn: 4 - Complainant was informed: 13 - Letters with recommendations and suggestions: 2 - Satisfaction without intervention: 18 - Satisfaction following intervention/mediation: 10 - Guidance to complainants: 4 - Investigation interrupted for other reasons: 6 <p>In 2013 the Anti-discrimination Authority received 88 complaints, 25 of which were submitted by third country nationals and two from naturalised Cypriots.</p>
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¹⁰¹Cyprus, Equality Authority (2014), Annual Report for 2013. Available at [www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/C0E541C911E7857DC2257D8C0030C559/\\$file/Book%20ISO%20TITAS%202013%20GR%20electr%20edition.pdf?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/C0E541C911E7857DC2257D8C0030C559/$file/Book%20ISO%20TITAS%202013%20GR%20electr%20edition.pdf?OpenElement)

		<p>The field of application of the complaints was as follows:</p> <p style="padding-left: 40px;">Access to goods and services: 41 Immigration: 17 Other: 13 Social Protection/insurance: 7 Education: 5 Health: 5</p> <p>The outcome of the investigation was as follows:</p> <ul style="list-style-type: none"> • Reports with recommendations: 9 • Invitations to consultation: 2 • Recommendation: 1 • Groundless complaints: 29 • Lack of jurisdiction: 10 • Insufficient evidence: 3 • Withdrawal of complaint: 1 • Complainant was informed: 17 • Letter with recommendations: 2 • Satisfaction after mediation: 20 • Investigation interrupted: 9 <p>During 2014 the Anti-discrimination Authority received 19 from third country nationals, out of a total of 77 complaints. The complaints concerned:</p> <ul style="list-style-type: none"> - Racial incidents: 3 - Discrimination on the ground of national origin: 6 - Discrimination on the ground of religion: 2 - Discrimination in education: 2 - Discrimination in immigration related matters: 4 - Discrimination in access to welfare: 1 - Discriminatory treatment by the prison authorities: 1. <p>The above statistics do not include the complaints submitted annually to the Ombudsman, who is primarily concerned with maladministration but the nature of the complaints received is such that discrimination cannot be excluded. In 2014, the Ombudsman received a total of 2,597 complaints, out of which 582 were submitted by third country nationals and were directed mainly against the immigration authorities and the Ministry of Interior regarding visas, deportations, citizenship applications, mixed marriages etc. or against the Ministry of Labour regarding public benefit, unemployment benefit, child benefit, finding work etc.</p>
	<p>Tools, measures and positive initiatives aiming at facilitating reporting incidents of discrimination – e.g. translation facilities to</p>	<p>There are no such measures in Cyprus. Although there are translations of information leaflets in several languages, particularly as regards asylum procedures, the TCN potential users of these leaflets report that these have never been disseminated to them.¹⁰²</p>

¹⁰² Consultation with NGOs Future Worlds Centres and the Association of Recognised Refugees in Cyprus, 13 March 2015.

	<p>report and submit complaints in multiple languages – and tackling under-reporting and low rights-awareness.</p>	
	<p>In particular, provide information about any legal protection on grounds of nationality, which is not covered by the EU anti-discrimination Directives,¹⁰³ but is a prohibited ground in several Member States. Please explain how unequal treatment on the basis of nationality is treated and provide exemplary cases, if any. Please provide information on the relevant practice and case law (use template in Annex 9)</p>	<p>In line with the Racial Equality Directive and the Employment Equality Directive, the national anti-discrimination legislation transposing these two directives exclude from their scope differential treatment due to nationality. Nationality is, however, a protected ground under article 1 of Protocol No. 12 to the ECHR which Cyprus has ratified¹⁰⁴ and which provides for freedom from discrimination on the grounds of, inter alia, national or social origin, association with a national minority birth or other status. A similar provision is also to be found in the law appointing the Ombudsman as the Equality Body¹⁰⁵ which bestows the Ombudsman with the task of promoting equality in the enjoyment of rights and freedoms arising under international instruments ratified by Cyprus, irrespective of, inter alia, national or ethnic origin and of protecting individuals from discrimination by public as well as by private bodies on the grounds provided in the law, which include nationality.</p> <p>In its decisions, the Equality Body has made use of its extended mandate and considered nationality discrimination as prohibited by international laws; in some occasions nationality and ethnic origin has been used interchangeably, in the sense that whilst the case at stake was clearly one of nationality discrimination, the decision would also invoke the provisions of the laws transposing the anti-discrimination directives.¹⁰⁶</p> <p>In 2012 the Supreme Court also ruled on nationality discrimination but not from the perspective of the discriminated victim: the case concerned a Cypriot landlord who applied to the Rent Control Court in order to evict his Romanian tenant. The Rent Control Court denied having jurisdiction, because the scope of the Rent Control Act does not include non-Cypriots. The Supreme Court reversed this decision, stating that the reference in the law to Cypriots should be read as including all EU nationals.¹⁰⁷ The exclusion of third country nationals from the scope of the Rent Control Act has been the subject of an investigation from the Equality Body which</p>

¹⁰³As of Art. 3.2 of the Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

¹⁰⁴ Cyprus, Ratification Law N. 13(III)/2002, 19 March 2002.

¹⁰⁵ Cyprus, The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law (*Ο Περί Καταπολέμησης των Φυλετικών και Ορισμένων Άλλων Διακρίσεων (Επίτροπος) Νόμος*) No. 42(I)/ 2004, Article 3(1)(b). Available at www.cylaw.org/nomoi/enop/non-ind/2004_1_42/full.html

¹⁰⁶ Demetriou, C. (2014) *Report on measures to combat discrimination - Directives 2000/43/EC and 2000/78/EC – Cyprus*, European Network of Legal experts in the Non-discrimination field, available at <http://www.non-discrimination.net/countries/cyprus>

¹⁰⁷ Diogenis Christophorou Ltd v. Giosa Victoria Mikaela, Ref. 161/2009, 05 June 2012. Available at http://www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_1/2012/1-201206-161-09.htm&qstring=διακρισ*

		recommended its revision ¹⁰⁸ and has also been criticised by the UN Committee on Eliminating Racial Discrimination. ¹⁰⁹
	Please provide information about the application of the legislation concerning discrimination against migrants – on any ground – in accessing law enforcement and judiciary services. In particular please clarify whether and when the latter are considered and treated, or not, as services available to the public, therefore falling within the scope of the directives and the jurisdiction of Equality Bodies. ¹¹⁰	<p>One of the most serious weaknesses of the legislative framework is its judicial application: There are no Court decisions in Cyprus invoking the law transposing the Racial Equality Directive or any other discrimination related legislation. This may be attributed to a combination of reasons including the reluctance of the prosecution authority to initiate proceedings against perpetrators, the cost and length of judicial proceedings, low awareness of rights and procedures amongst both the victims and their lawyers and restrictions in legal aid.¹¹¹ There has never been a case either before the Equality Body or before the court regarding access to law enforcement and judiciary services (other than cases concerning access to legal aid). The Equality Body has on numerous occasions investigated complaints for access to other types of public services, such as welfare services and police protection, ruling that these constitute services available to the public within the meaning of the equality Directives. There is no provision in the law barring an interpretation that law enforcement and judiciary services are 'services available to the public' within the meaning of the equality Directives.</p> <p><i>Legal aid</i></p> <p>In Cyprus, legal aid may be granted for civil proceedings against the Republic for human rights' violations concerning damage caused to an individual or criminal proceedings instituted by any person regarding human rights violations. The offences covered are:</p> <ul style="list-style-type: none"> - Part II of the Constitution; - The European Convention for the Protection of Human Rights (Ratification) Law of 1962; - The Convention on the elimination of All Forms of Racial Discrimination (Ratification) Laws 1967 to 1995; - The International Covenants (Economic, Social and Cultural Rights and Civil and Political Rights) (Ratification) Law of 1969 ; - The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (Ratification) Law of 1989; - The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ratification) Laws 1990 and 1993;

¹⁰⁸ Cyprus, Report of the Anti-discrimination Authority regarding discrimination on the ground of ethnic origin in the Rent Control Law, dated 30 January 2012, Ref. AKR 226/2008, available at [http://www.ombudsman.gov.cy/Ombudsman/ombudsman.nsf/All/243F024A4AA25064C22579B9003934E0/\\$file/AKI32.2008-06022012.doc?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/ombudsman.nsf/All/243F024A4AA25064C22579B9003934E0/$file/AKI32.2008-06022012.doc?OpenElement).

¹⁰⁹ U.N. Committee on the Elimination of Racial Discrimination (2013), *Concluding observations on the seventeenth to twenty-second periodic reports of Cyprus*, adopted by the Committee at its eighty-third session (12-30 August 2013), published on 23 September 2013 (CERD/C/CYP/CO/17-22), available at http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fCYP%2fCO%2f17-22&Lang=en.

¹¹⁰ Please note that these are considered non-economic services by the EU Commission (Services of general interest, including social services of general interest: a new European commitment, COMM 725 (2007) of 20 November 2007, yet not always they are considered by Equality Bodies to fall in the areas of application of the anti-discrimination directives.

¹¹¹ Interview with Ombudsman officer.

		<ul style="list-style-type: none"> - The United Nations Convention on the Elimination of All Forms of Discrimination against Women (Ratification) Law of 1985; - The Convention on the Rights of the Child (Ratification) Law of 1990. <p>The grant of legal aid is discretionary upon the Court and is subject to the financial means of the applicant, as these are assessed by the Social Welfare Services of the Ministry of Labour and Social Insurance. Thus, in order for the court to grant legal aid, it must be satisfied that the economic situation of the applicant, by taking into account his/her income from work and other sources and the basic needs of him/herself and his/her family, is such that s/he is unable to pay for legal advice or representation. In addition, the Court must be satisfied that the seriousness of the case is such that it is in the interests of justice for legal aid to be granted for the preparation and the handling of the case.¹¹²</p> <p>Administrative law proceedings are not covered by legal aid unless they relate to reversing a negative asylum decision or challenging a return order. The legal aid law was amended in 2012 and 2014 in order to transpose the relevant provisions of the EU acquis as regards the return of undocumented migrants and the reception conditions of asylum seekers. Under these amendments, asylum seekers whose asylum applications have been turned down may challenge the rejecting decision in court and undocumented migrants may challenge the deportation decision issued against them. However, in these cases, in addition to the means test applied for all other situations, there is an additional test to be met: applicants must convince the court that their case has a good chance of success (known as the 'merits test'). In practice, this test can hardly ever be satisfied; NGOs and legal practitioners report that to their knowledge, out of the several hundreds of applications for legal aid submitted by rejected asylum seekers and undocumented migrants subject to return proceedings, only two have been granted¹¹³. Apart from the aforesaid procedures relating to asylum and returns, the legal aid law excludes administrative recourses, which is the procedure most often use in Cyprus in order to challenge unlawful detention and other administrative abuses, including discriminatory acts by the public administration. A general right to legal aid found in the Constitution¹¹⁴ was held by the Supreme Court not to create any legal obligations for the state to provide legal aid where this is not foreseen in the law and therefore applicants cannot rely directly and solely on the Constitution to be granted legal aid.¹¹⁵</p>
<p>Please provide statistical data about numbers of discrimination cases/complaints submitted to competent bodies (Equality Bodies, Administrative Courts), as well as about their outcomes (use the tables in the Annex 8)</p>		

¹¹²Law on the provision of Legal Aid N.165(I)/2002 as amended, article 5, available at http://www.cylaw.org/nomoi/enop/non-ind/2002_1_165/full.html.

¹¹³Consultation with NGO Future Worlds, the Equality Body and advocate Mr Michael Paraskevas.

¹¹⁴ Cyprus, the Constitution of the Republic of Cyprus (Σύνταγμα της Κυπριακής Δημοκρατίας) Article 30.3(d). Available at <http://www.cylaw.org/nomoi/enop/non-ind/syntagma/index.html>

¹¹⁵ Re. the application of Svetlana Shalaeva, Application no. 3/2005, dated 21 October 2005. Available at http://www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2005/rep/2005_4_0835.htm&qstring=Svetlana%20and%20Shalaeva

2.2.Implementation of equal treatment of various permit holders

Please summarize briefly in this section any key issues affecting the implementation of equal treatment of permit holders, as defined by the following EU legislation; these could be, for example, practical issues and bottlenecks, administrative delays, coordination and cooperation of public authorities, etc.

Please substantiate findings, as far as possible, through formal evaluations, as well as research or studies and case law (**use template in Annex 9**). Please bear in mind that no assessment of the **legal transposition** process is required. In regard to the five categories below, please provide statistical data issued in 2014 or valid on 31.12.14. (**use annex 3**)

2.2.1.Long Term Residence (LTR) status holders (Art.11 of the Directive [2003/109/EC](#))

The immigration authorities in Cyprus are not willing to grant the long-term status to the vast majority of TCNs, who are on short-term contracts are generally workers from south east Asia (female domestic workers) and Asia and Middle East working as low skill, low paid workers, as the figures indicate. The long-term-residency permit would free them from the restrictions in their employment and dependence on their employer and will pave the way to achieve also citizenship eventually. This is a serious barrier to integration. There was a problematic decision of the Supreme Court of Cyprus as regards the exclusion of the vast majority of third country migrants from benefiting from the EU directive on long-term residence. In 2007, Directive 2003/109/EC was transposed by amending the existing *Aliens and Immigration Law Cap. 105*. The scope of the amending law covers third country nationals staying lawfully in the areas controlled by the Republic for at least five uninterrupted years. Excluded from the scope of the law are the foreign students, persons on a vocational training course, persons residing in the Republic under the Refugee Law, persons staying in the Republic for reasons of a temporary nature, and foreign diplomats. In addition, persons who have been granted the status of a long-term migrant in another EU member state may nevertheless be refused immigration permit if they constitute a threat to public health or to “public security and public order”. In 2008, a Supreme Court decision confirmed the practice followed by the immigration authority up until then regarding the scope of the law transposing Directive 2003/109/EC, which effectively deprives the vast majority of long-term migrants of the right to acquire the residency status provided by the said Directive. In the case concerned,¹¹⁶the applicant was a female migrant who arrived in Cyprus in 2000 and was, since, lawfully working as a domestic worker. The applicant applied to the Interior Minister for the status of the long term migrant, as provided by the Directive, but the Interior Minister rejected the applicant’s application to acquire the right of long term residency, on the ground that the applicant’s successive residence permits were limited as to their duration. The Supreme Court, by a majority decision of nine judges against four, rejected the appeal and confirmed the Interior Minister’s decision, on the ground that the fixed term duration of the applicant’s visas did indeed fall within the exception of *article 18Z(2)* of the Cypriot Law i.e., Directive article 3(2)(e). After pressure from EU Commission, the Parliament in 2009

¹¹⁶ Cyprus, Supreme Court, (*Cresencia Cabotaje Motilla v. Κυπριακής Δημοκρατίας*), Supreme Court Case No. 673/2006, 21 January 2008.

	amended the law as proposed by the Government deleting the words "as to its duration". However, all applications from domestic workers have been rejected, as the authorities apply a stringent rule on the adequate means which effectively excludes poorer workers. The Supreme Court has criticized the way the immigration authorities are interpreting adequate means". ¹¹⁷ The authorities maintain that domestic workers and others who are low income and depend on employer for shelter and food do not qualify as they fail the "adequate means" test; there are complaints before the Cyprus Antidiscrimination Authority that the practice is discriminatory and contrary to the <i>acquis</i> . ¹¹⁸ The Committee examining the application does not have any known criteria or minimum threshold about the adequate means required; the committee examining the applications takes into account the minimum income but it is not bound by it. ¹¹⁹
2.2.2. <u>Single-permit procedure permit holders (Art.12 and 13 of the Directive 2011/98/EU)</u>	This has only recently begun to be applied in Cyprus and no problems have surfaced as yet.
2.2.3. <u>Blue card holders (Art.14 and 12 of the Directive 2009/50/EC)</u>	None have been granted. Very little research exists on the subject of highly skilled migrants in Cyprus. ¹²⁰
2.2.4. <u>Family reunification permit holders (specifically in terms of access to labour market - Art. 14 of Directive 2003/86/EC)</u>	The authorities are generally reluctant to grant the right to family reunification, as many courts cases show. Since the war in Syria broke out and Syrians started filing asylum applications in Cyprus, the Ministry of Interior applies a policy of granting the Syrians only subsidiary protection to prevent them from claiming family reunification, a practice criticised by UNHCR. ¹²¹ There is also evidence that the likelihood of an applicant for citizenship later claiming family reunification may prompt the immigration authorities to reject the citizenship application in order to avoid such an eventuality. ¹²²
2.2.5. <u>Beneficiaries of international protection long term residence status holders</u> ¹²³	The key issues with regard to beneficiaries of international protection are the following: Long delays in examining asylum applications This was an issue taken up by the Ombudsman in her report on asylum policies towards Syrians. In September 2014, following about 100 complaints received in relation to the delays in examining asylum applications at first and second instance, the Ombudsman issued a report regarding the asylum and receptions procedures followed in Cyprus in relation to Syrian nationals and the problems generated by such delays. ¹²⁴ The report notes that delays are at

¹¹⁷ Cyprus, Supreme Court, (*Andriy Popovich v. Κυπριακή Δημοκρατία*), Case no. 1699/2011, 13 March 2013. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2013/4-201303-1699-2011.htm

¹¹⁸ Consultation with Antidiscrimination Authority officer.

¹¹⁹ Consultation with Immigration officer from the Ministry of Interior.

¹²⁰ Pavlou, V. (2013) *Highly Skilled Indian migrants in Cyprus*, CARIM-India RR 2013/42, Robert Schuman Centre for Advanced Studies, San Domenico di Fiesole (FI): European University Institute, 2013. Available at <http://cadmus.eui.eu/bitstream/handle/1814/29504/carim-india-2013-42.pdf?sequence=1>

¹²¹ Cyprus, UNCHR Cyprus (2014), *UNHCR regrets the lowering of international protection standards in the Republic of Cyprus*, 16 April 2014.

¹²² Cyprus, Supreme Court, *Leelawathie Perera v. the Republic of Cyprus*, Case No. 467/2010. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2014/4-201407-467-10.htm&qstring=LEELAWATHIE%20and%20PERERA. The case is reported in Annex 9 below.

¹²³ As per recitals 6 and 7 of Directive [2011/51/EU](#) of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection Text with EEA relevance

¹²⁴ Cyprus, Ombudsman, Position of the Ombudsman regarding the procedures for examination of asylum applications by Syrians, 17 September 2014.

least partly due to the fact that Cyprus had stopped examining asylum applications from Syrians for about three years and has only recently resumed. This freezing has created a backlog of pending applications, accentuating the problem of delays and leaving a considerable number of Syrians in a state of uncertainty, facing difficulties in accessing public and private services as well as problems with accessing the labour market. There are no policies of examining applications from Syrians as a matter of priority, whilst procedures at both the Asylum Service and the Review Authority appear to be inflexible, leading to additional delays. The response of the Asylum Service, that the delays in calling Syrian applicants to interviews are due to difficulties in locating an interpreter, is according to the Ombudsman evidence of the failure to recognise the seriousness of the circumstances.

The report highlights the problem that asylum seekers are only entitled to work as labourers in the following sectors: agriculture, fisheries, animal farming, animal food production, sewage, refuse collection, recycling of animal excrement, slaughterhouse waste, cleaning of buildings and external spaces, distribution of leaflets, fast food deliveries. Syrian applicants for asylum are, as a matter of policy, granted subsidiary protection and not refugee status unless the asylum service is satisfied following the interview that refugee status should be granted, which is the exception rather than the rule. Since 2011 up until March 2014, the Asylum Service received 1044 asylum applications from Syrians; during this period, refugee status was granted to just two persons, whilst subsidiary protection was granted in 164 cases affecting 259 persons.

Subsidiary protection carries fewer rights than the refugee status. Persons to whom subsidiary protection has been granted are no longer entitled to family reunification. The duration of their residence permit is one year with the possibility of renewal but their subsidiary protection status may be withdrawn when the conditions leading to the grant of this status are no longer in place or have changed to such an extent that protection is no longer needed.¹²⁵ Holders of subsidiary protection are not issued passports or identity cards but only travelling documents which are not recognised by all countries.

Abolition of the right to family reunification and unity for beneficiaries of subsidiary protection

Another issue is the abolition of the right to family reunification and unity for beneficiaries of subsidiary protection in 2014, a subject which provoked the reaction by UNHCR Cyprus, which issued a public statement expressing its disagreement over. The abolition of this right has mostly affected Syrians who are in their vast majority the beneficiaries of such protection. At the same time, the abolition of this right has significantly lowered the level of international protection offered by the Republic of Cyprus.¹²⁶ Overall complaints have been raised about the level of protection offered by Cyprus. A UNHCR report published on 11 July 2014 regarding the stand taken by member states towards Syrians seeking asylum in their countries records that most countries demonstrated a protection level of 90-

¹²⁵ Cyprus, Law on Refugees (*Περί Προσφύγων Νόμος*) 2000 as amended by Law N.58(I)/2014. Available at www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html.

¹²⁶ Cyprus, UNCHR Cyprus (2014), *UNHCR regrets the lowering of international protection standards in the Republic of Cyprus*, 16 April 2014.

100% except a few countries like Cyprus which offered lower levels of protection.¹²⁷ Cyprus was listed as one of the countries whose mechanisms for promptly identifying applicants with a special or vulnerability, such as victims of torture, trafficking or sexual violence, and support structures for such victims are lacking.

Integration issues faced by beneficiaries of international protection

Beneficiaries of international protection face a number of integration issues have been raised. The public discussion, co-organised by UNCHR during 2014 on the integration of refugees¹²⁸ raised the following issues:

- There are no proper channels for dialogue and debate between policy makers and refugees. Syrian refugees and asylum-seekers, many of whom are in Cyprus for over a decade complained that, unless they go on a hunger strike, the Ministry of the Interior pays no attention to their problems or claims.
- The commonest problems faced by Syrians in Cyprus are: Racism and exclusion, hostility, rise in racial crime, impunity and lack of accountability of state officials, language barriers, vocational training and access to the labour market, cuts in welfare benefits and the introduction of food coupons in 2013, which has resulted in further exclusion, marginalisation and poverty.
- The reluctance to grant nationality to Syrians residing in Cyprus for several years has led not only to marginalisation but also to an inability to travel outside Cyprus. A study presented at the event showed that none of the foreign embassies in Cyprus recognise the travel documents granted to refugees by the Republic of Cyprus. This was disputed by officers from the Asylum Service who claimed that some embassies of EU countries do accept them.

Acquiring citizenship

The question of acquiring citizenship to refugees who reside in the country is a serious concern by many refugees. Refugees claim that their application takes years to be processed; many applications are rejected without reason.¹²⁹ In November 2014 a group of Syrian Kurds camped outside the Ministry of Interior and started a hunger strike to protest against their living conditions in Cyprus. In a press statement dated 26 November, the protestors complained about the delays in examining their asylum applications, the absence of any integration programs, the lack of language and vocational training, the refusal of the authorities to grant nationality to refugees, the policy of Cypriot authorities to grant subsidiary protection rather than refugee status which denies them the right to family reunification, the bad state of the labour market and the institutional racism they are faced with. They claimed that these conditions have placed them in a more disadvantageous position than their fellow Syrians who have sought asylum in other EU countries. The Minister eventually granted them citizenship.

¹²⁷ UNHCR, Bureau for Europe (2014), Syrian Refugees in Europe. What Europe can do to ensure protection and solidarity, 11 July 2014.

¹²⁸ Public discussion entitled, 'Refugee Integration in Cyprus: Managing Diversity', organised by the UNHCR office in Cyprus, the European Parliament Office in Cyprus and the Representation of the European Commission in Cyprus, 11 September 2014, 9:00-14:30, at EU House, 30 Vironos Avenue. Available at [www.unhcr.org.cy/fileadmin/user_upload/UNHCR - INVITATION AND PROGRAMME EN.pdf](http://www.unhcr.org.cy/fileadmin/user_upload/UNHCR_-_INVITATION_AND_PROGRAMME_EN.pdf)

¹²⁹ Interview with President of the Refugee Association.

2.3.Key developments and trends

	<p>Please include in this section key developments in the area of equal treatment and anti-discrimination that concern only migrants and/or their descendants. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of the anti-discrimination legislation and equal treatment policies that related to the rights of migrants and/or their</p>	<p>No case has ever been heard in national courts invoking the laws transposing the Racial Equality Directive. However, a court decision on an age discrimination case in 2015 has set an important precedent as regards the revision of laws and regulations containing discriminatory provisions. Whilst in the past the Equality Body would refer discriminatory laws to the Attorney General for revision who would, in most cases, not pursue a change in the law, the Court has now established that the Attorney General is not entitled to halt the process of revision and is, instead, bound to proceed with the revision of the discriminatory law in accordance with the recommendation of the Equality Body.¹³⁰ This development is expected to address the problem of a number of discriminatory laws and regulations which have remained in existence despite the Equality Body's recommendations for revision, particularly as regards the requirement for good or excellent use of the Greek language in order to access certain job positions.</p> <p>In 2014 and 2015, following developments at the level of the CJEU¹³¹ the national courts have issued a number of decisions annulling rejections of citizenship applications which had been premised upon the applicant having remained in the country without a valid permit for a short period of time prior to applying for citizenship. Two of these cases are reported in Annex 9.¹³²</p>
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¹³⁰ Cyprus, Supreme Court, Nicoletta Charalambidou v The Republic of Cyprus, the Finance Minister and the Attorney General (Νικολέτα Χαραλαμπίδου v. Κυπριακής Δημοκρατίας, Υπουργού Οικονομικών και Γενικού Εισαγγελέα), No. 1695/2009, 17 December 2014. Available at [www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2014/4-201412-1695-09.htm&qstring=%E4%E9%E1%EA%F1%E9%F3*%20and%2058\(%E9\)#](http://www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2014/4-201412-1695-09.htm&qstring=%E4%E9%E1%EA%F1%E9%F3*%20and%2058(%E9)#)

¹³¹ The relevant CJEU case is Ergat v. Stadt Ulm.

¹³² Cyprus Supreme Court, Guilan Zhou v. The Republic of Cyprus, Case No. 1079/2014. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2014/4-201412-1079-2014apof.htm&qstring=GUILAN%20and%20ZHOU; Cyprus, Supreme Court, Emma Angelides v. the Republic of Cyprus, No. 1408/2010, 31 October 2012. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2012/4-201210-1408-10.htm&qstring=1408%20w/1%202010

	<p>descendants (for presentation of case law, use template in Annex 9). Such developments may also affect the actual situation on the ground, including public debates and perceptions among the native population and migrants.</p>	
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3.Participation of migrants and their descendants in society

3.1.Political rights at national level

3.1.1.Citizenship acquisition

	<p>In this section please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for foreign born third country nationals (the so-called '1st generation')</p>	
	<p>Please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for country-born (so-called '2nd generation') and country-</p>	<p>TCNs may acquire citizenship is via naturalisation.¹³³A non-Cypriot who resides lawfully in the Republic may acquire citizenship via discretionary naturalisation if he or she fulfils all of the following conditions formulated in Table 3 annexed to the law (Sub-section 111):</p> <ul style="list-style-type: none"> • He or she has lawfully resided in the Republic of Cyprus for the entire duration of twelve months immediately preceding the date of application • Over and above the twelve months referred to above, for an additional continuous period of seven years in the period immediately prior to this, the applicant must have ordinarily resided in the Republic, or have been serving in the civil or public service of the Republic, or a bit of both, for

¹³³ Trimikliniotis, N. (2015) *Country Report on Citizenship Law: Cyprus*, European University Institute, Florence Robert Schuman Centre for Advanced Studies EUDO Citizenship Observatory in collaboration with Edinburgh University Law School Country Report RSCAS/EUDO-CIT-CR 2015/1, revised and updated January 2015. Available at www.cadmus.eui.eu/bitstream/handle/1814/34479/EUDO_CIT_2015_01-Cyprus.pdf?sequence=1

	<p>grown migrant children (so-called '1,5 generation')</p>	<p>periods amounting in total to no less than four years;</p> <ul style="list-style-type: none"> • He or she is of good character; and • He or she intends to reside in the Republic. <p>It is noted that the law also provides for acquisition of citizenship via naturalisation for students, visitors, self-employed persons, athletes and coaches, domestic workers, nurses and employees who reside in Cyprus with the sole aim of working there as well as spouses, children or other dependent persons. The prerequisites are that they must have ordinarily resided in the Republic for at least seven years and one year in the period immediately prior to the application their stay must be 'continuous'.</p> <p>There are also exceptional situations where citizenship may be granted. However, the regime is based on the discretionary power of the authorities and in particular the discretion of the Council of Ministers and the Minister of the Interior. Whilst Section 111 does not refer to lawful residence, lawful residence is somehow implied as a prerequisite, a condition the Supreme Court seems to have accepted.</p> <p>Honorary Acquisition of Citizenship</p> <p>TCNs may acquire citizenship via a fast-track system, if they can bring large sums in the form of investments in the country. Following the bail-in crisis in March 2013, the newly elected government decided to introduce an enhanced citizenship-for-investment scheme,¹³⁴ amending the law accordingly; it entered into force on 30 April 2013.¹³⁵ The law granted discretion to the Council of Ministers to naturalise foreign nationals on grounds of public interest and without fulfilling years of residence and other preconditions. The amendment introduced a new section 111A, which empowers the Council of Ministers in exceptional cases of demonstration of exceptional services to the Republic to allow, for reasons of public interest, the honorary naturalisation of a foreigner who does not otherwise fulfil any of the requirements specified in the other sections of the law. Also under conditions defined on a case by case basis, the Council of Ministers may allow the naturalisation of foreign business people and investors who do not otherwise fulfil the requirements of the law for naturalisation. The law also provides that, before such person is naturalised, the Council of Ministers must inform the House of Representatives, as per s. 111A(3). The government scheme that entitles a foreign investor</p>
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¹³⁴ Cyprus, Council of Ministers decision 19 March 2013. Available at <http://eudocitizenship.eu/NationalDB/docs/CYP%20Decision%20of%20the%20Council%20of%20Ministers%20dated%2019.3.14.pdf>

¹³⁵ Cyprus, Law 36(I)/2013 Honorary naturalisation of alien for reasons of national interest amending the Archive of population Law (Περί τιμητικής πολιτογράφησης αλλοδαπού, για λόγους δημοσίου συμφέροντος νόμος που τροποποιεί τον περί Αρχείου Πληθυσμού Ν. 141(I)/2002). Available at www.cylaw.org/nomoi/enop/ind/2002_1_141/section-sceb6cfa3-2de0-2d05-de18-33ac9e1c5eb6.html

		<p>to acquire Cypriot citizenship requires the following financial criteria to be met:</p> <ul style="list-style-type: none"> • mixed investments and donation to government funds amounting to a minimum of €2.5 million. • or direct investments amounting to a minimum of €5 million. Investment may drop to €2 million for a special collective real estate purchase scheme of a total value of no less than €10 billion. • or deposits in banks operating in Cyprus amounting to a minimum of €5 million (personal deposits or deposits of privately owned companies). • or a combination of the above criteria amounting to €5 million [Business Activities the applicant established a company administered in Cyprus and he/she made payments to the authorities (taxes etc.) and purchased business services for at least €500.000 on average per annum for the last three years before application. In case the company's central office is in Cyprus and employs five Cypriots, then the investment threshold is reduced to €350.000 per annum and in case of employing ten Cypriots, it is further reduced to €200.000 per annum, or impaired deposits in the Bank of Cyprus and/or in the Popular Bank amounting to a minimum of €3 million. <p>In case of impaired deposits of less than €3 million, the applicant can proceed to make additional investments under one of the above criteria. In addition to the criteria mentioned above, the applicant must fulfil the following conditions:</p> <ul style="list-style-type: none"> • hold a clear criminal record from the country of origin and/or/ the Cyprus police. • Confirm that the applicant's name is not included in the list of persons whose property is ordered to be frozen [within the EU Privately owned residence] in the Republic of Cyprus, the cost of which must exceed the amount of €500.000 excluding VAT; • have visited Cyprus at least once. <p>An applicant may not be considered a tax resident in Cyprus unless he/she spent more than 183 days in any one calendar year in Cyprus. Approval of citizenship under the relevant decision is granted by the Cyprus Council of Ministers. The Ministry of Finance assesses the financial criteria. The application of the spouse is submitted concurrently with the application of the main applicant. Upon approval of these applications, children's applications are subsequently examined. After examination by the two ministries, the application is presented to the Council of Ministers. It is claimed that the application process usually takes six months, but the Council of Ministers has discretionary power regarding these decisions.</p>
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	<p>Debates, issues and challenges concerning the implementation of citizenship policies</p>	<p>The regime of acquisition is based on the discretionary power of the authorities. Moreover, given that there has been a policy that migrant worker permits cannot be extended beyond four years, the chance of acquiring citizenship for these groups is rather slim, unless they are married to a Cypriot or are granted leave to stay on other exceptional grounds.</p> <p>The strict migration policies restrict access to citizenship by naturalisation for the vast majority of migrants.¹³⁶ There is a distinct lack of effective remedies against negative decisions on citizenship applications and a lack of "information and support mechanisms to prospective applicants, legal and procedural uncertainty, documentation that does not always correspond to the criteria "assumed" to be taken into account for the granting of citizenship, long waiting periods in limbo and with no access to a safe legal status until the decision is taken, form the background of citizenship procedures".¹³⁷</p> <p>Cypriot authorities are very reluctant to grant citizenship to migrants and refugees.¹³⁸ In light of the strict Cypriot immigration and asylum policies, which as a rule do not allow for permanent and/or long term residency of third country migrants and the integration of refugees in the country, and on the basis of the practice followed, it may be concluded that the only persons who could potentially acquire the necessary qualifications to apply for naturalisation are the following:</p> <ol style="list-style-type: none"> 1. European Union citizens 2. recognised refugees or persons with subsidiary protection 3. asylum seekers whose applications are pending for a period of more than seven years; 4. third country nationals working in the international business sector who are granted renewable residency permits; 5. third country nationals with permanent immigration permits on the basis of their financial situation and investments made in Cyprus; 6. third country migrant workers who fall into some exceptional categories provided as a matter of policy, and whose residency and employment permits may be renewed beyond the four year time limit. For instance in accordance with the Strategy for the Employment of Foreign Labour Force of 2008, decided by the Ministerial Committee of Employment of third country
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¹³⁶ ECRI (2011) *Report on Cyprus, Fourth Monitoring Round, European Commission against Racism and Intolerance*, Council of Europe, Strasbourg, published on 31 May 2011, page 169. Available at www.coe.int/t/dghl/monitoring/ecri/country-by-country/cyprus/CYP-CbC-IV-2011-020-ENG.pdf

¹³⁷ Charalambidou, N. (2013) *Naturalisation Procedures for Immigrants Cyprus*, European University Institute, Florence Robert Schuman Centre for Advanced Studies EUDO Citizenship Observatory in collaboration with Edinburgh University Law School Country Report. Available at cadmus.eui.eu/bitstream/handle/1814/29777/NPR_2013_02-CITIMP-Cyprus.pdf?sequence=1

¹³⁸ Interview with former Minister of Interior 11 April 2015.

nationals after consulting with the social partners, domestic workers taking care of the elderly and sick persons or children with special needs may be employed for a period of more than four years in Cyprus and for as long as the employer is in need for those services, for humanitarian reasons (available at www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmlindex_en/dmlindex_en?OpenDocument)

7. Any third country national who offers highly esteemed services in the Republic, which translates very often to the naturalisation of football players, coaches, or other athletes;
8. Any third country national who fulfils the special financial and investment criteria decided by the Council of Ministers, and who may be naturalised irrespective of the fulfilment of other naturalisation criteria.¹³⁹

Unlike persons in categories 4, 5, 7, and 8, persons drawn from the other categories face bureaucratic obstacles and administrative practices as manifestations of the restrictive naturalisation policies adopted. Asylum seekers, who may reside for more than seven years, often waiting for decisions in asylum procedures for more than seven years, cannot apply for naturalisation. Even though they legally reside in Cyprus, as provided by the Refugee Law, they are not granted residency permits, thus are excluded from using this period as proof of legal residency in the country on a valid residency permit. Refugees, on the other hand, despite provisions in the 1951 Geneva Convention requiring facilitation of the naturalisation of refugees, may only apply for naturalisation after seven, rather than five years, of legal residency. Their applications are in most cases rejected; in 2013 the total rejection rate was 79%.¹⁴⁰

The vast majority of naturalisation applications are rejected owing to the wide margin of ministerial discretion, as recognised by case law.¹⁴¹ If the applicant fulfils the residency and other requirements entitling them to apply, applications in most of the cases are rejected on grounds of lack of knowledge of the Greek language, lack of integration, lack of any public interest in the naturalisation of the migrant, or the brevity of their stay in Cyprus, implying that this did not give rise to any legitimate expectation that the applicant would be eventually naturalised. Although the Turkish language is also an official language of the Republic under the

¹³⁹ Cyprus/Council of Ministers Decision dated 15. 4. 2013, Criteria and Conditions for Naturalisation of Foreign Investors / Entrepreneurs by Exemption.

¹⁴⁰ Drousiotou, C., Mathioudakis, M., Islam, F. and Toumazou, P. (2014) *Asylum Information Database, National Country Report, Cyprus, AIDA Report*, ECRE, available at <http://www.asylumineurope.org/reports/country/cyprus>

¹⁴¹ Cyprus, Nabil Mohamed Adel Fattah Amer v. Republic of Cyprus (*Nabil Mohamed Adel Fattah Amer v. Κυπριακής Δημοκρατίας*), Revisional Appeal No. 74/08, 26/1/11, Ashal Naveed Peter v. The Republic of Cyprus (*Ashal Naveed Peter v. Κυπριακής Δημοκρατίας*), Application 486/2009, 6.6.2011

		<p>Constitution, Turkish speaking migrants are also rejected on grounds of no knowledge of the Greek language.</p> <p>The application for citizenship may be rejected on the ground that the Council of Ministers or the Minister of the Interior may see "no particular reason why citizenship should be granted", in the context of the exercise of wide discretion and state sovereignty. On the other hand, ministerial discretion leads to a rather generous outcome in regards to the naturalisation of persons in categories 4, 5, 7, and 8. This is apparent in the immediate aftermath of the Troika-imposed 'bail-in' programme, when the Government sought to reach out to foreign investors who lost a large share of their deposits in Cypriot banks and to attract new depositors and investors. Those foreign nationals who lost 3 million euros in the controversial 'hair-cut' would be 'compensated' as they were entitled to apply for citizenship, whereas the Council of Ministers announced new and more favourable criteria, with substantially reduced financial requirements, for the naturalisation of foreign nationals in the future. This policy was the subject of criticism by parliamentarians particularly in Germany, who called for common standards for naturalisation in all EU member states. For some time, Cyprus had a scheme for fast-track access to residency for investors; these were made even more favourable in 2012. Access to citizenship remained more difficult, even though it was more accessible to those on the higher echelons of society who could invest. The new policy is quite different as it is marketed as the sale of EU citizenship.¹⁴² Various companies are currently advertising under the slogan "buy property, get citizenship".¹⁴³ The Cypriot Minister of the Interior denied press reports that the government is changing the rules for acquiring Cypriot citizenship by foreign investors by reducing the amount of large investments,¹⁴⁴ the matter has received negative publicity as a kind of "race with Malta" in selling European citizenship to the super rich,¹⁴⁵ and scholars have raised questions regarding how democratic this is and how it affects Union citizenship.¹⁴⁶</p>
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¹⁴²Cyprus, Council of Ministers decision 19 March 2013. Available at <http://eudocitizenship.eu/NationalDB/docs/CYP%20Decision%20of%20the%20Council%20of%20Ministers%20dated%2019.3.14.pdf>

¹⁴³ Unsigned, (2014) 'Buy property in Cyprus get citizenship', *Property 24*, 16 Jun 2014. Available at www.property24.com/articles/buy-property-in-cyprus-get-citizenship/20018

¹⁴⁴(2014) 'Citizenship for sale reports denied', *Cyprus Property News*. Available at www.news.cyprus-property-buyers.com/2014/03/21/citizenship-sale-reports-denied/id=0017146_50

¹⁴⁵Gittleson, K. (2014) 'Where is the cheapest place to buy citizenship?', *BBC News*, 4 June 2014. Available at <http://www.bbc.com/news/business-27674135>;

'Sale of Citizenship in Cyprus 'racing' against Malta'. Available at <http://stmresidencysolutions.com/sale-citizenship-cyprus-racing-malta>.

¹⁴⁶ Carrera S. (2014) 'How much does EU citizenship cost? The Maltese citizenship-for-sale affair: A breakthrough for sincere cooperation in citizenship of the union?', CEPS 25 April 2014, at <http://www.ceps.eu/book/how-much-does-eu-citizenship-cost-maltese-citizenship-sale-affairbreakthrough-sincere-cooperat>

		<p>Moreover, it raises questions of double standards, when the vast majority of TCNs, including refugees, who have resided for years in the country and are fully integrated in society face serious bureaucratic and other barriers in accessing citizenship.</p> <p>In general, the naturalisation procedure has been criticised for its discretionary nature by international reports and NGOs. The Second ECRI Report on Cyprus criticised the fact that the conditions for naturalisation “leave a wide margin of discretion to the Naturalisation Department as concerns decisions to grant citizenship”; moreover the same Report claims that “there have been complaints that these decisions are sometimes discriminatory’. The same practice was criticised by the Third ECRI Report on Cyprus, which also notes that ‘decisions are still excessively discretionary and restrictive’ but that ‘this is reflected not only in the use made of public order considerations, but also in the application of residency and language requirements’.</p> <p>Several decisions by the Ombudsman have criticised a number of practices of the Population Data Archives regarding the process of granting citizenship. In particular, criticism is directed at the restrictive approach of the Director of the Population Data Archives as regards the acquisition of citizenship via registration and naturalisation; particularly critical are the decisions regarding the rejection of applications for citizenship based on marriage with Cypriots.¹⁴⁷ Also, the ‘Cyprus problem’ is often quoted as a ‘national priority’ and is invoked by Greek-Cypriot authorities as the reason for their reluctance to open up citizenship rules so as not to alter the demography, particularly in the context of the Turkish policy of settlement in the occupied northern territories. However, this does not withstand close scrutiny as numerous amendments were made to facilitate various population policies that benefit what is perceived as ‘the Greek-Cypriot interest’. Overall, the implementation of the rules on naturalisation and with the wide margin of discretion provided for by the legislation is an issue of concern regarding the fairness of these policies. There is little encouragement and information for persons entitled to be naturalised and there are bureaucratic obstructions that make the application for naturalisation unattractive and cumbersome. One can explain this policy as a mixture of the colonial legacy and the keenness of the authorities to hold on to their ‘sovereignty’ concerning entry, sojourn, residence and citizenship, particularly as the protracted Cyprus conflict is often invoked as a pretext. The consequence is a restrictive regime that requires reform if it is to observe international law standards on the subject.</p>
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¹⁴⁷ Cyprus, Ombudsman Reports, Files No. 2599/2005, 1958/2005, 2059/2005, 2368/2005, 2599/2005, 2780/2005.

	<p>Key developments and trends – case law (please use the template in the Annex 9 to provide information about the cases – here only a simple reference to the case name is required) or new provisions and reforms.</p>	<p>No reforms are in schedule.</p> <p>In December 2014 in response to a large number of complaints, the Ombudsman issued a report criticizing the policy of the immigration authorities to automatically reject all applications for citizenship where the applicant remained in the country without a valid permit, without considering the applicant’s total length of stay or the particulars of the case. The issue has been the subject of several interventions by the Ombudsman in the last ten years which had been largely ignored by the immigration authorities. In this most recent report, the Ombudsman lists a number of cases where applicants were denied access to citizenship because they had remained in the country ‘illegally’ for a short period of time, in many cases only a few days and through no fault of theirs, whereas the duration of their overall stay in Cyprus was well in excess of ten years. The Ombudsman stated that although legislation allows the rejection of citizenship applications by persons who entered or remained in Cyprus illegally¹⁴⁸ this provision has so far been interpreted restrictively, leading to the automatic rejection of all citizenship applications by spouses of Cypriot nationals where an ‘illegal’ stay of even a few days had elapsed. The Ombudsman added that the applicable law must now be seen in the light of the ruling of the CJEU in <i>Ergatv. StadtUlm</i>, which was also cited and followed by the Supreme Court of Cyprus in recent cases. In particular, the Ombudsman referred to a national Court decision which, in line with the CJEU ruling in <i>Ergat v Stadt Ulm</i>, annulled the decision of the immigration authorities to reject a citizenship application of the spouse of a Cypriot national on the ground that the applicant had remained in Cyprus without a valid permit for 15 days, establishing that the authorities are not justified to act inconsistently and consider as illegal those periods of time which had subsequently been covered by renewed residence permits.¹⁴⁹ The Supreme Court adopted a similar position in 2013 where it ruled that the applicant’s illegal stay at some point in the past must be viewed in the light of the CJEU ruling in <i>Ergat v. Stadt Ulm</i> and cannot lead to the automatic rejection of a citizenship application irrespective of whether the prior illegal stay was rectified through subsequent residence permits and ignoring the ties that the applicant has since developed with the country.¹⁵⁰ The immigration authorities argued that the CJEU ruling in <i>Ergat v. Stadt Ulm</i> concerned the extension of a visa and was therefore not applicable in the context of citizenship applications.</p>
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¹⁴⁸ Cyprus, Law on Population Archives (*Περί Αρχείου Πληθυσμού Νόμος*) N.41(I)/2002, article 110(2)(d). Available at www.cylaw.org/nomoi/enop/ind/2002_1_141/section-sc29a048ec-dee8-cd86-795c-269a32ade50e.html

¹⁴⁹ Cyprus, Supreme Court, *Emma Angelides v. the Republic of Cyprus* (*Emma Angelides v. Κυπριακή Δημοκρατία*), No. 1408/2010, 31 October 2012. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2012/4-201210-1408-10.htm&qstring=1408%20w/1%202010

¹⁵⁰ Cyprus, Supreme Court, *Hakam Quasem Hussein Badar v. the Republic of Cyprus*, (*Hakam Quasem Hussein Badar v. Κυπριακή Δημοκρατία*) No. 425/2011, 17 May 2013. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2013/4-201305-425-11.htm&qstring=425%20w/1%202011

		<p>The Ombudsman noted that this position conflicts with recent Supreme Court decisions which confirmed the applicability of <i>Ergat v. Stadt Ulm</i> to citizenship applications. The Ombudsman recommended that:</p> <ul style="list-style-type: none"> • The immigration authorities reconsider their interpretation of the relevant legislation¹⁵¹ in light of the Supreme Court position; • Specific criteria be introduced for the acquisition of Cypriot citizenship by spouses of Cypriot nationals even where a period of 'illegal' stay has elapsed, such as the total duration of the applicant's stay in the country, social and family ties etc.; • A ceiling be placed by the Ministry of the Interior to the length of time needed for examining citizenship applications, as this is unacceptably long and often exceeds the minimum stay required by law for citizens acquisition; • The cases of rejected applications listed in the report be re-examined in light of the above. • At the time of writing, none of the above recommendations had been adopted.¹⁵² 															
	<p>Please indicate key and/or milestone dates – e.g. of major reforms - regarding citizenship acquisition for migrants and/or their descendants.</p>	<p>The only important development on citizenship issues for the period 2010-2014 is the law that grants discretion to the Council of Ministers to naturalise foreign nationals on grounds of public interest and without fulfilling years of residence and other preconditions in 2013.¹⁵³</p>															
	<p>Naturalisation rate - % of migrants that have been naturalized compared to migrant stock and to general population – listing the most numerous groups on the basis of their previous nationality, by gender and age-group if available. Please provide the latest available data. The most recent data provided by <u>Eurostat</u> concern the year 2012.</p>	<p>The Ministry of Interior does not provide such data in percentages. However, the data provided for 2013 and 2014 tell us something about the trends. For 2013 a total of 1221 persons were naturalised and for 2014 a total of 1807. From these, 134 and 721 for the two years were for honorary/exceptional reasons for the respective years.</p> <p style="text-align: center;">Grounds for Naturalisations for 2013 and 2014:</p> <table border="0" style="width: 100%;"> <tr> <td>Naturalisation s.111 – form M127333</td> <td style="text-align: right;">766</td> <td></td> </tr> <tr> <td>Honorary/exceptional reasons under s.111– form M127ex.</td> <td style="text-align: right;">134</td> <td style="text-align: right;">712</td> </tr> <tr> <td>Naturalisation s.109(4) – form M123</td> <td style="text-align: right;">165</td> <td style="text-align: right;">173</td> </tr> <tr> <td>Minors s. 110(3) – form M126</td> <td style="text-align: right;">427</td> <td style="text-align: right;">610</td> </tr> <tr> <td>Spouses s. 110(2) - form M125</td> <td style="text-align: right;">162</td> <td style="text-align: right;">186</td> </tr> </table>	Naturalisation s.111 – form M127333	766		Honorary/exceptional reasons under s.111– form M127ex.	134	712	Naturalisation s.109(4) – form M123	165	173	Minors s. 110(3) – form M126	427	610	Spouses s. 110(2) - form M125	162	186
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Spouses s. 110(2) - form M125	162	186															

¹⁵¹ Cyprus, Law on Population Archives (*Περί Αρχείου Πληθυσμού Νόμος*) N.41(I)/2002, article 110(2)(d). Available at www.cylaw.org/nomoi/enop/ind/2002_1_141/section-sc29a048ec-dee8-cd86-795c-269a32ade50e.html

¹⁵² Cyprus, Report of the Commissioner for Administration and Human Rights regarding the rejection of applications by spouses of Cypriot citizens for the acquisition of Cypriot citizenship by registration, due to prior stay in the Republic without a valid permit, Ref. AKR 78/2012 et al, 17 December 2014. Available at [http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/BEF4FBDBB0F91531C2257DCD003AC179/\\$file/%CE%91%CE%9A%CE%A178.2012%CE%BA%CE%B1-17122014-%CE%99%CF%83%CF%84%CE%BF%CF%83%CE%B5%CE%BB%CE%AF%CE%B4%CE%B1.doc?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/BEF4FBDBB0F91531C2257DCD003AC179/$file/%CE%91%CE%9A%CE%A178.2012%CE%BA%CE%B1-17122014-%CE%99%CF%83%CF%84%CE%BF%CF%83%CE%B5%CE%BB%CE%AF%CE%B4%CE%B1.doc?OpenElement)

¹⁵³ Cyprus, Law 36(I)/2013 Honorary naturalisation of alien for reasons of national interest amending the Archive of population Law (*Περί τιμητικής πολιτογράφησης αλλοδαπού, για λόγους δημοσίου συμφέροντος νόμος που τροποποιεί τον περί Αρχείου Πληθυσμού Ν.141(I)/2002*). Available at www.cylaw.org/nomoi/enop/ind/2002_1_141/section-sceb6fcfa3-2de0-2d05-de18-33ac9e1c5eb6.html

		<p>By far the most numerous groups on the basis of their previous nationality are the Russians, followed by Ukrainians. For the 2013 and 2014 the following groups the most numerous groups are the following:</p> <ul style="list-style-type: none"> • Russians: 436 for 2013 and 1230 for 2014 (a total of 544 for honorary/exceptional grounds) • Ukrainians: 174 for 2013 and 250 for 2014 (48 for honorary/exceptional grounds) • South African: 186 for 2013 and 95 for 2014 (78 for honorary/exceptional grounds) • Chinese: 28 for 2013 and 92 for 2014 (78 for honorary/exceptional grounds)
<p>Numbers of naturalisations and citizenship acquisitions in the last 2 years (in 2013 and in 2014) by mode of acquisition, by gender and age-group if available, and for the 10 most numerous groups on the basis of their previous nationality <i>Please provide the latest available statistics - (please use the relevant table in the Annex 6)</i></p>		

3.1.2. National elections voting rights – turnout

	<p>Third country nationals are allowed in exceptional cases to vote in national elections. In this section please provide the specific requirements and criteria for participation of citizens of migrant background (and third country nationals in the very few cases where this is foreseen) in national elections, as well as any available data on their voting turnout. Please specify any differences in different geographic areas or by type of national level voting circumstances (e.g. parliament, referendum, president of the republic etc.). In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.</p>	<p>TCNs are not allowed to vote in national or local elections. Eligible to vote are those who have the required citizenship status, age and habitual residence in Cyprus for a period of at least six months immediately before the date of acquisition of electoral rights and registration on the electoral register.¹⁵⁴ The same law provides for the criteria in relation to the right to vote, registration in the electoral registry. With accession of Cyprus to the EU in 2004, EU nationals are entitled to vote and be elected as members of the municipal and community councils but not as mayors, deputy mayors or presidents and deputy presidents of the community councils.</p> <p>Third country nationals have no access to electoral rights at any level or type of election. Naturalisation of third country nationals is restrictive and discretionary and restrictive. Even though Cyprus signed the Council of Europe Convention on the Participation of Foreigners in Public Life at Local Level, this was never ratified. The effort by the previous government to introduce legislation which would allow for long-term residents and those with permanent immigration permits to vote in local elections failed, when the House of Representatives rejected the proposed bill.¹⁵⁵</p> <p>There are no quantitative or qualitative data on this subject.</p> <p>Some research does exist which deals with general legal issues of access to electoral rights in Cyprus¹⁵⁶ and the</p>
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¹⁵⁴ Cyprus, Περί Αρχείου Πληθυσμού Νόμος, 141(I)/2002 (The Data Archives Law of 2002 Law).

¹⁵⁵ Charalambidou, N. (2013) *Access to electoral rights in Cyprus*, European University Institute, Florence Robert Schuman Centre for Advanced Studies EUDO Citizenship Observatory in collaboration with Edinburgh University Law School Country Report. Available at eudo-citizenship.eu/admin/?p=file&appl=countryProfiles&f=1325-Cyprus-FRACIT%20.pdf

¹⁵⁶ Charalambidou, N. (2013) *Access to electoral rights in Cyprus*, European University Institute, Florence Robert Schuman Centre for Advanced Studies EUDO Citizenship Observatory in collaboration with Edinburgh University Law School Country Report. Available at eudo-citizenship.eu/admin/?p=file&appl=countryProfiles&f=1325-Cyprus-FRACIT%20.pdf

		<p>general issues of the political and electoral process of Government and politics, where migrants are essentially absent. Very few studies exist that examine the civic and political participation of migrants;¹⁵⁷ recently there has been some interest by those studying the role of migrants in society.¹⁵⁸</p> <p>There are a number of barriers that may explain why the vast majority of TCNs are denied access to electoral rights and in general are so marginal when it comes to civic and political participation.</p> <p>First, the responses to the labour shortages by introducing a system of migrant labour, based on sharp distinctions between two classes of migrants: (a) Elite migrants, who would invest, and/or bring their entrepreneurship, know-how, and networks, whose presence would be as stable and permanent as possible;¹⁵⁹ (b) the vast majority of migrant workers, who would be temporary for jobs Cypriots were not interested. TCNs have a worse situation than EUNs, however the vast majority of EU migrant workers..¹⁶⁰</p> <p>Secondly, the failure in debating this issue at the level of public discourse must be related to the 'Cyprus problem'.¹⁶¹ This requires that we understand the specific historico-political context of Cyprus and the protracted 'ethnic conflict' or 'national problem' that keeps this micro-state divided, coupled with the fact that immigration is a rather recent phenomenon stretching only twenty-five years back, the political divide over the policies towards migrants and immigration does not necessarily correspond to other European contexts. This generates what can be referred to as a very specific "migration state of exception", which denies the potential for opening up matters in public discourses: Cyprus is exceptional and is a permanent "state of</p>
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¹⁵⁷ Trimikliniotis, N., Demetriou, (2011) 'Tolerance and Cultural Diversity Discourses in Cyprus', Work Package 1 – *Overview of National Discourses on Tolerance and Cultural Diversity*, Published by the European University Institute Robert Schuman Centre for Advanced Studies, ACCEPT PLURALISM 7th Framework Programme Project. Available at http://atcadmus.eui.eu/bitstream/handle/1814/19789/ACCEPT_2011_01_WP1_background_report_Cyprus.pdf?sequence=1 <http://s.ymfiliosi.org/wp-content/uploads/2013/03/Tolerance-and-Cultural-Diversity.pdf>. Trimikliniotis, N., Demetriou, (2011) 'Cyprus', Ricard Zapata-Barrero and Anna Triandafyllidou (eds.) *Addressing tolerance and diversity discourses in Europe, A Comparative Overview of 16 European Countries*, CIDOB. Barcelona Centre for International Affairs, pp. 275-293. Available at www.cidob.org/en/layout/set/.../275-294_CAPITULO+11+Cyprus.pdf

¹⁵⁸ Trimikliniotis, N. (2015) 'The Migration question, Political Parties and the Cypriot State of Dissensus', Christophorou, C. and Charalambous, G. (eds.) *Party–Society Relations in the Republic of Cyprus, Political and societal strategies in a partitocratic country*, Routledge, London.

¹⁵⁹ Trimikliniotis, N. (2015) 'The Migration question, Political Parties and the Cypriot State of Dissensus', Christophorou, C. and Charalambous, G. (eds.) *Party–Society Relations in the Republic of Cyprus, Political and societal strategies in a partitocratic country*, Routledge, London.

¹⁶⁰ Trimikliniotis, N. (2013) 'Migration and Freedom of Movement of Workers: EU Law, Crisis and the Cypriot States of Exception', *Laws* 2, no. 4: 440-468, available at <http://www.mdpi.com/2075-471X/2/4/440>

¹⁶¹ Trimikliniotis, N., Demetriou, (2011) 'Tolerance and Cultural Diversity Discourses in Cyprus', Work Package 1 – *Overview of National Discourses on Tolerance and Cultural Diversity*, Published by the European University Institute Robert Schuman Centre for Advanced Studies, ACCEPT PLURALISM 7th Framework Programme Project. Available at http://atcadmus.eui.eu/bitstream/handle/1814/19789/ACCEPT_2011_01_WP1_background_report_Cyprus.pdf?sequence=1 <http://s.ymfiliosi.org/wp-content/uploads/2013/03/Tolerance-and-Cultural-Diversity.pdf>. Trimikliniotis, N., Demetriou, (2011) 'Cyprus', Ricard Zapata-Barrero and Anna Triandafyllidou (eds.) *Addressing tolerance and diversity discourses in Europe, A Comparative Overview of 16 European Countries*, CIDOB. Barcelona Centre for International Affairs, pp. 275-293. Available at www.cidob.org/en/layout/set/.../275-294_CAPITULO+11+Cyprus.pdf

		<p>emergency",¹⁶² and given that half the country is occupied and the population issue is in contestation with Turkey.¹⁶³ Hence, the logic of being reluctant to grant rights other population that affect the negotiations.</p> <p>A major problem in how migrants fit in the political system as a whole, as well as how they fit in each political party of Cyprus is that the vast majority of migrants, the poorer migrants, who are labourers, are actually absent. This does not necessarily apply to elite migrants, who are part of what one scholar refers to as "the invisible elites".¹⁶⁴ Cypriot authorities have not intended that the vast majority of migrant workers would acquire a permanent right abode, settle, vote and be elected. From the outset of the policy that allowed migrant workers in Cyprus in 1990 they were seen as a temporary feature of the labour force and this has not hardly changed since.¹⁶⁵ A small number of them have settlement rights as long-term residents and even smaller number are citizens; but these are the exceptions. From the very beginning, there was a consensus in the deal allowing TCNs to enter:¹⁶⁶ the migrant labour for reasons of their temporary (guest) labour; they will not stay beyond four years, hence they cannot obtain long-term residency rights.¹⁶⁷ In a case before the Supreme Court, it was revealed the immigration authorities refused to grant long-term residence to a TCN for sole reason that granting the migrant such right would mean that his spouse and descendants would also acquire right, something the Court ruled illegal.¹⁶⁸</p> <p>The above case is one of the very few that has been examined that the Supreme Court level; the vast majority of cases do not reach such a level as migrant workers rarely have access to justice.¹⁶⁹ Nonetheless, it is precisely this administrative logic that underlies policy-makers and nourishes the absence of the linkage, representation and participation of migrant workers. Therefore in terms of the party constitution, the</p>
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¹⁶² Constantinou, C. M. (2008) 'On the Cypriot states of exception.' *International Political Sociology* 2 (2008), pp. 145–64.

¹⁶³ Trimikliniotis, N. (2013) 'Migration and Freedom of Movement of Workers: EU Law, Crisis and the Cypriot States of Exception', *Laws* 2, no. 4: 440–468, available at <http://www.mdpi.com/2075-471X/2/4/440>

¹⁶⁴ Panayiotou, A. (2015) 'Classes, Elites and Parties: Business Groups Strategies Vis à Vis Parties and Power', Christophorou, C. and Charalambous, G. (eds.) *Party–Society Relations in the Republic of Cyprus, Political and societal strategies in a partitocratic country*, Routledge, London.

¹⁶⁵ Interview with former Minister of interior 11 April 2015.

¹⁶⁶ Cyprus, Planning Bureau (1989) *Study on Labour Shortage. A Note on Importing Labour from Abroad*. September 1989. Republic of Cyprus Planning Bureau, Nicosia.

¹⁶⁷ Trimikliniotis, N. (1999) 'New Migration and Racism in Cyprus: The Racialisation of Migrant Workers', Anthias, F. and Lazarides, G. (eds.) *Into the Margins: Migration and Exclusion in Southern Europe*, 1999, Ashgate, Avebury, pp. 139–178. Available at http://works.bepress.com/nicos_trimikliniotis/16/

¹⁶⁸ Cyprus, Supreme Court, Leelawathie Perera v The Republic of Cyprus (*Leelawathie Perera v Κυπριακής Δημοκρατίας*) Ap. 467/2010, 7 July 2014. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2014/4-201407-467-10.htm&qstring=LEELAWATHIE%20and%20PERERA

¹⁶⁹ Interview with Ombudsman officer 18 March 2015; interview with officer of NGO Future Worlds Centres and the Association of Recognised Refugees in Cyprus, 13 March 2015; interview with advocate Mr Michael Paraskevas, 26 March 2015.

		organisational frame, the actual modus operandi and the habitus of the party cadres, migrant workers are there as temporary guest labour, Gastarbeiter, who does not affect their lives; they are not part of the public, except for some charity cases in rare occasions. ¹⁷⁰
	Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.	TCNs have no right to vote; no programmes exist to encourage them to vote or exercise political rights.

3.1.3.National level election – representation ¹⁷¹

	The number of candidates with migrant background (where available, specify own or parent’s country of birth) at the latest national level elections (specify date)	There are no candidates with third country migrant background. TCNs have no right to vote or stand in elections. There is no information of any persons with migrant descent who stood in elections ¹⁷²
	The number of elected representatives with migrant background at national level (e.g. parliament, senate)	None.
	Those appointed to public office (e.g. ministers, secretaries of state, etc.) by end of 2014.	None.

3.2.Political rights at regional/local level¹⁷³

3.2.1.Regional/Local elections voting rights – turnout

	Specify what regional/local voting rights are given to third country nationals and any different entitlements according to residence status, permit type or length of stay etc.	There are no voting right third country nationals. ¹⁷⁴
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¹⁷⁰ Trimikliniotis, N. (2015) ‘The Migration question, Political Parties and the Cypriot State of Dissensus’, Christophorou, C. and Charalambous, G. (eds.) *Party–Society Relations in the Republic of Cyprus, Political and societal strategies in a partitocratic country*, Routledge, London.

¹⁷¹ Interview with Ministry of Interior officer.

¹⁷² Interview with Ministry of Interior officer.

¹⁷³ Interview with Ministry of Interior officer.

¹⁷⁴ Interview with Ministry of Interior officer.

	Key and/or milestone dates regarding the voting and/or election rights for migrants and/or their descendants at regional/local level	There are none.
	Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.	None exist.
	In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.	<p>The only studies that cover the period 2010-2014 are the papers by Nicoletta Charalambidou¹⁷⁵ and Nicos Trimikliniotis.¹⁷⁶ The findings of these studies were referred to an analysed in the sections.</p> <p>The report by Charalambidou, <i>Access to electoral rights in Cyprus</i>,¹⁷⁷ is an eleven page document which contains a summary and explanation of the legal provisions relating to the right to vote and be elected in according to national laws of the Republic of Cyprus. The Constitution does not provide for any matters which have to be decided by a referendum and does not regulate the matter as such. Under the electoral laws, there is an obligation to exercise the right to vote, failure of which may lead to criminal prosecution and the imposition of criminal penalties if convicted, the exception being only the European Parliament elections. In recent years, and particularly after 2004, no prosecutions have taken place against voters who fail to exercise their right to vote. 1Criteria in relation to the right to vote, registration in the electoral registry and all details pertaining to the preparation and updating of the electoral registry are governed by a single piece of legislation for all types of elections. Eligibility for the right to vote depends on citizenship status, age and habitual residence in Cyprus for a period of at least six months immediately before the date of acquisition of electoral rights. 1Eligibility for the right to stand as candidate in presidential elections and elections of the members of the House of Representatives, on the other hand, is based only on citizenship, age, mental capacity and the absence of criminal convictions in relation to offences involving dishonesty or moral turpitude as well</p>

¹⁷⁵Charalambidou, N. (2013) *Access to electoral rights in Cyprus*, European University Institute, Florence Robert Schuman Centre for Advanced Studies EUDO Citizenship Observatory in collaboration with Edinburgh University Law School Country Report. Available at eudo-citizenship.eu/admin/?p=file&appl=countryProfiles&f=1325-Cyprus-FRACIT%20.pdf

¹⁷⁶ Trimikliniotis, N. (2015) 'The Migration question, Political Parties and the Cypriot State of Dissensus', Christophorou, C. and Charalambous, G. (eds.) *Party-Society Relations in the Republic of Cyprus, Political and societal strategies in a partitocratic country*, Routledge, London.

¹⁷⁷Charalambidou, N. (2013) *Access to electoral rights in Cyprus*, European University Institute, Florence Robert Schuman Centre for Advanced Studies EUDO Citizenship Observatory in collaboration with Edinburgh University Law School Country Report. Available at eudo-citizenship.eu/admin/?p=file&appl=countryProfiles&f=1325-Cyprus-FRACIT%20.pdf

		<p>as the absence of any disqualification imposed by the court due to the commission of an electoral offence. In order to be eligible to run for local elections candidates must be residents in the municipality or local community. Electoral rights have always been regulated so as to reflect the traditional understanding of governments and state authorities that these are reserved only to citizens as they define the relationship between the state and its citizens. Expatriates are not allowed to vote, unless they take up their habitual residence in Cyprus for a period of at least six months. The relevant provisions were challenged as unconstitutional and in violation of the right to equal treatment of all citizens of the Republic, but the Supreme Court rejected such arguments noting that the Constitution allowed for the provision of criteria qualifying the right to vote.</p> <p>The second report by Trimikliniotis, published in 2015, is a 43-page long and contains the key aspects of the law and policy on citizenship in Cyprus. It first examines the history of citizenship policy since 1945. Then it examines new issues for citizenship and citizenship policies, particularly as regard the 1990s and early 2000, when a number of key issues opening up the question of citizenship and requiring a declared and consistent policy emerged, such as the following: the arrival of migrant workers, who today make up over 20 per cent of the total working population of the island; the arrival of Roma, who are classified as Turkish-Cypriots, from the poorer (occupied) north in the south between 1999 and 2002; the changes in the law allowing children of Cyprus women to acquire citizenship; the challenges related to the ethno-communal boundaries. It then examines the current Citizenship regime, via the main legal modes of acquisition and loss of Citizenship. In 2002, a new Law on the Population Data Archives No. 141(I)/2002 unified all provisions regarding the archiving of births and deaths, registration of residents, registration of constituent voters and the registration of citizens. It also introduced special provisions for the issuing of passports and travel documents and refugee identity cards. The new Law has so far been amended four times; however, none of these changes affected the acquisition and loss of citizenship. Together with Annex D of the Constitution, this law currently regulates the acquisition and loss of Cypriot citizenship. Cypriot policy-makers have followed the 'mixed' principle that combines <i>ius soli</i> and <i>ius sanguinis</i>. However, <i>ius sanguinis</i> is far more important in the regulations than <i>ius soli</i>, as Cypriot descent is the primary criterion for acquisition of citizenship as will be shown below. Citizenship can be acquired automatically, by registration and by naturalisation, but at the core of citizenship policy remains the notion that all persons of Cypriot descent are entitled to apply. Modes of acquisition include the following:</p>
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		<ul style="list-style-type: none"> • Acquisition by descent. A person born in Cyprus or abroad on or after 16 August 1960 automatically acquires Cypriot citizenship provided that at the time of his or her birth either of the parents was a citizen of the Republic or, in the case that the parent(s) were deceased at the time of his or her birth, either of them was entitled to acquire citizenship had he or she not been deceased. • <i>Acquisition via naturalisation (πολιτογράφηση - politográphese)</i>. A non-Cypriot who resides lawfully in the Republic may acquire citizenship via discretionary naturalisation if he or she fulfils all of the conditions formulated in Table 3 annexed to the law (Sub-section 111) • <i>Specific Rules and Status of Certain Groups</i>. Acquisition by descent In terms of acquisition by descent for persons born in Cyprus or abroad on or after 16 August 1960, automatic acquisition of Cypriot citizenship has two exceptions. <p>It deals also with institutional arrangements relating to acquisition via naturalisation (πολιτογράφηση - politográphese) and current debates such as Europeanisation, Reunification, partition and settlers and migration.</p> <p>It concludes that the mechanics of acquisition, renunciation and deprivation of citizenship in the Republic of Cyprus revolves around Cypriot descent: persons of Cypriot origin are basically entitled to citizenship, whilst persons of non-Cypriot descent may be allowed—to apply to acquire citizenship via registration if they are spouses of Cypriot nationals and naturalisation mechanisms, if they have resided in Cyprus for five or seven years according to the category. Cypriot descent forms the core. Although it is impossible to locate a declared policy on citizenship as such in the Republic of Cyprus, what we do find instead is a practice that derives from the long-standing Cyprus conflict as well as international developments such as accession to the EU, economic development and migration, and to some extent changing attitudes, particularly as regards the question of gender. Other factors are also of relevance, such as population and immigration control, economic and welfare issues, social policy, etc. In the context of Cyprus, citizenship policy is inevitably subordinated to the unique historical conjunctures that perpetuate the island's protracted ethno-national conflict.</p>
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3.2.2.Regional/local level election – representation

	The number of candidates that were third country nationals and/or with migrant background at the latest regional/local level elections (specify date)	None. TCNs cannot stand in elections. There is no person with migrant background who has stood in elections. ¹⁷⁸
	The number and % of elected representatives with migrant background at regional/local level (e.g. municipalities, regions, prefectures etc.)	No data available. No such information is kept by the Ministry of Interior, which is in charge of elections, nor has there been any study on the subject. The Ministry of Interior official interviewed explained that there is no record of any person of migrant background elected in any such position.
	Those who were elected or appointed to a high public office (e.g. mayor, vice mayor etc.) by end of 2014.	No data available. Third country nationals cannot stand in elections, nor have they been to a high public office. ¹⁷⁹
	Please identify related limitations and challenges or public debates, as well as relevant research, studies and assessments.	

3.3.Consultation

3.3.1.Consultative bodies at national/regional/local level

	Are there any migrants' consultative bodies in place at national / regional/ local level foreseen and/or operational in practice? Since when and on which legal basis (please provide reference). Please specify whether migrants' consultative/advisory/representative bodies are established by law or	At local level, there are some local consultative bodies-forums but with no real role in shaping policy, as explained below. However, there are no national consultative bodies as such; there was no consultation for the migrants themselves in the drafting of the first National Action plan. ¹⁸⁰ This was a criticism raised by some of the stakeholders and NGOs at the time. ¹⁸¹ Moreover, this weakness was acknowledged by the previous Government in its' final evaluation of the National Action Plan (2010-2012), thus it proposed a comprehensive evaluation, following a peer review in line with EU specifications and a consultation process with stakeholders and migrants. ¹⁸² There are occasional
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¹⁷⁸ Information provided by Ministry of Interior official.

¹⁷⁹ Information provided by Ministry of Interior official.

¹⁸⁰ Cyprus, Ministry of Interior ('Πρόταση προς το Υπουργικό Συμβούλιο, Εθνικό Σχέδιο Δράσης για την Ένταξη των Μεταναστών που διαμένουν νόμιμα στη Κύπρο 2010-2012') (2010), 8 October 2010. Cyprus, Council of Ministers, proposal number 1066/2010, decision 71104, 13 November 2010.

¹⁸¹ Trimikliniotis N. and Demetriou, D. (2014) 'Cyprus', Triandafyllidou, A. and Gropas, R. (eds.) European Immigration: A sourcebook, Ashgate, Aldershot, pp. 67-82, p. 77.

¹⁸² Cyprus, Ministry of Interior ('Πρόταση προς το Υπουργικό Συμβούλιο, Η Πολιτική για την Ένταξη Μεταναστών ως εργαλείο ενίσχυσης της κοινωνικής συνοχής και της ανάπτυξης') (2013), 19 February 2013. Cyprus, Council of Ministers

	<p>other type of normative regulation, policy or practice.</p>	<p>consultations by the Ombudsman's office on different issues but these have no regularity, nor do they lead to policy-making as the Ombudsman (in its' different capacities or the National Independent Authority, Anti-discrimination Authority or Equality Body) has no power to make policy. The proposal for a comprehensive evaluation of the National Action Plan under the auspices of the Ombudsman's Office¹⁸³ is yet to materialise. The officers in charge could not give any information as to whether there are plans to proceed with a new action plan.¹⁸⁴</p> <p>Local municipalities receive various EU-funded projects have included the setting up a network with migrant NGOs and the setting of a forum for consultation. However these forums do not have any role in policy-making as such or designing actions. For the Multipurpose Centre of the Nicosia municipality, a leading amongst local authorities in respect of integration actions for migrants is not consulted in the design of the Municipality's social policy or social cohesion policy, nor are the migrants who participate in the forum.¹⁸⁵</p> <p>The role of the forum is primarily one of networking and discussion amongst the various groups of migrants and their NGOs and the Multipurpose Centre. Often they will invite speakers such as experts, professors and activists to speak about matters that concern migrants in the municipality.¹⁸⁶</p>
	<p>What is the mandate of the body – duration and procedures? In particular specify if and by which modalities these bodies are competent to participate in consultations only on migration or integration issues or if they participate also in consultations on other issues? How do these bodies work in practice?</p>	<p>The consultative bodies at local level are not formally constituted and do not have a set mandate.¹⁸⁷</p>
	<p>Frequency of convening of the body/-ies/ meetings with competent public</p>	<p>There is no schedule for the convening of the consultative bodies.¹⁸⁸</p>

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¹⁸³Cyprus, Ministry of Interior ('Πρόταση προς το Υπουργικό Συμβούλιο, Η Πολιτική για την Ένταξη Μεταναστών ως εργαλείο ενίσχυσης της κοινωνικής συνοχής και της ανάπτυξης') (2013), 19 February 2013. Cyprus, Council of Ministers Minutes (Η Πολιτική για την Ένταξη Μεταναστών ως εργαλείο ενίσχυσης της κοινωνικής συνοχής και σημαντικός τροφοδότης ανάπτυξης')(2013), proposal number 214/2013, decision 256^Α/2013, 28 February 2013

¹⁸⁴Consultation with Ministry of Interior officer who coordinates the integration policy.

¹⁸⁵Interview with the Nicosia Municipality Officer at the Multipurpose Centre.

¹⁸⁶Interview with the Nicosia Municipality Officer at the Multipurpose Centre.

¹⁸⁷Interview with the Nicosia Municipality Officer at the Multipurpose Centre.

¹⁸⁸Interview with the Nicosia Municipality Officer at the Multipurpose Centre.

	authorities. What is foreseen and how is it implemented in practice?	
	Role in relation to other public or private bodies. Is there a statutory role of coordination and cooperation with other public or private stakeholders foreseen? How is this implemented in practice?	No there is no statutory role of coordination and cooperation with other public or private stakeholders foreseen. ¹⁸⁹
	Participation in decision-making (consultative, observer status, voting right etc.). Are such bodies competent to participate in decision-making at national/regional/local level in regard to the design, implementation, assessment and/or review of integration-specific, migration or other policies of general interest? Are such bodies and/or their representatives participating in any way to allocation, distribution, monitoring, evaluation or management of funding social inclusion and integration policies, measures and programmes at national level?	There is no policy-making function of the consultative bodies at local level. ¹⁹⁰
	What are the modalities for representation and participation of migrants, e.g. elections, designation etc.? What is foreseen and how is it implemented in practice?	As the officer from the Nicosia Municipality informed us, migrants participating are designated from the organisers. ¹⁹¹
	On which criterion are migrant groups represented (migrant status, foreign-born, foreign nationality etc.)? What is foreseen and how	There is no formal set of criteria. It is based on informal links with the organisers. ¹⁹²

¹⁸⁹ Interview with Ombudsman officer.

¹⁹⁰ Interview with Ombudsman officer.

¹⁹¹ Interview with the Nicosia Municipality Officer at the Multipurpose Centre.

¹⁹² Interview with the Nicosia Municipality Officer at the Multipurpose Centre.

	is it implemented in practice?	
	Is there any evidence through formal evaluations or academic research on awareness about such national level consultative bodies among migrants and their descendants, and among the general public?	There is no formal evaluation or academic research on awareness about such national level consultative bodies among migrants and their descendants, and among the general public. ¹⁹³

3.4. Participation in trade-unions and professional association

	In this section based on available data, research, surveys, studies, etc. please provide information about:	
	Membership and participation of migrant workers in <u>workers' unions and craft associations</u> :	
Are there any legal or practical limitations or barriers for the membership of migrant workers in trade unions and craft associations?		<p>The public sector unions do not have any TCNs members as they are not allowed to work in the public sector. Only Cypriot and EU nationals are allowed to work in the public sector. Therefore in the public sector, including education we find not TCNs, unless they are naturalised citizens and have the necessary language qualifications.</p> <p>The main sectors, in which migrant workers are employed, are: agriculture, manufacturing, construction, hotels, restaurants, and trade. In the latter three sectors, the majority of migrant workers originate from Central and Eastern Europe and, particularly, the Balkans. In the former three sectors, which are low skill, low-status, and hard working environments, a significant number of Asian workers are employed. Overall, long term immigrants work and reside under a more favourable regime have a better chance of getting acquainted with rules and procedures, and of joining trade unions. Their salaries tend to be higher and many have their families with them.</p> <p>There are no legal limitations or barriers for migrant workers in trade unions and craft associations, where there are established unions or organisations representing workers. There is a very high union density in Cyprus.</p> <p>The impact of non-unionisation on the domestic workers</p> <p>There are practical barriers and difficulties in sectors which have no trade unions or it is difficult to organise, such as domestic workers and agricultural workers. These make up for half the migrant population. Most</p>

¹⁹³Interview with the Nicosia Municipality Officer at the Multipurpose Centre.

		<p>domestic workers originate from South East Asia and especially the Philippines, Sri Lanka, and India.</p> <p>There are many issues relating to the lack of representation and unionisation of domestic workers, such as the following:</p> <ul style="list-style-type: none"> • The complaint and support system is extremely problematic <p>The Department of Labour Relations, which is the competent authority for enforcing labour legislation in Cyprus, such as the safeguarding of employee rights and the improvement of living and working conditions, claims that the system functions properly. It considers that “the mechanism for resolving complaints, specifically designed to address the needs of migrant workers” allows “any individual or group in Cyprus, irrespective of whether they are Cypriots, EU nationals or Third country nationals, can benefit from the complaints mechanism procedure whereas efforts are made for the labour dispute to be resolved in a mutually beneficial way”.¹⁹⁴ However this is not the picture provided by the Ombudsman’s reports. For instance in 2012 a female migrant domestic worker left her work and filed a labour complaint against her employer with the authority designated by the Ministry of Labour for examining such disputes. The Ombudsman’s report noted that it has received a great number of complaints about migrant workers detained and deported after having duly and faithfully followed the procedure prescribed by the Committee for Examining Labour Disputes (‘CELD’) for the filing of complaints against their employers, adding that the practice of arrest and detention of migrant workers complaining for employment related issues was based on a 10-year old policy of the CELD which the Ombudsman had, since 2003, asked to be revised. The procedure followed by the CELD, its mandate and lack of regulatory framework, had been the subject of a previous Ombudsman report in 2010, where the Ombudsman concluded that the absence of a specific institutional framework for the resolution of labour disputes has led to the phenomena of racism and unlawful discrimination by officers of the CELD. No improvements were carried out to the regulatory framework of the CELD since the 2010 Ombudsman recommendations, which continues to operate with the same pro-employer and anti-migrant bias. The authorities complied with the recommendation of releasing the complainant from detention and granting her permit to change employer; however, no institutional changes were introduced to the framework</p>
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¹⁹⁴Letter from the Department of Labour Relations, Αρ. Φακ. 04.02.034.02/3.

		<p>of operation of the CELD in order to prevent similar instances from being repeated in the future.¹⁹⁵</p> <p>In 2013 a self-initiated investigation of the Ombudsman in its capacity as NHRI highlighted the gendered dimension of domestic work, the problem of sexual harassment, the discriminatory content of the employment contracts, the absence of unionization, the lack of access to healthcare, the gaps in the complaints mechanism and in identifying cases of extreme labour exploitation that may potentially amount to labour trafficking.¹⁹⁶</p> <ul style="list-style-type: none"> • Migrant domestic workers are denied the right to change employer <p>In 2013, a married couple of migrants hired as domestic workers submitted a complaint to the Ombudsman through a NGO regarding their working conditions and the failure of the authorities to safeguard their labour rights. The complainants were being forced to work over 12 hours a day, sleep in a storeroom without hygiene facilities and had their salaries and travelling documents withheld by their employer. Their repeated complaints to the immigration authorities and applications for a permit to change employer were ignored. Instead, the immigration authorities listed them as ‘illegal immigrants’ and had them placed on the police’s ‘wanted’ list. The interim intervention of the Ombudsman in November 2013, requesting the immigration authorities to approve the couple’s application for change of employer, had also been ignored by the immigration authorities. On 20 March 2014 the Ombudsman issued a fresh recommendation to the immigration authorities, pointing to the vulnerable situation of domestic workers and the risk of labour trafficking and requesting that the immigration authorities to approve the couple’s application for change of employer within three weeks.¹⁹⁷ The permit was granted albeit after several months of delay.</p>
	<p>Do workers’ associations encourage and support membership and participation of migrant</p>	<p>Trade unions provide information and raising awareness initiatives in more languages, translation and language support services. They have leaflets, newspapers and</p>

¹⁹⁵Cyprus, Commissioner for Administration and Human Rights, Report on the regarding the arrest and detention of a domestic worker pending the examination of her complaint for a labour dispute against her employer and the handling of her complaint, No.A.P. 588/2012, 05 June 2012. Available at [www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/ED41637545E0E7A6C2257A33001B4DB8/\\$file/588.2012-05062012.doc?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/ED41637545E0E7A6C2257A33001B4DB8/$file/588.2012-05062012.doc?OpenElement)

¹⁹⁶Cyprus, Commissioner for Administration in its capacity as National Human Rights Independent Authority (2013), Position regarding the status of domestic workers in Cyprus (*Τοποθέτηση Επιτρόπου Διοικήσεως ως Εθνική Ανεξάρτητη Αρχή Ανθρωπίνων Δικαιωμάτων αναφορικά με το καθεστώς των οικιακών εργαζομένων στην Κύπρο*), File No. A/D3/2013, 2 July 2013. Available at

www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/presentationsArchive_gr/presentationsArchive_gr?OpenDocument

¹⁹⁷ Cyprus, Commissioner for Administration and Human Rights, Report regarding the handling of a request by a couple of migrants for change of employer (*Εκθεση Επιτρόπου Διοικήσεως και Ανθρωπίνων Δικαιωμάτων αναφορικά με το χειρισμό αιτήματος ζεύγους μεταναστών για αλλαγή εργοδότη*), File No. A/P 1863/2013, 20 February 2014. Available at www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/presentationsArchive_gr/presentationsArchive_gr?OpenDocument.

	workers? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.	websites in different languages: English, Turkish, Polish, Arabic, Russian. ¹⁹⁸																																																						
	<p>What is the rate of participation (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant workers in the most representative workers' unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of workers represented and degree of association).</p>	<p>In the private sector, one of the two largest federations of trade unions, Pancyprian Labour Federation (PEO) has provided us with the percentages of migrants per trade union sector, which include EU nationals, as they are not distinguished in their data.</p> <p>Migrants (EUNs and TCNs) per Sector members of Pancyprian Labour Federation (PEO)¹⁹⁹</p> <table border="1" data-bbox="710 674 1469 1227"> <thead> <tr> <th>Sector</th> <th>2010</th> <th>2011</th> <th>2012</th> <th>2013</th> <th>2014</th> </tr> </thead> <tbody> <tr> <td>Building Union</td> <td>36%</td> <td>33%</td> <td>31%</td> <td>30%</td> <td>29%</td> </tr> <tr> <td>Port & agriculture</td> <td>67%</td> <td>67%</td> <td>67%</td> <td>62%</td> <td>57%</td> </tr> <tr> <td>Trade workers</td> <td>26%</td> <td>28%</td> <td>27%</td> <td>23%</td> <td>19%</td> </tr> <tr> <td>Mechanical workers</td> <td>30%</td> <td>32%</td> <td>34%</td> <td>29%</td> <td>23%</td> </tr> <tr> <td>Services</td> <td>9%</td> <td>8%</td> <td>7%</td> <td>7%</td> <td>6%</td> </tr> <tr> <td>Tourism</td> <td>46%</td> <td>45%</td> <td>50%</td> <td>45%</td> <td>45%</td> </tr> <tr> <td>Nationalised industries</td> <td>1%</td> <td>1%</td> <td>1%</td> <td>1%</td> <td>1%</td> </tr> <tr> <td>Total</td> <td>30%</td> <td>29%</td> <td>29%</td> <td>26%</td> <td>24%</td> </tr> </tbody> </table> <p>Similar percentages of migrants exist in the other unions.</p>	Sector	2010	2011	2012	2013	2014	Building Union	36%	33%	31%	30%	29%	Port & agriculture	67%	67%	67%	62%	57%	Trade workers	26%	28%	27%	23%	19%	Mechanical workers	30%	32%	34%	29%	23%	Services	9%	8%	7%	7%	6%	Tourism	46%	45%	50%	45%	45%	Nationalised industries	1%	1%	1%	1%	1%	Total	30%	29%	29%	26%	24%
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	Are migrant workers elected as representatives of trade unions and workers' or craft associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced by migrant workers.	No such figures available. Trade unions do not keep such data. ²⁰⁰ TCNs are organised mostly at shop floor level; they do not know of any migrant elected at leadership level but this reflects the fact that the vast majority third country migrant workers stay in Cyprus on a short term basis and do not have an interest to get settled and be elected in leadership positions. ²⁰¹ Often they feel intimidated and frightened to be identified as trade unionists for fear of losing the jobs and get deported. ²⁰²																																																						
	Are there differences between associations for high and low skill workers, different industries and	There is no such data available. Trade unions ²⁰³ and Ministry of Labour officials ²⁰⁴ do not have any such data.																																																						

¹⁹⁸ Interview with PEO trade unionist.

¹⁹⁹ <http://www.peo.org.cy/>

²⁰⁰ Interview with trade unionists of SEK, PEO and DEOK.

²⁰¹ Interview with officer of migrant support group.

²⁰² Interview with trade unionist of PEO.

²⁰³ Interview with trade unionist of PEO.

²⁰⁴ Interview with Ministry of Labour official.

	trades, and/or different geographic area of country of origin, citizenship or birth or gender?	
Membership and participation of migrant entrepreneurs and expert professionals to professional and scientific associations:		
	Are there any legal or practical limitations or barriers for the membership of migrant workers in professional, employer and scientific associations (such as medical, engineer, bar associations)?	<p>There are no legal known barriers.</p> <p>Technically professional, employer and scientific associations (such as medical, engineer, bar associations) can join, if they are qualified to do so. However, practical, and in some cases legal barriers, are often the language issue and the recognition of qualifications.</p> <p>There have been a number occasions where the issue of barriers to various profession associations was raised. The following are such instances:</p> <p>Private security companies</p> <p>In 2010, following a complaint from the UNHCR Representation in Cyprus the equality body found that the practice of the police to instruct private security companies not to employ third country nationals was based on a wrong interpretation of the law and was discriminatory on the ground of race/ ethnic origin. UNHCR had complained to the equality body that recognised refugees and persons with subsidiary protection had been dismissed from their jobs in security companies, following instructions from the police, based on a law prohibiting the employment of third country nationals as security men. UNHCR further argued that this policy suggested that third country nationals are less trustworthy than EU nationals which introduces discrimination and spreads xenophobia. The police defended this policy by citing a law which expressly and clearly prohibits the exercise of the profession of security guard by third country nationals, claiming that EU law permits the restriction of certain professions to a member states' nationals when there are national security reasons at stake. The report found the police guilty of direct discrimination and urged the persons affected to apply to the Labour Court in order to claim compensation.²⁰⁵</p>
	Do professional associations encourage and support membership and participation of migrant professionals? E.g. through information	No such activities have been undertaken. ²⁰⁶

²⁰⁵ Cyprus, Law on Private Offices Providing Security Services (Ο περί Ιδιωτικών Γραφείων Παροχής Υπηρεσιών Ασφάλειας Νόμος) N.125(I)/2007, article 7. Available at http://www.cylaw.org/nomoi/enop/ind/2007_1_125/section-sc6404d5ad-83ec-c766-b810-66db76e6a534.html

²⁰⁶ Information provided by officers of the national associations of lawyers, medical, paramedical and Architects and civil engineers.

	and raising awareness initiatives in more languages, translation and language support services etc.	
	What is the rate of participation and membership (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant professionals in the most representative professional, employers' and scientific unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of professional represented and degree of association)	The relevant professional bodies do not keep such data. ²⁰⁷
	Are migrants elected as representatives of professional, employers' and/or scientific associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.	None of these associations have elected migrants as representatives. ²⁰⁸ The vast majority of migrants are manual low skill workers and do not join such professional associations. Those very few professionals who are naturalised citizens or who acquire citizenship via other acquisition modes can join such associations provided their qualifications are recognised by the relevant authorities. There have been reports by the ombudsman of bureaucratic and other barriers in the attempts of persons
	Are there differences between associations for different professions, different skill levels and/or types of enterprise, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender?	N/A

²⁰⁷ Information provided by officers of the national associations of lawyers, medical, paramedical and Architects and civil engineers.

²⁰⁸ Information provided by officers of the national associations of lawyers, medical, paramedical and Architects and civil engineers.

3.5.Participation in social, cultural and public life

	<p>In this section based on available data, research, studies, etc. provide information about the membership and participation of migrants and their descendants in media, cultural organisations and public life:</p>
<p>Are there any legal or practical limitations or barriers for the membership of migrants in professional associations related to the media, sports and culture?</p>	<p>The public service is not open to third country nationals. One of the preconditions for appointment in the public service is Cypriot citizenship or citizenship of another Member State. In the case of Union citizens, the position at stake must not involve direct or indirect participation in the exercise of public authority and the safeguarding of the general interests of the state; if it does, then Union citizens are also excluded.²⁰⁹ The Council of Ministers may exceptionally allow the hiring of a third country national to the public service, however there were no third country nationals employed in the public sector at the time of writing. Cypriot citizens of migrant origin have all the rights of Cypriots and are not subjected to special treatment such as quotas; in the opinion of the Ministry of Finance, such quotas would amount to discrimination against Cypriots and EU nationals. No records are maintained regarding any Cypriots of migrant origin working in the public service.²¹⁰</p>
<p>Do media, sports, culture professional associations encourage and support membership and participation of third country nationals as members? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>In general, media and cultural associations do not support membership and participation of third country nationals as members. The Cypriot media scene²¹¹ is not characterised by its pluralism. A recent study on the role of the media in migrant integration found that this is lacking in the media in Cyprus.²¹² The study examined the manner in which the mass print media and the internet media cover issues and news relating to immigration as well as language of journalistic discourse and whether the terminology used was promoting the principles of precision, pluralism and the lifting of stereotyping representations or whether it was promoting racist rhetoric and grammar. The study also presented the views of migrants as regards the coverage by the Cypriot media of issues concerning them and concluded that the setting up of a coordinating mechanism was imperative in order to support alternative media and to create networks of cooperation and information between third country nationals and media outlets.</p>

²⁰⁹ Cyprus. Law on Public Service (*Ο Περί Δημόσιας Υπηρεσίας Νόμος*) N. 1/1990, article 31. Available at www.cvlaw.org/nomoi/enop/ind/1990_1_1/section-sc2c0603df-9cb9-47a0-9be2-990f6ad93ce9.html

²¹⁰ Cyprus, Ministry of Finance, Department of Public Administration and Personnel, Letter to the University of Nicosia, 27 March 2015.

²¹¹ Sofokleous, A (2008) *Τα Κυπριακά Μέσα Μαζικής Ενημέρωσης*, Nikoklis, Nicosia.

²¹² Cyprus University of Technology, Department of Communication and Internet Studies, *Research into the approach of the mass media in Europe regarding issues related to third country nationals and immigration*. The project was carried out in collaboration with the research centre CARDET and the Centre for Community Media CCMC. The research was coordinated by Dr Demetra Milioni, Assistant Professor at the Department of Communication and Internet Studies of the Cyprus University of Technology.

	<p>What is the rate of participation in the most representative professional associations? (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available)</p>	<p>No data is available. ²¹³</p>
	<p>Are migrants elected as representatives of professional associations related to the media, sports and culture? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>There are no known personalities in the media and culture, at least in mainstream arena, nor are they elected as representatives of professional associations</p> <p>There are well-known footballers of migrant origin but they are generally only seen in the context of football and sports, without any stake in representing groups of migrants or mainstream club.</p> <p>Recently, a racist incident in sports has received wide coverage; it involved a black African footballer who plays for the popular team AC Omonia, Mickaël Poté (born 24 September 1984) is an international footballer who plays as a striker. He is very well-respected as a footballer and one best scorers of the team, who could act as real ambassador for football and a role model for migrants. The Antidiscrimination Authority which investigated the incident noted that racism and xenophobia in sport is serious crime but also a major barrier to integration, social cohesion and tolerance in society The report concluded that the failure of the state to act and mobilise in order to protect Mr P and punish the perpetrators has created a climate of impunity and has led to the degrading of public discourse as to whether Mr. Poté himself was responsible, which not only clouded the problem but has contributed to feeding and multiplying the phenomenon. The report called on the Police Unit for the Combating of Discrimination to activate the legislative framework on racial discrimination and hate speech and to coordinate the actions of the police so as to investigate possible offences committed against Mr. Poté.²¹⁴ Until the time of writing, no prosecutions were initiated and no measures were taken against the fan clubs involved.</p>
	<p>Is there a visible or notable presence (or absence) of migrants and</p>	<p>No, there are no TCNs who are media professionals.²¹⁵</p>

²¹³ Information provided by officers of the national associations of lawyers, medical, paramedical and Architects and civil engineers.

²¹⁴ Cyprus, Self-initiated investigation of the Anti-discrimination Authority regarding a racist incidents against a footballer and the combating of racism in sports, Ref. AKP/AYT 4/2014, 19 December 2014. Available at [http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/114F08350FC58FABC2257DB6003D367E/\\$file/%CE%91%CE%9A%CE%A1%CE%91%CE%A5%CE%A4_4_14_%CE%9C%CE%A0%CE%BF%CF%84%CE%AD.doc?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/114F08350FC58FABC2257DB6003D367E/$file/%CE%91%CE%9A%CE%A1%CE%91%CE%A5%CE%A4_4_14_%CE%9C%CE%A0%CE%BF%CF%84%CE%AD.doc?OpenElement)

²¹⁵ Consultation with member of Journalists Association.

	<p>their descendants as media professionals?</p>	
	<p>Are migrants and/or their descendants present, visible and actively participating in public? (E.g. in public events, TV and electronic media, cultural events). Please substantiate on the basis of existing data or contacts with relevant authorities, actors and stakeholders, making sure to cover a wide spectrum and obtain as much as possible objective information.</p>	<p>The absence of migrants and/or their descendants present, visible and actively participating in public is demonstrated in different studies. A comprehensive recent study demonstrated why and how this occurs.²¹⁶ Amongst the recommendations put forward by the study focus around the promotion of employment of journalists of migrant background in media outlets, the creation of an observatory of immigration in public discourse, the reinforcement and improvement of the Code of Journalistic Ethics, the support of community media to serve as a link between migrants and media outlets, the training of journalists and their networking with migrants.</p> <p>Another paper based on the same study²¹⁷ considers that 'what is urgently needed in the Cypriot media is the diversification of the journalistic personnel within the Cypriot media organisations, as so far migrant journalists in the Cypriot media are non-existent'. They argue that 'the inclusion of journalists with immigrant background in the media, though not a panacea, can remedy some inadequacies in the news-making process e.g. increase the volume of coverage of immigration issues by making the investigation of such issues easier, instil new perspectives on migrant issues in the heart of the news-making process (the newsroom), provide native journalists with first-hand knowledge and contacts on migrant-related issues, as well as reduce the reluctance or inability on the part of immigrants themselves to provide information by eroding language and culture barriers and increasing trust'.</p>
	<p>Are there legal or practical limitations for the media, culture or other type of public events by migrants and/or their descendants? (E.g. are there national language requirements for TV or radio stations, bureaucratic and representation requirements, etc.)</p>	<p>There are no legal limitations for the media, culture or other type of public events by migrants and/or their descendants. However, the state channels (TV and radio) broadcast in the official language, i.e. Greek. There is a brief news program in Turkish and English and another life style program in Greek and Turkish. Films and documentaries are in Greek and English (and some cases in other languages) with Greek subtitles.</p> <p>There are no limitation in the languages of transmission of private TV, radio and other types of broadcasting, providing that they have the necessary licences to do so.</p> <p>The new media landscape with the development of new social media has allowed for more pluralism, particularly with regard to accessing alternative media production in different languages. Migrants in Cyprus, which is located at the crossroads of different language and media outlets in the region can and do connect with different</p>

²¹⁶Cyprus University of Technology, Department of Communication and Internet Studies, *Research into the approach of the mass media in Europe regarding issues related to third country nationals and immigration*. The project was carried out in collaboration with the research centre CARDET and the Centre for Community Media CCMC. The research was coordinated by Dr Demetra Milioni, Assistant Professor at the Department of Communication and Internet Studies of the Cyprus University of Technology.

²¹⁷Milioni, D., Pieridou, L-P., Patrasikas, K. (2015) 'Framing immigration in online media and television news in crisis-stricken Cyprus', *The Cyprus Review*, Spring 2015, vol. 27, No. 1.

		regional broadcasts and, national and independent productions in the current globalised context. ²¹⁸ There are some local community media, particularly for radio and social media outlets, catering for various language and ethnic communities of migrants such as Arab-speaking, ²¹⁹ Russian-speaking and others. There are also some NGOs which support independent productions in multimedia and broadcasting, such the Cyprus Community Media. ²²⁰
	Are there positive measures for promoting or restrictions/barriers to the operation of migrant and ethnic minority (owned, directed or audience specific) media?	No positive measures can be reported. ²²¹
	Are there practical measures encouraging and promoting the visibility, voice and public presence of migrants and/or their descendants in the media, culture or other type of public events? (E.g. are there programmes and information provided by the media in other than the country official language, and migrants' languages, quotas for journalists and public programmes reflecting the diversity in society etc.?)	There are programs in Turkish broadcasted by both the Greek Cypriot state radio and television and by several Turkish Cypriot media outlets, however the subjects covered are mostly of interest to Turkish Cypriots rather than to Turkish speaking TCNs at large. In addition, there are several broadcasts in English, the language held in common by both TCNs and Cypriots alike. There is however a gap in that there is no participation of TCNs in any media outlets, which is one of the weaknesses identified by academic research into the media commissioned by the Ministry of Interior in 2013. ²²²

3.5.1. Diversity in the public sector

	In this section based on available data, research, studies, etc. please provide information about recruitment of migrants and their descendants in the public sector:	
	Please describe how legal provisions allow or prevent the recruitment of third country nationals in the public sector. Please indicate specific areas, requirements, quotas if any, upward mobility and promotion limitations if	The public service is not open to third country nationals. One of the preconditions for appointment in the public service is Cypriot citizenship or citizenship of another Member State. In the case of Union citizens, the position at stake must not involve director indirect participation in the exercise of public authority and the safeguarding of the general interests of the state; if it does, then

²¹⁸ Georgiou, M. (2013) 'Between strategic nostalgia and banal nomadism: explorations of transnational subjectivity among Arab audiences', *International journal of cultural studies*, 16 (1). pp. 23-39. ISSN 1367-8779.

²¹⁹ El-Issawi, F. and Georgiou, M. (2010) 'Media use at the crossroads: Nicosia', *Journalism: theory, practice and criticism*, 11 (6). pp. 758-763. ISSN 1464-8849.

²²⁰ Cyprus Community Media. Available at www.cypruscommunitymedia.org/

²²¹ Consultation with member of Journalists Association.

²²² Cyprus University of Technology, Department of Communication and Internet Studies, *Research into the approach of the mass media in Europe regarding issues related to third country nationals and immigration*. The project was carried out in collaboration with the research centre CARDET and the Centre for Community Media CCMC. The research was coordinated by Dr Demetra Milioni, Assistant Professor at the Department of Communication and Internet Studies of the Cyprus University of Technology.

	<p>any, as well as if and how these provisions are applied in practice.</p>	<p>Union citizens are also excluded.²²³ The Council of Ministers may exceptionally allow the hiring of a third country national to the public service, however there were no third country nationals employed in the public sector at the time of writing. Cypriot citizens of migrant origin have all the rights of Cypriots and are not subjected to special treatment such as quotas; in the opinion of the Ministry of Finance, such quotas would amount to discrimination against Cypriots and EU nationals. No records are maintained regarding any Cypriots of migrant origin working in the public service.²²⁴</p>
	<p>Please indicate if citizens of migrant descent can also be affected by limitation – e.g. on the basis of their ethnic origin or migrant background or naturalisation - in public sector recruitment, for example in education, law enforcement, judiciary, etc.</p>	<p>Persons who are citizens, who are part of the Greek-Cypriot community, who have a language proficiency in Greek are normally not affected on the basis of their ethnic origin or migrant background or naturalisation - in public sector recruitment, for example in education, law enforcement, judiciary, etc. As a matter of practice since 1974, when the country was divided, persons who naturalise in the area under the control of the Republic are considered to belong to the Greek-Cypriot Community.</p>
	<p>Please indicate proportion of recruitment (% on the total of posts for this category or service) for the interested categories of third country nationals, if any.</p>	<p>There is no such data available.²²⁵</p>
	<p>Please indicate any affirmative action and positive action either for third country nationals or citizens with a migrant background, if any, e.g. quotas, reserved posts for people of migrant background etc. as well as promising practices in this area. Please provide information specifically for law enforcement, judiciary, and education.</p>	<p>No affirmative action.</p>

3.6. Political activity – active citizenship

	<p>Membership and participation of migrants in migrant and/or diaspora organisations and associations:</p>
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²²³ Cyprus. Law on Public Service (*Ο Περί Δημόσιας Υπηρεσίας Νόμος*) N. 1/1990, article 31. Available at www.cylaw.org/nomoi/enop/ind/1990_1_1/section-sc2c0603df-9cb9-47a0-9be2-990f6ad93ce9.html

²²⁴ Cyprus, Ministry of Finance, Department of Public Administration and Personnel, Letter to the University of Nicosia, 27 March 2015.

²²⁵ Consultation with officer of the Ministry of Interior and the Cyprus Statistical Office.

	<p>Are there any legal or practical limitations or barriers for the self-organisation membership of migrants in migrant and or diaspora associations and organisations?</p>	<p>In most cases there are no legal limitation or barriers for the self-organisation membership of migrants in migrant and or diaspora associations and organisations. There are some practical barriers related to the fact that vast majority of migrant workers have very little free time; often their activities are saved for Sundays. Studies confirm that despite some institutional developments brought about since Cyprus' EU accession in 2004, the findings of the <i>Second ECRI Report</i> that third country nationals continue to form the most vulnerable groups. The studies locate barriers such as the difficulties in communication due to language, educational and family reasons, non-recognition of academic qualifications, illustrating how discrimination²²⁶ and racialisation was endemic in the media, in employment and in education.²²⁷ This was reiterated by recent studies such as the one conducted by the National Independent Authority on Human Rights.²²⁸</p> <p>There are no such barriers for the elite migrants of course.</p> <p>Studies converge on the assumption that migrants in Cyprus have little political activity. The Migrant Integration Policy Index (MIPEX)²²⁹, which locates Cyprus in a generally <i>unfavourable</i> integration position, provides a point of departure and comparison across the EU: Cyprus is only one out of five EU member states where the majority of non-nationals are from other EU countries; only 5.7% of the total population originates from outside the EU. Asylum seekers and international students make up a large part of the immigration flows. Legislative developments have been restricted to the delayed transposition of the EC Directives on family reunion and long-term residence, as well as some minor amendments to the laws transposing the two anti-discrimination Directives, in order to bring the transposing legislation in line with the equality <i>acquis</i>. The study analyses the areas in which Cyprus fares well in comparison to other EU countries and where it is "weak":</p> <ul style="list-style-type: none"> • Anti-discrimination is the strongest of the six areas of integration policy measured by MIPEX, although it is still a full 40 percentage points away from best practice.
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²²⁶ Demetriou, C. (2014) *Report on measures to combat discrimination - Directives 2000/43/EC and 2000/78/EC – Cyprus*, European Network of Legal experts in the Non-discrimination field, available at <http://www.non-discrimination.net/countries/cyprus>

²²⁷ Trimikliniotis N. and Demetriou, D. (2014) 'Cyprus', Triandafyllidou, A. and Gropas, R. (eds.) *European Immigration: A sourcebook*, Ashgate, Aldershot, pp. 67-82, p. 77.

²²⁸ Cyprus, National Independent Authority on Human Rights (2014) Position of National Independent Authority on Human Rights on the Status of Domestic Workers in Cyprus (*Τοποθέτηση Επιτρόπου Διοικήσεως ως Εθνική Ανεξάρτητη Αρχή Ανθρωπίνων Δικαιωμάτων Αναφορικά με το Καθεστώς των Οικιακών Εργαζομένων Στην Κύπρο*) Αρ. Φακ: Α/Δ 3/2013, 2 July 2013. Available at

www.ombudsman.gov.cy/Ombudsman/ombudsman.nsf/presentationsArchive_gr/presentationsArchive_gr?OpenDocument

²²⁹ MIPEX data on Cyprus available at www.mipex.eu/cyprus

		<ul style="list-style-type: none"> • Political participation scores unfavourably, with several critically weak policy dimensions. • Even with the transposition of the EC Directives on family reunion and long-term residence, Cyprus has the worst score on family reunion out of the 28 MIPEX countries, the second worst on long-term residence, and the fourth worst on labour market access. <p>There is however a legal barrier for domestic workers, who are prohibited by contract from engaging form any political activity. The matter should have been resolved from 2005, when the Cyprus Equality Body, following a complaint²³⁰ ruled that the provision that prohibits any political activity for domestic workers is discriminatory and contrary to fundamental rights, the constitution and the EU acquis.²³¹ However, the standard contract of employment, still available on line on the Ministry of Interior website in 2015, retains such a prohibition.²³² It is particularly odd is that not only there is a decision of the Equality Body which the Ministry is failing to abide by, despite the recent report of the Ombudsman which reiterates the same point.²³³ It is even odder that the specific contract for domestic workers is the only contract which contains such a prohibition, whilst all the other standard contracts offered on the Government website, such as general contact, the tourist and catering industry, sector of agriculture and animal farming and the construction work contract do not contain any such prohibition.²³⁴ The matter is currently being investigated by the Equality Body following another complaint.</p>
	<p>Are there notable cases of active migrant and/or diaspora associations and organisations? Please indicate the most known, active or representative ones on the basis of existing data about membership – please</p>	<p>In general migrant and migrant and/or diaspora associations and organisations are little known outside their own secluded spaces. They are mostly operating as cultural and social associations, rather than activistic or representation groups. Some however aspire to support and help their members with problems they face but this is done ad hoc, on a case-by-case and voluntary basis as they often do not have the resource, capacity, networks and knowhow to paly such a role;²³⁵ for instance the</p>

²³⁰ Trimikliniotis, N. (2006) *Report on measures to combat discrimination - Directives 2000/43/EC and 2000/78/EC – Cyprus*, European Network of Legal experts in the Non-discrimination field, p. 23. Available at <http://www.non-discrimination.net/content/media/2005%20Cyprus%20country%20report%20%20final.pdf>

²³¹ Cyprus, Cyprus Ombudsman Report File No. A.K.I 2/2005, dated 4.11.2005.

²³² Cyprus, Web Portal of the Republic of Cyprus (2015), *Contract of Employment for Domestic workers*, Available at [www.moi.gov.cy/moi/crmd/crmd.nsf/447C9F246384E0F0C2257D230031D0C9/\\$file/DOMESTIC%20WORKER%20ContractOfEmploymentEN.pdf](http://www.moi.gov.cy/moi/crmd/crmd.nsf/447C9F246384E0F0C2257D230031D0C9/$file/DOMESTIC%20WORKER%20ContractOfEmploymentEN.pdf)

²³³ Cyprus, National Independent Authority on Human Rights (2014) *Position of National Independent Authority on Human Rights on the Status of Domestic Workers in Cyprus (Τοποθέτηση Επιτρόπου Διοικήσεως ως Εθνική Ανεξάρτητη Αρχή Ανθρωπίνων Δικαιωμάτων Αναφορικά με το Καθεστώς των Οικιακών Εργαζομένων Στην Κύπρο)* Αρ. Φακ: Α/Δ 3/2013, 2 July 2013. Available at

www.ombudsman.gov.cy/Ombudsman/ombudsman.nsf/presentationsArchive_gr/presentationsArchive_gr?OpenDocument

²³⁴ Cyprus, Web Portal of the Republic of Cyprus (2015), *Agreements and contract of employment*. Available at www.cyprus.gov.cy/portal/portal.nsf/gwp.getGroup?OpenForm&access=0&SectionId=business&CategoryId=Work%20and%20Occupation&SelectionId=Agreements%20and%20contract%20of%20employment&print=0&lang=en

²³⁵ Interviews with officers of NGOs Future Worlds Centre, Africa Diaspora Association, activist from the Indian community.

	<p>include size/numbers of members - and through contacts with competent actors and stakeholders. Please specify their character and eventual differences, including aspects concerning their religious, culture or geographic scope.</p>	<p>Africa Diaspora society claims to be in contact with 200 African-origin migrants and regularly meets to discuss various problems faced but they do not have the resources and capacity to address many issues (immigration-related, discrimination, support etc.).²³⁶ Another activist from the Indian community similarly noted the difficulties in addressing various problems, given that they have no funding or support from the state or local authorities to take up the cases themselves.²³⁷ Officers from the Nicosia Multipurpose Centre advised that one of the services they wanted to offer, responding to needs from various migrants was free legal and other support-type advice that would resolve any issues with the authorities. However, they were told by the funding authorities of the integration that they would not fund such actions; hence the Nicosia Multipurpose Centre was forced to drop the service.²³⁸ Palestinian, Syrian, Kurdish, Iraqi and Iranian groups exist; retain a strong ethnic/national identity and these associations are also quite politicised with some contacts and networks with various political parties.</p> <p>The Association of recognised refugees in Cyprus,²³⁹ which has some financial and facility support from the UNHCR, depends heavily on other agencies to address issues related to the furthering the rights of refugees. Few NGOs offer have the capacity to offer services, particularly on matters such as combating racial discrimination and representation on immigration related affairs. A shelter for women victims of trafficking and sexual exploitation was run by the Russian Church in Cyprus. Support for women victims of violence, including a shelter, is offered by the Association for Handling and Preventing Violence in the Family.</p> <p>Various self-help organisations exist but require support and training if they are to act as advocates for their communities. Organisations such as KISA run a centre supporting migrants; Future Worlds offers legal advice to asylum seekers. The largest trade union, PEO, runs a Migrant Workers' Bureau that combats discrimination at work.</p>
	<p>Please provide any data on the participation of migrants and their descendants in the most representative migrant and/or diaspora organisations and associations? (figures and % of migrants and/or persons with the specific</p>	<p>There are no data available.²⁴⁰</p>

²³⁶ Interview with a committee member of the Africa Diaspora Association.

²³⁷ Interview with a migrant activist from the Indian community.

²³⁸ Interview with officer of the Nicosia Multipurpose Centre.

²³⁹ www.facebook.com/AssociationOfRecognizedRefugeesCyprus

²⁴⁰ Interview with former Minister of Interior, Nicosia 11 March 2015; consultation with officer in the statistical service; interviews with officers of NGOs Future Worlds Centre, Africa Diaspora Association, activist from the Indian community.

	ethnic or other background as members, or descriptive data if statistical data is not available).	
	Are such associations and organisations encouraged and/or supported financially or in other means (e.g. offices) by the national, regional or local authorities? Is there in place a mechanism linking such associations at national level? (e.g. network of migrant associations.	The municipalities' Multipurpose centres, various NGOs such as KISA, Future worlds, and trade unions such as PEO offer their offices and premises from meetings and gatherings. There is no financial support.
Membership and participation of migrants in civil society organisations and voluntary work: ²⁴¹		
	Are there any legal or practical limitations or barriers for the membership of migrants in civil society organisations?	No legal barriers. Practically the lack of funding form the poorer communities is a barrier.
	Do civil society organisations encourage and support membership and participation of migrants and/or their descendants? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.	There is little support outside the well-known migrant support and human rights NGOs and the trade union PEO.
	Please provide any data on the participation and membership of migrants and their descendants in the most representative civil society organisations? (figures or % of organisation members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available).	No data available.
Membership and participation of migrants in political parties: ²⁴²		
	Are there any legal or practical limitations or barriers for the	There any legal limitations or barriers for the membership of migrants in political parties and initiatives.

²⁴¹ Interview with former Minister of Interior, Nicosia 11 March 2015; consultation with officer in the statistical service; interviews with officers of NGOs Future Worlds Centre, Africa Diaspora Association, activist from the Indian community.

²⁴² Interview with former Minister of Interior, Nicosia 11 March 2015; consultation with officer in the statistical service; interviews with officers of NGOs Future Worlds Centre, Africa Diaspora Association, activist from the Indian community.

	<p>membership of migrants in political parties, initiatives (e.g. petitions, signature collections) and movements?</p>	
	<p>Do political parties encourage and support membership and participation of migrants and/or their descendants in their activities? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>In general political parties do not encourage and support membership and participation of migrants and/or their descendants. Certain categories of migrants were exceptionally seen as potential voters once settled and naturalised. For instance Greek nationals, particularly Pontic Greeks, who came to Cyprus early on Some TCNs settled in Cyprus, particularly if they are professionals and/or married to Cypriots, are also seen as potential voters. However, these constitute only a fraction of the migrant population on the country.²⁴³</p> <p>There are media reports and studies about linkages between political parties with wealthy individuals either TCNs resident or naturalised citizens, who are connected to various multinationals. For instance we have no information regarding the linkages between political parties to the individuals who were granted exceptional/honorary citizenship;²⁴⁴ there are 544 from Russia, 48 from the Ukraine, 78 from South Africa and 28 from China.²⁴⁵ The policy was justified at the time as a means to ameliorate for and compensate many of the wealthy investors whose accounts were confiscated as part of the bail-in operation in March 2013.²⁴⁶ There are strong linkages between banking, law firms and financial services, many of which were exposed following the recent financial crisis.²⁴⁷ The Legal firm of the President of the Republic has a number of these persons as clients, so do the other major Law firms connected primarily to DISY (ΔΗΣΥ-Δημοκρατικός Συναγερμός), the party of the President Anastasiades currently in power. Also strong linkages exist with the law firm of the President of DIKO (ΔΗΚΟ-Δημοκρατικό Κόμμα), Nikolas Papadopoulos.²⁴⁸ There is however no transparency about these linkages.</p>

²⁴³ Trimikliniotis, N. (2015) 'The Migration question, Political Parties and the Cypriot State of Dissensus', Christophorou, C. and Charalambous, G. (eds.) *Party-Society Relations in the Republic of Cyprus, Political and societal strategies in a partitocratic country*, Routledge, London.

²⁴⁴ Panayiotou, A. (2015) 'Classes, Elites and Parties: Business Groups Strategies Vis à Vis Parties and Power', Christophorou, C. and Charalambous, G. (eds.) *Party-Society Relations in the Republic of Cyprus, Political and societal strategies in a partitocratic country*, Routledge, London.

²⁴⁵ Data provided by the Ministry of Interior.

²⁴⁶ Trimikliniotis, N. (2015) *Country Report on Citizenship Law: Cyprus*, European University Institute, Florence Robert Schuman Centre for Advanced Studies EUDO Citizenship Observatory in collaboration with Edinburgh University Law School Country Report RSCAS/EUDO-CIT-CR 2015/1, revised and updated January 2015. Available at www.cadmus.eui.eu/bitstream/handle/1814/34479/EUDO_CIT_2015_01-Cyprus.pdf?sequence=1

²⁴⁷ Panayiotou, A. (2015) 'Classes, Elites and Parties: Business Groups Strategies Vis à Vis Parties and Power', Christophorou, C. and Charalambous, G. (eds.) *Party-Society Relations in the Republic of Cyprus, Political and societal strategies in a partitocratic country*, Routledge, London.

²⁴⁸ Panayiotou, A. (2015) 'Classes, Elites and Parties: Business Groups Strategies Vis à Vis Parties and Power', Christophorou, C. and Charalambous, G. (eds.) *Party-Society Relations in the Republic of Cyprus, Political and societal strategies in a partitocratic country*, Routledge, London.

		There are historical connections between certain settled migrant communities in Cyprus. For instance the Left-wing party AKEL (Ανορθωτικό Κόμμα Εργαζομένου Λαού), and to a lesser today, social democratic EDEK (Κίνημα Σοσιαλδημοκρατών Ενιαία Δημοκρατική Ένωση Κέντρου) have historical political ties with Arabic groups, such as the Palestinians, the Lebanese, the Egyptians and the Syrians, as well as the Kurds. AKEL has cooperated for some time with migrant and migrant-support groups. However, such links are not as strong with other communities, e.g. African or other Asian groups, unless there are political ties with specific political parties which may facilitate such linkages.
	Please provide any data on the participation and membership of migrants and their descendants in the political parties, initiatives and movements? (figures or % of party members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available)	There is no data on the subject. Political parties do not record such data.
	Are migrants elected as representatives of political parties, initiatives and movements? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.	There are no migrants elected as representatives of political parties, initiatives and movements. The exception is AKEL, the only party that has a third country national (now naturalised) in the party leadership. Mohammad Shaban is a member of the 105-member Central Committee of AKEL.

3.7.Civic and citizenship education

	The participation of migrants and their descendants (with a distinct linguistic, cultural background) in education:	
	Have teachers of migrant background equal access to employment in education, as teachers? If yes, what is the rate of participation (% of teachers with migrant background at national level)? Are they represented in professional teacher associations? Please identify limitations,	No they don't. There is no data on this because there are no non-Greek speakers in public schools, as they are public sector employees the vast majority are Cypriot citizens, and recently due to the economic crisis there is a sizeable number of Greek citizens. There are some English-speaking TCNs working Private education which makes up less than 10%. However there are no figures about the rate of participation % of teachers with migrant background at national level or any other level. There are no data as to whether they represented in professional teacher associations. However at the (private) University level there are TCNs, who have been

	challenges and promising practice.	naturalised in leadership positions in the Trade Unions. For instance currently serving at the University of Nicosia Union Council, one of the few Universities with an active trade union, there are two migrant professors, who have been naturalised.
	Are there any particular gender issues?	Studies indicate that where there are issues of representation, there are often gendered effects, but these have not been studied in depth or raised so far. ²⁴⁹
	Are parents of migrant background actively participating in the school life? Please provide evidence concerning their participation in parents associations, school and community events and extracurricular activities, consultations etc. ²⁵⁰	<p>There are no data on the subject. Usually migrant background parents with middle call background and education tend to be more active in participating in the school life, but there is no data on the subject.²⁵¹ There are various extracurricular activities taken by municipality level. For instance various municipal authorities in Nicosia have organised a number of events with EU funding. The Action "New Channels for Integration" of TCNs in the local society is implemented for the fourth consecutive year (2010-2014). This action includes various activities on multiple levels which focus on social support and information and training of TCNs to facilitate their interaction with the local community. The action aims to support integration of TCNs in Cypriot society. It is funded by the European Integration Fund (95%) and TCNs and national funds (5%). All Nicosia municipalities participate together to a common action but the action is implemented by the Nicosia municipality, as the final beneficiary. The Nicosia municipality partners are the Strovolos, Ayios Dometios, Lakatamia, Aglantzia, Dali, Latsia, Engomi, Yeri and Tseri Municipalities as well as the Municipal Multipurpose Foundations of Nicosia and Strovolos. The Nicosia Development Agency (ANEL), which is a private company owned by the municipalities in partnership with two private profit-making companies "NVK Advert" and the Strategy, Planning and Communication consultants "Opinion & Action".²⁵²</p> <p>Participants in the Action, both beneficiaries and services providers, are said to gain a number of skills and acquiring information and knowledge that would enhance their integration in society and gain acceptance and understanding of the diversity of the TCNs by the local community. Also, various childcare services and counselling and information and support services for immigrants and language and other training are offered. Moreover, various events for cultural exchange</p>

²⁴⁹ Gregoriou, Z. (2011) 'Questioning the Location of Gender in Integration Discourses and Policies', Mediterranean Institute of Gender Studies (MIGS) *Integration of Young Migrant Women in the Secondary Education: Promoting Integration and Mutual Understanding through Dialogue and Exchange*, Funded by the European Fund for the Integration of Third Country Nationals of the European Commission, University of Nicosia Press, pp. 7-20, available

www.medinstgenderstudies.org/wp-content/uploads/Integration_of_young_migrant_women_2011.pdf; Trimikliniotis, N. and Fulas Souroulla, M. (2010) 'New Female Migration and Integration related policies in Cyprus' in: Kontos, M. and Slany, K. (eds.) *The new female migrants in European societies – A state of the Art*, Jagiellonian University Press, pp. 166-185.

²⁵⁰For more information about involving the community in the school life and vice versa please refer also to the findings of the SIRIUS Network <http://www.sirius-migrationeducation.org/>

²⁵¹Consultation with member of the Committee of Parent Association from Primary School Nicosia.

²⁵² Integration programs of TCN for Local Governments, 'New Channels for Integration'. Available at localintegration.eu/en/home-page/programme/intro/

		<p>(festivals, arts etc.) as well as sports activities are offered.</p> <ul style="list-style-type: none"> • Upgrade of approaches for social integration of TCNs • Acquisition of information and knowledge, directly from TCNs, for their integration in the local community • Strengthening of the role of Local Authorities for the provision of social integration services for TCNs. • Acceptance and understanding of the diversity of the TCNs by the local community • Strengthening local cooperation networks with local authorities, NGOs and other government agencies to address the integration needs of TCNs. • Networking of immigrant organisations with NGOs for the exchange of good practices. <p>Target Groups</p> <p>The Actions address children, teenagers, adults and parents of TCNs which live in Cyprus legally and are in need of:</p> <ul style="list-style-type: none"> • Childcare services, creative activities for children and services to help TCNs children with their school work. • Counselling and information and support services for immigrants • Building their skills for easiest access in the labour market and smoother social inclusion. <p>The programs running at present are the following: Social Support Programmes²⁵³</p> <ul style="list-style-type: none"> • Social care services for TCNs children (Nicosia Municipal Multipurpose Foundation) • Cultural identity preservation programs (Nicosia Municipal Multipurpose Foundation) • Consulting services and Information and Support services for immigrants (Nicosia Municipal Multipurpose Foundation, Ayios Dometios Municipality, Lakatamia Municipality) <p>Training and Educational Programmes</p> <ul style="list-style-type: none"> • Orientation Seminars «Meet Cyprus» (Nicosia Municipal Multipurpose Foundation, Strovolos Municipality) • Orientation Seminars «Cyprus and EU Institutions» (Nicosia Municipal Multipurpose Foundation, Ayios Dometios Municipality) • Computer and Multimedia Seminars (Nicosia Municipal Multipurpose Foundation, Aglantzia Municipality) • English Language Courses (Nicosia Municipal Multipurpose Foundation)
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		<ul style="list-style-type: none"> • First Aid Seminars (Strovolos Municipal Multipurpose Foundation, Aglantzia Municipality) • Traditional Dance Courses (Strovolos Multipurpose Foundation) • Cypriot Cooking Courses (Strovolos Municipality) • Zumba Courses (Strovolos Municipality) • Excursions in historical and cultural places of Cyprus, «Meet the local societies» (ANEL) <p>Operation of the Information and Support Centre for Immigrants</p> <p>Events and Cultural Exchange Workshops</p> <ul style="list-style-type: none"> • «Tasting Festival» (Ayios Dometios Municipality) • Folklore Festival (Lakatamia Municipality) • Song Contest (Latsia Municipality) • Folklore Games Festival (EngomiMunicipality) • Dance Festival (Aglantzia Municipality) • «Sculpting the stone» Symbol of Friendship (Yeri Municipality) • Children’s Multicultural Painting Competition (Tseri Municipality) • Traditional Cypriot Sweets Festival (Dali Municipality) <p>Sport Activities</p> <ul style="list-style-type: none"> • Basketball Tournament (Strovolos Municipal Multipurpose Foundation) • Volleyball Tournament (Latsia Municipality) • Marathon (Yeri Municipality)
	<p>Are there extracurricular activities involving and engaging with children and parents of migrant background and/or focussing on civic and citizenship education? Please identify limitations, challenges and promising practice.</p>	<p>In areas of where there is a high concentration of migrants, most of which there are in Zones of Educational Priority, there are a number of initiatives, such as the ones above.²⁵⁴</p>
	<p>Are there provisions for bilingual education? If yes, is it supported by trained teachers and training programmes, curriculum provisions and dedicated school manuals and books?</p>	<p>In areas of where there is a high concentration of migrants, most of which there are in Zones of Educational Priority, there are a number of initiatives, such as the ones above. Other than this project, there is no bilingual education offered in public schools, where the language medium is Greek.²⁵⁵</p>
	<p>Is there evidence of school segregation and/or policies of separate/distinct schooling of migrants?</p>	<p>The Ministry of Education and Culture maintains that there is no school segregation and/or policies of separate/distinct schooling of migrants.²⁵⁶ However, given the housing segregation and the migrant ghettos that have developed, usually in the inner urban centres, there are several schools where the number of foreign children is larger than the Cypriot children. This is not</p>

²⁵⁴ Consultation with Ministry of Education officer.

²⁵⁵ Consultation with Ministry of Education officer.

²⁵⁶ Consultation with Ministry of Education officer.

		necessarily evidence of a policy to segregate but rather an unintended consequence of the absence of a policy framework to address and regulate the problem of housing segregation. ²⁵⁷
	Is there evidence of modifying school curricula and teaching materials can be modified to reflect the diversity of the school population? Is the teacher regular curricula/training dealing with specific reference to immigrants or ethnic minorities and respect/promotion of diversity?	One of the key aims of the educational reform (2004 until 2012) was precisely modifying school curricula and teaching materials can be modified to reflect the diversity of the school population d as part of this. However, ethnic and racial inequalities, including evidence of segregation persist as various studies show. ²⁵⁸ The official figures provided by the Ministry, as Annex 11 shows that there is de facto ethnic/citizenship segregation between in schools at secondary school level for the years 2010-2014. ²⁵⁹ School curricula were revised comprehensively and implemented in primary schools during the days of education reform. ²⁶⁰ Studies show that the educational reform, including a reform of the national curriculum, may be leading towards a more intercultural orientation; however research indicates that there is a gap between policy rhetoric and practice. ²⁶¹ Since 2013, the new Government has pledged to change education policy as it was critical of certain aspects of education reform. Some of the new curricula introduced were stalled. ²⁶² However, there is no clear policy direction.
	Are all students – not only of migrant background – targeted and/involved by civic education and activities related to migrant integration at schools?	All students at schools are often involved in activities celebrating diversity and multiculturalism, but these are often small in scale and depend on the initiative of teachers. The process of celebrating diversity may often be negated, however, by school practices that promote focus on Orthodox Christian religion, such as frequent attendance of church mass, daily prayers, classes of religious instruction and confessions at schools. ²⁶³
	The implementation of specific measures and initiatives aiming at (the following possible practices on the left is an indicative and non-exhaustive list):	
	Please use the following as indicative list of possible practices to report on: Improving the way civic and citizenship education reflect diversity in society through curricular and	Various good practices were introduced as a result of the Education reform. The ECRI Report notes the progress as positive in this field: "Progress in "multicultural educational" has been made. Teacher training has been reinforced, with a focus on in-service training courses on teaching Greek as a second language, teaching children with migrant background and ethnic and linguistic discrimination. An Observatory against Violence has been created to record and analyse episodes of violence

²⁵⁷ Interview with former Minister of Interior, 11 March 2015.

²⁵⁸ Vryonides, M. and Spyrou, S. (2014) 'Cyprus', Stevens, A. J., Dworkin, G. (eds.) *The Palgrave Handbook of Race and Ethnic Inequalities in Education*, Palgrave MacMillan, London, pp. 238-258.

²⁵⁹ Interview with Ombudsman officer.

²⁶⁰ Cyprus, *Cyprus' Interventions 6th meeting of ESD Steering Committee Geneva*, 7-8 April 2011. Available at www.unece.org/fileadmin/DAM/env/esd/01_Typo3site/Cyprus.pdf

²⁶¹ Hajisoteriou, C. and Angelides, P. (2013) 'The politics of intercultural education in Cyprus Policy-making and challenges', *Education Inquiry* Vol. 4, No. 1, March 2013, pp. 103–123. Available at www.lh.umu.se/digitalAssets/116/116066_the_politics_of_eduinq_vol4_no1_march13_103-123.pdf

²⁶² Interview with Primary school teacher.

²⁶³ Interview with Primary school teacher.

	<p>extracurricular activities. Are there specific programmes helping young people to learn how to live in a society with people from different cultures and religions?</p>	<p>in schools and assess incidents with a racist or xenophobic content.”</p> <p>Some important initiatives include the following measures as part of this reform:²⁶⁴</p> <ul style="list-style-type: none"> • Improving the way civic and citizenship education reflect diversity in society through curricular and extracurricular activities. Various initiatives in schools haven taken to this end. • There are hours of language support given to students of migrant background. • The formal curriculum subjects have been revised and modernised to improve the teaching of subjects such as Cyprus and world literature, history, Religious studies, Sciences etc. in order to promote mutual understanding, respect etc. <p>However, despite good intentions, as one study shows the dominant view of “difference-blindness” often hides and marks racism.²⁶⁵ The study shows how problematic were Greek-Cypriot teachers’ perceptions of the integration of immigrant children in a Greek-Cypriot public primary school through the framework of difference-blindness. The study shows that despite their good intentions, teachers utilised a difference-blind ideology to rationalise practices of social exclusion of non-Cypriot students in what was considered an ‘integrated’ school environment.²⁶⁶ Also there gaps between policy rhetoric and practice²⁶⁷ and often we have teacher backlash.²⁶⁸</p> <p>As education policy experts point out, currently Cyprus is experience a reversal and review of education policies on multiculturalism.²⁶⁹</p>
	<p>Improving the way formal curriculum subjects, e.g. literature, history, etc. promote mutual understanding, respect for ethnic and religious diversity and the common democratic and pluralist values?</p>	

²⁶⁴ Available at http://www.paideia.org.cy/upload/ekthesi_epitropis.pdf

²⁶⁵ Theodorou, E. (2010) ‘Children at our school are integrated. No one sticks out’: Greek-Cypriot teachers’ perceptions of integration of immigrant children in Cyprus’, *International Journal of Qualitative Studies in Education*, *iFirst*, pp. 1-20.

²⁶⁶ Theodorou, E. (2010) ‘Children at our school are integrated. No one sticks out’: Greek-Cypriot teachers’ perceptions of integration of immigrant children in Cyprus’, *International Journal of Qualitative Studies in Education*, *iFirst*, pp. 1-20.

²⁶⁷ Hajisoteriou, C. and Angelides, P. (2013) ‘The politics of intercultural education in Cyprus Policy-making and challenges’, *Education Inquiry* Vol. 4, No. 1, March 2013, pp. 103–123. Available at

www.lh.umu.se/digitalAssets/116/116066_the_politics_of_eduinq_vol4_no1_march13_103-123.pdf

²⁶⁸ Zembylas, M. (2010) ‘Critical discourse analysis of multiculturalism and intercultural education policies in the Republic of Cyprus’, *The Cyprus Review*, 22(1), pp. 39-59.

²⁶⁹ Interview with official from the Ministry of Education.

	Facilitating equal opportunities in education for children with migrant background?	
	Facilitating the involvement, participation and support of parents with migrant background in the educational system and in the school activities?	
	Providing language learning support to students of migrant background?	
	Improving attendance and reducing drop-out of students with migrant background?	
	Improving school and teachers' capacity to embrace, build on and/or manage diversity?	
	In particular, please specify if there are promising practices, including affirmative action / positive action practices designed to tackle structural inequalities	
	Other...	

3.8. Drivers, barriers for the implementation, monitoring and assessment of legislation & policy measures

	Previous paragraphs indicated in detail aspects about the actual implementation of participation policies, normative framework and measures. In this section briefly summarize the most important drivers,	<p>Barriers</p> <p>Various studies have located a number of barriers have been identified regarding the design, implementation, monitoring and assessment of policy measures and normative framework for the political and social participation of migrants and their descendants.²⁷⁰ Serious gaps and weaknesses have been identified in the available mechanisms in monitoring violations and</p>
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²⁷⁰ Cyprus, Commissioner for Administration in its capacity as National Human Rights Independent Authority (2013), Position regarding the status of domestic workers in Cyprus (*Τοποθέτηση Επιτρόπου Διοικήσεως ως Εθνική Ανεξάρτητη Αρχή Ανθρωπίνων Δικαιωμάτων αναφορικά με το καθεστώς των οικιακών εργαζομένων στην Κύπρο*), File No. A/D3/2013, 2 July 2013. Available at www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/presentationsArchive_gr/presentationsArchive_gr?OpenDocument

	<p>positive factors and the barriers, resistance or negative factors that have been identified regarding the design, implementation, monitoring and assessment of policy measures and normative framework for the political and social participation of migrants and their descendants. Please base the analysis on governmental and non-governmental reports, as well as research and studies.</p>	<p>pursuing complaints.²⁷¹ The restrictions in accessing the judicial system²⁷² and the limited powers of the Equality Body often leave migrants with no options in pursuing their complaints.²⁷³ Serious violations at the workplace which go unmonitored because of the limitations of the inspection system may also go unpunished in the absence of a reliable complaints mechanism. A prime instance of this is the system of investigating labour accidents, where migrants are more likely to fall victims than nationals. In spite of information leaflets which the Labour Office printed in seven languages, industrial accidents continue to happen unobstructed</p> <p>The Ombudsman concluded that the consequences of the complainant's detention, in other words the loss of opportunity to pursue the implementation of basic labour and human rights, amounted to tolerance for discrimination and led to impunity for the employer, which were far more serious consequences than the purpose served by deporting an undocumented migrant. The complainant's six months of detention, which was so long that it could have been a prison sentence, meant that the authorities not only failed to protect him as a victim but victimized him for a second time for complaining about the discriminatory behaviour he had been subjected to when he filed his complaint for the industrial accident. The systemic failure to provide the complainant with the protection necessary under the circumstances amounted to discrimination on the ground of his race/ethnic origin. The Ombudsman expressed satisfaction over the declared policy of the Labour Inspection Department that the exercise of its mandate does not depend on the legality of the residence or work of a person, but underlined the fact that, in spite of the said policy, the handling of this complaint and the complainant's detention has led to discrimination and to his further victimization, as well potentially to the impunity of the employer. If this handling, continues the report, is a general practice in the case of migrant workers, this will discourage victims from reporting accidents, it will exacerbate the adverse consequences of the informal economy and will impede the administration of justice for victims of discrimination. The report recommended the institutionalization of an interdepartmental process of handling industrial accidents involving migrant workers, following consultation with all stakeholders in order to act directly</p>
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²⁷¹ Cyprus, Commissioner for Administration in its capacity as National Human Rights Independent Authority (2013), Position regarding the status of domestic workers in Cyprus (*Τοποθέτηση Επιτρόπου Διοικήσεως ως Εθνική Ανεξάρτητη Αρχή Ανθρωπίνων Δικαιωμάτων αναφορικά με το καθεστώς των οικιακών εργαζομένων στην Κύπρο*), File No. A/D3/2013, 2 July 2013. Available at

www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/presentationsArchive_gr/presentationsArchive_gr?OpenDocument

²⁷² Interview with officer of Equality Body; interview with lawyer Michalis Paraskevas. Amnesty International (2014)

Cyprus: Abusive detention of migrants and asylum seekers flouts EU law, 18 March 2013, Available at www.amnesty.eu/en/news/press-releases/region/eu/cyprus-abusive-detention-of-migrants-and-asylum-seekers-flouts-eu-law-0720/#.VTivOtKUFTo

²⁷³ Interview with officer of Equality Body

		<p>and concertedly with a timely and efficient investigation surrounding the circumstances of the accident.²⁷⁴A self-initiated investigation of the Ombudsman in 2008 had found that most of the sectors where migrant workers are working in large numbers are dangerous and unhealthy, which means that migrants are exposed to higher risk for industrial accidents than the locals. The 2008 investigation concluded that, for the purposes of policy making, the authorities ought to take into account these characteristics of the employment of migrants and to inform migrant workers of protection measures they need to take to avoid accidents.</p>
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3.9. Use of funding instruments (EIF, ERF, EMIF)

	<p>Please provide briefly information and documented insights about the allocation and distribution of funds aimed at supporting political and social participation, and active citizenship measures for migrants and/or their descendants.</p>	<p>A number of projects have been carried out over the years using these funds; however none of them included migrants either at the design phase or at the implementation phase. Although the Ministry of Interior advises that “the participation of migrants’ associations is welcomed”, the competent ministry official admitted that no efforts were made in order to reach migrants or encourage their participation²⁷⁵</p> <p>The projects do not serve just one thematic area but have various aspects, such as language training to migrants and refugees and asylum-seekers; vocational training for beneficiaries of international protection; awareness raising on traffic laws in Cyprus; training of public officers (medical workers, psychologists etc.) for detection of needs in victims of tortures.</p> <p>The projects funded were as follows:</p> <p>A) <u>EUROPEAN REFUGEE FUND (ERF)- Training and awareness raising</u></p> <p>a) Basic Greek language training for asylum seekers: 3/2010-6/2010, 11/2010-6/2011, 1/2012-6/2012 – 75% Community contribution; 12/2013-6/2014 – 95% Community Contribution.</p> <p>b) Orientation programme for beneficiaries of international protection: 3/2010-6/2010, 10/2010-6/2011 – 75% Community contribution.</p> <p>c) Greek language programmes for beneficiaries of international protection: 3/2010-6/2010, 11/2010-6/2011, 1/2012-6/2012 – 75% Community contribution; 12/2013-6/2014 – 95% Community Contribution.</p>
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²⁷⁴ Cyprus, Commissioner for Administration, Report regarding the handling of a complaint submitted by a migrant worker regarding an industrial accident, Ref. A/P 351/2011, 4 January 2012. Available at [www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/61AE0A5640189812C22579A7002481C6/\\$file/351.2011-04012012.doc?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/61AE0A5640189812C22579A7002481C6/$file/351.2011-04012012.doc?OpenElement)

²⁷⁵ Cyprus, Electronic communications from the Ministry of Interior, 19 March 2015 and 24 March 2015.

		<p>d) Awareness raising programme addressing Cypriots on issues relating to international protection: 3/2010-6/2010, 10/2010-6/2011, 2/2013-6/2013 – 75% Community contribution; 10/2013-6/2014 – 95% Community Contribution.</p> <p>e) Vocational training for beneficiaries of international protection: 2/2011-6/2011 – 75% Community contribution; 12/2013-6/2014 – 95% Community Contribution.</p> <p>f) Seminar on challenges regarding applicants and beneficiaries of international protection and best practices in the management of immigration flows: 1/2014-6/2014 – 95% Community Contribution.</p> <p>g) In-service training programme for primary school teachers, school psychologists and school counsellors and advisors: 3/2014-6/2014 – 95% Community Contribution.</p> <p>h) Training of case workers engaged in examination of applications for international protection: 3/2010-6/2010 – 75% Community contribution.</p> <p>i) Training of public officers (medical workers, psychologists etc.) for detection of needs in victims of tortures: 1/2014-6/2014 – 95% Community Contribution.</p> <p>B) EUROPEAN INTEGRATION FUND (EIF)- Training and awareness raising</p> <p>a) Multilevel intensive Greek language programme for third country nationals: 2010, 2011 and 2012. For 2010 and 2011 the European Commission allocation was 75%; for 2012 the European Commission allocation was 95%.</p> <p>b) Production and Publication of an informational package about Cyprus: 2011 and 2012. For 2011 the European Commission allocation was 75%; for 2012 the European Commission allocation was 95%.</p> <p>c) Integration programmes offered by local authorities: 2011 and 2012. For 2011 the European Commission allocation was 75%; for 2012 the European Commission allocation was 95%.</p> <p>d) Increasing awareness of third country nationals on road traffic rules: 2011 and 2012. For 2011 the European Commission allocation was 75%; for 2012 the European Commission allocation was 95%.</p> <p>C) ERF – research</p> <p><i>In the framework of ERF, the following research took place:</i></p> <p>Research into and study of the needs of asylum seekers and recipients of international protection and how they are being met under programmes</p>
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which have been implemented: Identification of best practices, 75% Community contribution.

D) EIF research projects

Research projects that were co-funded under EIF are the following:

Annual Programme 2008

- a) Investigation of the attitudes and perceptions of Cypriot pupils with regard to TCNs.

Annual Programme 2009

- b) Researching the civil servants' knowledge in relation to migration procedures and their practices when dealing with TCNs.
- c) Researching and identifying vulnerable groups of TCNs and recommendations to address their needs in order to assist their integration into Cypriot society.
- d) Researching the TCNs' opinion (satisfaction level) regarding public services in Cyprus and the TCNs' opinion regarding measures which could be of assistance towards improving the current situation; developing reliable indicators to evaluate any future progress.

Annual Programme 2011

- e) Investigation of the attitudes and perceptions of teachers dealing with TCNs and recommendations on how to facilitate their integration.

Annual Programme 2012

- f) Health issues related to TCNs: access to the health system of Cyprus and the health problems of TCNs.
- g) The approach and role of the media towards issues relating to TCNs and migration.
- h) The role of religion on minority and majority groups.
- i) Issues related to young immigrants in Cyprus and future prospects.

3.10.Key legal and policy developments, and relevant case law

In this section, please provide information about developments regarding the above legal and policy instruments concerning participation (political, consultation, membership and association, active citizenship and civic education), including any new legislative or policy initiatives in the

In October 2013, in response to a large number of complaints submitted by families of migrants with a long-term presence in Cyprus who were faced with deportation combined with an indefinite re-entry ban, the NHRI carried out a self-initiated investigation into the status of migrants with a long and established presence in Cyprus. The investigation revealed that many irregular migrants had entered Cyprus either as asylum seekers or as economic migrants with a valid working permit and subsequently found themselves in an irregular situation either because their asylum application was rejected, or their work permit, which

	<p>framework of migrant integration in the country. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of legal and policy instruments and on the actual situation on the ground, including public debates and perceptions among the native population and migrants.(Use template in Annex 9).</p>	<p>was conditional upon working for a particular employer, was revoked when they lost their job, often as a result of the economic crisis. The report indicatively listed 22 complaints from migrants who lived in Cyprus for over a decade, whose children were either born or had spent most of their lives in Cyprus and attended public schools, who were facing deportation because their permit had expired or their asylum application was rejected but remained in the country under a vague status without access to rights. The position of the Ministry of the Interior was that the usual practice of migrants to use their children’s education as an excuse for perpetuating their stay in Cyprus cannot be accepted as it will create expectations for all rejected asylum seekers and irregular migrants that they will also be able to prolong their stay by invoking their children’s education. The report of the NHRI criticised:</p> <ul style="list-style-type: none"> • The gaps and weaknesses of the legislative framework which does not protect from deportation migrants residing in Cyprus for decades, whose children attend public schools, speak only Greek, have integrated completely and have lost touch with the country of origin of their parents; • The refusal of the immigration authorities to accept that a certain number of migrants will reasonably acquire expectations of residence and rights rendering them non-deportable. • The unnecessarily long and bureaucratic procedures in deciding on visa or asylum applications and the absence of voluntary return programs; • The wide discretion vested in the authorities leading to incoherent, inconsistent and non-transparent treatment of cases, without objective legislative guidelines; • The superficial and inadequate implementation of the relevant EU acquis. <p>The NHRI identified the following problems in the legislative and policy framework:</p> <ul style="list-style-type: none"> • The Aliens and Immigration law vests the Council of Ministers with unrestricted powers to grant a special permit to any person under with any conditions, without any guidelines.²⁷⁶ The use of this power has, over the years led to a problematic and non-transparent situation that threatens to replace the regulated processes foreseen in the EU acquis. • The granting of the long term residence visa depends on the applicants having sufficient
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²⁷⁶Cyprus, Aliens and Immigration Law Cap 105 (*Ο Περί Αλλοδαπών και Μετανάστευσης ΝόμοςΚεφ. 105*), article 6(2). Available at www.cylaw.org/nomoi/enop/ind/0_105/section-sc1373d0da-0098-c196-cd74-7d48ed13b742.html

		<p>economic means for themselves and their families, knowledge of the Greek language and basic elements of the political and social realities of Cyprus, health insurance, not to constitute a threat to public order or public security and not to have secured a residence permit through fraud or false pretences.²⁷⁷</p> <p>The CJEU has not so far issued a clear position as regards the compatibility of the preconditions set by the member states in order to acquire the long term visa with the spirit and the letter of the Directive. However, in its rulings regarding family reunification, the CJEU showed a clear tendency towards restricting these preconditions, indicating that the margin of appreciation of member states cannot be used in a manner that undermines the aim of the Directive.²⁷⁸</p> <ul style="list-style-type: none"> • The European Commission is currently conducting an investigation into the administrative fees charged by Cyprus for the long term residence visa, which were deemed to be disproportionately high compared to those charged for acquiring a national identity card. The investigation also extends into the rest of the preconditions for acquiring the long term visa with particular reference to the requirement for language proficiency and for knowledge of the socio-political situation. • As regards proof of sufficient economic resources, the Supreme Court established that the factors to be considered are indicative and need not be exhausted and that the competent authorities must investigate each case in good faith taking into account all parameters and factors of each applicant with the aim of efficiently implementing the Directive.²⁷⁹ • The ECtHR is gradually developing through its rulings a regulatory framework that seeks to restrict the absolute right of states to deport non-nationals, emphasizing that a deportation decision must comply with obligations derived from the right to private and family life, the length of a person's stay in the host country²⁸⁰ and particularly the impact on
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²⁷⁷ Cyprus, Aliens and Immigration Law Cap 105 (*Ο Περί Αλλοδαπών και Μετανάστευσης Νόμος Κεφ. 105*), article 18(Θ). Available at www.cylaw.org/nomoi/enop/ind/0_105/section-sc576ba623-7c58-4ff9-3f08-24a8b0eb9c95.html

²⁷⁸Court of Justice of the European Union (CJEU), C-502-10, *Chakroun v. Minister van Buitenlandse Zaken*, 18 October 2012.

²⁷⁹ Cyprus, Supreme Court, *Andriy Popovich v. the Republic of Cyprus (Andriy Popovich v. Κυπριακής Δημοκρατίας)* Case No. 1699/2011, 13 March 2013. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2013/4-201303-1699-2011.htm&qstring=Andriy%20and%20Popovich

²⁸⁰European Court of Human Rights (ECtHR), *Boultif v. Switzerland*, No. 54273/00, 2 August 2001.

		<p>children²⁸¹ even if the deportation order is only issued against the parents.²⁸²</p> <ul style="list-style-type: none"> • Despite developments in other EU countries, Cyprus continues to regard its foreign residents with over ten years of stay as temporary, underestimating the real situation that has developed on the ground and the legal obligations towards these persons. This is reflected in the failure of the system followed in the granting of the long term residence visa, which has so far been given to no more than about 200 persons due to the strict and inflexible preconditions imposed that have rendered the Directive meaningless, excluding the largest categories of migrants with a long term presence in Cyprus. In lieu of granting the long term residence visa, the practice of the authorities is to make use of the provision in the law that vests the Interior Minister with unfettered discretion to issue visas²⁸³ in the absence of any guidelines, conditions, monitoring or transparency, raising questions of arbitrarily favourable or unfavourable treatment and clientelistic exchange. The absence of any other possibilities for legalising the stay of families who are settled and integrated in Cypriot reality, in combination with the intensification of immigration controls have led to the phenomenon of families and children born or having spent most of their lives in Cyprus to be faced with humiliating deportation procedures or remain in the country under irregular and vague status, marginalised, excluded and vulnerable to economic exploitation. <p>The NHRI urged the interior ministry to proceed with the adoption of a comprehensive strategy on legalisations, offering a number of recommendations to serve as elements and stressing that it favoured not a blank legalisation of all irregular migrants but only of those who remained lawfully in the country for a period and then found themselves unable to renew their status for bureaucratic reasons because they did not meet some of the legal requirements.²⁸⁴</p>
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²⁸¹European Court of Human Rights (ECtHR), *Üner v. The Netherlands*, No. 46410/99, 18 October 2006; European Court of Human Rights (ECtHR), *Butt v. Norway*, No. 47017/09, 4 December 2012.

²⁸² European Court of Human Rights (ECtHR), *Nunez v. Norway*, No. 55597/09, 28 June 2011.

²⁸³Cyprus, Aliens and Immigration Law Cap 105 (*Ο Περί Αλλοδαπών και Μετανάστευσης Νόμος Κεφ. 105*), article 6(2). Available at www.cylaw.org/nomoi/enop/ind/0_105/section-sc1373d0da-0098-c196-cd74-7d48ed13b742.html

²⁸⁴Cyprus, National Human Rights Institute, Report of the NHRI regarding the need to regulate the legal status of migrants with a long and settled stay in Cyprus, Ref. 7/2013, 10 October 2013.

4. Social cohesion and community relations

4.1. Social cohesion policies

<p>Does the national integration legal and policy framework refer to social/community cohesion? Is there a clear definition of social/community cohesion? Please report it here – in original language and in full English translation.</p>	<p>The actual NAPIM (2010-2012) itself did not refer to social/community cohesion. Interestingly, since 2003, the Republic of Cyprus has a law that provides for a social cohesion fund.²⁸⁵ However, this law contains no definition of social cohesion.</p> <p>The national discourses on social/community cohesion have been taken up in official documents as direct translation from EU policy documents. References to EU policies refer to funding of various projects and actions based on EU structural funds.</p> <p>On the other hand, public discourses in the media and the political debates in Cyprus refer quite loosely to the notion of “social cohesion” as anything like a “cohesive” or a concrete or glue that “keeps society together”, which riddled with fragmentations and social divisions.²⁸⁶</p> <p>There is no clear definition.</p>
<p>Are there any specific measures in place to strengthen social cohesion? Please refer to promising practices and examples of challenges. Use the template for promising practices in Annex 7 highlighting the most important and/or successful.</p>	<p>The Cyprus National Social Report 2014²⁸⁷ refers to migrants as target groups:</p> <p>The main political priorities in the fight against poverty and social exclusion for 2014 are the following:</p> <ul style="list-style-type: none"> • Activate and support inactive and unemployed persons dependent on public benefits, and promote the employment and social inclusion of persons with disabilities and migrants. • The main political priority of the Government in the area of social inclusion is the effective implementation of the social welfare system reform, which is described in great detail in the NRP 2014. Moreover, policy measures for the integration of migrants. • The Government is in the final stage of developing the National Action Plan for Demographic and Family Policies, which will cover a period of two years (2014-2015) and will be adjusted according to the economic developments. This Action Plan is the outcome of a close consultation between all the relevant stakeholders participating in the Demography and Family Policy Body and promotes a comprehensive approach covering the policy areas of benefits, integration in the labour market, reconciliation of work and family life, education and care of children and other dependants, ageing, and integration of migrants.
<p>Are there indicators used by authorities to assess, monitor and support social cohesion policies? E.g. social distance, social interaction, intergroup relations, etc. Please provide</p>	

²⁸⁵Cyprus, Law on social cohesion 124(I)/2002 (*Ο Περί Ταμείου Κοινωνικής Συνοχής Νόμος του 2002*), 1 January 2003.

Available at www.cylaw.org/nomoi/enop/non-ind/2002_1_124/full.html

²⁸⁶Antoniou, M. (2015) ‘Ζητούμενο η κοινωνική συνοχή’, *Καθημερινή*, 24 March 2015. Available at www.kathimerini.com.cy/index.php?pageaction=kat&modid=1&artid=202143

²⁸⁷EU, Cyprus National Social Report 2014, Ministry of Labour, Welfare and Social Insurance <http://ec.europa.eu/social/BlobServlet?docId=11769&langId=en>

	available relevant data, figures and findings, if any, and present them briefly in the relevant table of the Annex (4).
	Please outline available research, studies, and surveys about the sense of belonging and identification of migrants and/or their descendants with diverse types of local, regional and national identities. Please summarise briefly key findings and any differentiations by nationality or ethnic origin, gender, age and geographic area.
	<p>There are no indicators used by authorities to assess, monitor or support social cohesion policies.²⁸⁸</p> <p>There have been no legal measures and case law affecting social cohesion and community relations in cyprus. Religion has not been a traditional centre-point of contention, even though it had traditionally informed the national debates over nationhood and the Cyprus problem. The hegemony of Greek-Orthodox religion has long been institutionalised; however, there had always existed other groups who adhered to other faiths, including atheism and secularism. The public debate on religious symbols has not been prominent, when compared to other European settings. Many Greek-Cypriots are religious and there are very visible religious signs and expressions of this in the public domain. Many primary schools are named after saints or have as their logo or symbol the name and/or image of a saint, a sign which is printed on their official, sport or other ceremonial logos or track suits etc.²⁹⁰ There is little public debate on religious symbols in general due to the fact that the second largest ethnic community of Cyprus, the Turkish-Cypriots are secular and are not in the habit of carrying religious symbols. The Ministry of Education's official statements pronounce that any action that violates the personal freedoms and convictions of the pupils (or the parental religion of pupils) aiming at changing their religious beliefs is prohibited. The Ministry stated that during the school year 2006-2007 at one school "it was allowed for a Muslim pupil to wear a headscarf to school" as "indicative of the tolerance and respect for difference."²⁹¹ Since then the issue has not been on the agenda. There has been no burqa issue in Cyprus.²⁹²</p> <p>Please indicate legal measures and case law affecting social cohesion and community relations, for example the banning of specific religious or ethnic dress, such as the 'burqa'²⁸⁹.</p>

²⁸⁸ Interview with officer of the Ministry of Labour and social Insurance.

²⁸⁹ European Court of Human Rights (ECtHR), *S.A.S. v. France*, No. 43835/11, 1 July 2014, available at [http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{"itemid":\["001-145466"\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{)

²⁹⁰ Trimikliniotis, N. (2012) *Discrimination on the Ground of Religion or Belief, Cyprus Country Report*, June 2012, for the EU Network of socio-economic experts in the anti-discrimination field established and managed by Human European Consultancy and ÖSB Consulting GmbH for the European Commission.

²⁹¹ Cyprus, Ministry of Education and Culture, Letter to the University of Nicosia, 12 March 2015.

²⁹² Trimikliniotis, N. (2012) *Discrimination on the Ground of Religion or Belief, Cyprus Country Report*, June 2012, for the EU Network of socio-economic experts in the anti-discrimination field established and managed by Human European Consultancy and ÖSB Consulting GmbH for the European Commission.

		<p>The national legislation transposing the Employment Equality Directive does not provide any exceptions relating to religion or other grounds where issues of dress or personal appearance are concerned. It should be noted, however, that for the moment there are no such issues or debates in Cyprus, as there are hardly any ethnic communities using symbols of religion or culture. Up until recently, the vast majority of Muslims of Cyprus, which are basically the Turkish-Cypriots, the Roma, migrant workers and asylum seekers from the Middle East were either secular or simply not using symbols in their appearance, however there have been increasing NGO reports recently about members of Nicosia's growing Muslim population being unable to find work as a result of wearing their religious symbols (headscarf, dress etc.).²⁹³</p>
	<p>Does the action plan or strategy on integration and inclusion of migrants and their descendants address combating racism, xenophobia and intolerance?</p> <p>Are there specific integration/inclusion actions related to racism and intolerance for education and/or for young people? If yes, how are such actions linked to general integration and/or social inclusion and/or cohesion policy? Please provide information on implementation and impact of such plans and refer to any assessment of their impact?</p>	<p>It has a general reference to integration of inclusion of migrants, but this does not address combating racism, xenophobia and intolerance. There are no specific integration/inclusion actions related to racism and intolerance for education and/or for young people.</p>
	<p>Please provide information about state and non-state responses via positive measures, campaigns, partnerships</p>	<p>Anti-discrimination Portal</p> <p>The Cyprus Labour Institute (INEK-PEO), which is the research and training institution of the Trade Union PEO, established a web site was created within the framework of the programme 'Awareness Raising Activities against Discrimination on the grounds of Race, Ethnicity, Religion and Age', which is supported by the European Commission, the European Community Programme for Employment</p>

²⁹³ U.S. State Department (Bureau of Democracy, Human Rights, and Labor) Report, *Cyprus: Country Report on Human Rights Practices 2009*, released on 11.03.2010 (<http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136026.htm>).

	<p>involving migrants and communities. Please provide information only about those actions that focus on migrants and on <u>prevention</u> and promotion of peaceful living together and integration as mutual accommodation combatting racism and intolerance. Please outline any assessment about their impact and identify any relevant promising practice. (Use the template for promising practices in Annex 7).</p>	<p>and Social Solidarity – PROGRESS (2007-2013) and the European Community Programme for Employment and Social Solidarity. Additionally, in 2010 the website has been upgraded with funds from the Office of the Commissioner for Administration (Ombudsman) in Cyprus within the framework of the same European programme.²⁹⁴</p> <p>Cyprus Community Media Centre</p> <p>Established in 2009, the Cyprus Community Media Centre (CCMC)²⁹⁵ works to empower civil society organisations and community groups with the tools to communicate their message to a wider audience. Through training and dedicated production support, equipment loan and access to a state-of-the-art production studio, CCMC promotes the benefits of community-based media by giving people the skills to be in control of their own messages. We believe that through our work we can be an example of best practice, aiding the establishment of a vibrant community media sector in Cyprus. Based at the Nicosia’s Buffer Zone, CCMC is accessible to all communities across the whole of Cyprus. We aim to act as a bridge between the mainstream media and civil society, and to facilitate the development of sustainable relationships between the media across the Cyprus divide. It strives to be inclusive, collaborative, transparent, equitable and nonpartisan, promoting the creation and broadcasting of productions that contribute to community reconciliation, diversity and multiculturalism. It considers that there is great potential for the community media sector to contribute to media pluralism, as well as freedom of expression and information. Certain sectors of the population, in particular marginalised groups such as women, youth, and new migrant communities are underrepresented in the mainstream media, and Community Media can offer the support and access for a diversification of voices in the Cyprus media landscape. It aims at:</p> <ul style="list-style-type: none"> - Strengthen the participation and access to media for civil society and community groups whose voice is underrepresented in the media landscape - Raise awareness about the role and importance of Community Media for community reconciliation, social cohesion and intercultural dialogue - Working with the relevant authorities, advocating the establishment of Community Media as ‘the third sector’ in the Cyprus media landscape <p>Awareness Campaigns and Competitions</p> <p>Various campaigns were organised as part of awareness, combating racism, discrimination and xenophobia. For instance private companies like Opinion & Action Services Ltd in collaboration with European Public Space (EPS) organised poster competition “Cyprus</p>
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²⁹⁴ Available at the Website <http://www.stop-discrimination.org.cy/en/>

²⁹⁵ Available at the CCMC Website

http://www.cypruscommunitymedia.org/index.php?option=com_content&view=category&layout=blog&id=32&Itemid=34&lang=en

		aware: refugees concern us” (Η Κύπρος γνωρίζει: οι πρόσφυγες μας αφορούν). The winner won a tablet and the poster was the used at the event of the World Refugee Day. The starting date was 6 December 2013 and expired 15 May 2014. It was funded by the ERF and the Republic of Cyprus. ²⁹⁶
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4.2. Combatting racism and intolerance

<p>Are there any policy measures, initiatives and practices to accommodate for ethnic or religious differences, for example in regard to sharing public space, such as swimming pools at local level?</p> <p>Identify any promising practices encouraging social interaction and contacts of people of different backgrounds at local level (use the template for promising practices in annex 7).</p>	<p>The are some initiatives such as various actions of the Multipurpose centres of the various municipalities of Nicosia and Limassol.</p> <p>A theatrical comedy play was staged in early 2015 by the state theatre company THOC, targeting both children and adults, addressing racism and xenophobia in a child-friendly manner. The play was called 'A fiesta at Al Nouri's' and is an adaptation of the German play 'A fiesta at Papadakis' by the German theatre playwright Volker Ludwig.²⁹⁷ Apart from its regular weekly performances, the play is staged at various schools through the initiative of the local parents' associations.</p> <p>During 2013 the Equality Body in collaboration with the Representation of UNHCR in Cyprus and the European Commission Representation in Cyprus organized jointly a school competition entitled "Talk about racism and xenophobia: silence is not a solution".²⁹⁸ The competition involved the editing by the students of their own school journal against racism, following their own field research. The competition was participated by 21 schools. An event for the award of the prizes involved migrant children telling their own personal stories of immigration and integration. The initiative aimed at raising awareness and sensitizing the school population over migration and asylum and to prevent and combat xenophobia and racism at schools. In 2012, the same actors (the Equality Body, UNHCR Representation, European Commission Representation) organized another school competition along similar lines, entitled 'Even one victim of racism and xenophobia is one too many'.²⁹⁹ Schools were invited to submit a video and a poster on the theme and to organize discussions in schools on immigration, asylum, xenophobia and racism.</p>
<p>Please indicate concrete measures, initiatives or programmes targeting migrants</p>	<p>Few positive examples can be found, which involved migrants in their design or implementation.</p> <p>The few that have happened cannot be said to be successful.³⁰⁰ Most approaches are in fact quite negative. One EU-funded advertisement on the state television, which attempted to depict the lives of two</p>

²⁹⁶ Available at the Website

www.asylumaware.eu/%CE%B5%CF%80%CE%B9%CE%BB%CE%B5%CE%B3%CE%BC%CE%AD%CE%BD%CE%B1/%CE%B7%CE%BB%CE%B5%CE%BA%CF%84%CF%81%CE%BF%CE%BD%CE%B9%CE%BA%CE%BF%CF%83-%CE%B4%CE%B9%CE%B1%CE%B3%CF%89%CE%BD%CE%B9%CF%83%CE%BC%CE%BF%CF%83-%CF%80%CE%B1%CF%81%CE%AD%CE%B1-%CE%BC%CE%B5-%CF%84/

²⁹⁷ Information about the play is available at the website of the state theatre company THOC:

www.thoc.org.cy/Event-MIA_GIORTI_STOY_AL_NOYRI,1577,0,EL,General

²⁹⁸ Information about the initiative is available at www.no-discrimination.ombudsman.gov.cy/en/content/school-competition-talk-about-racism-and-xenophobia-silence-not-solution.

²⁹⁹ Information about this initiative is available at www.no-discrimination.ombudsman.gov.cy/en/content/even-1-victim-xenophobia-and-racism-1-too-many.

³⁰⁰ Interviews with officers of NGOs Future Worlds Centre, Africa Diaspora Association, activist from the Indian community;

	<p>and/or descendants aiming at building trust in public institutions, especially at local level. E.g. campaigns, opening doors and reaching out to citizens, social centres, informal collective bodies, cultural events etc.</p> <p>Please provide notable examples of promising practice (use the template for promising practices in annex 7).</p>	<p>African refugees in a positive light, was specifically targeted in anti-immigration literature as an instance of abuse of immigration that leads to the “de-Hellenization” of Cyprus.³⁰¹ The very effort to depict positive light the lives of refugees was taken up in his newspaper articles and book publication by a former senior Labour anti-immigration turned politician, who is leading the “Institute for Demographic Policy”.³⁰²</p>
	<p>Are there any specific ethical or other guidelines or rules concerning the language used by media or journalists, when writing about migrants and/or their descendants? In this case please provide briefly information about actual application of such rules and challenges.</p>	<p>In September 2010 the equality body published a set of guidelines for the media in the framework of a PROGRESS program on how to avoid racist and xenophobic discourse. Rather than a binding Code of Conduct which the Equality Body is mandated to issue, this publication contains voluntary guidelines, based on the logic of self-regulation of journalists. The publication states that international and European experience has shown that regulatory frameworks with prohibitions and restrictions may have prevented the more obvious and extrovert manifestations of racism in the media but have not prevented new and covert manifestations. The author admits there are gaps and distortions often leading to the production and reproduction of racist and xenophobic stereotypes but does not consider that a strict legislative framework will address this problems. It also lists a number of other recommended initiatives to promote awareness and sensitisation of journalists, such as training programs, the setting up of journalistic ethics committees, research on journalists’ perceptions of migrants, measures to encourage media outlets to hire migrants and other vulnerable groups, good practice manuals, conferences and others. The publication makes no reference to any legislative instrument on racist speech, such as the Convention on the Elimination of All Forms of Racial Discrimination, Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law and the national Criminal Code which is described by the author as “post-colonial remnants restricting freedom of the Press”.³⁰³</p>

³⁰¹Morfitis, A. (2013) *Το Μεταναστευτικό και οι Επιπτώσεις του*, Epifaniou, Nicosia, pp. 50-51.

³⁰²Morfitis, A. (2013) *Το Μεταναστευτικό και οι Επιπτώσεις του*, Epifaniou, Nicosia, pp. 50-51.

³⁰³ Cyprus, Commissioner for Administration and Anti-discrimination Authority, Guidelines for the media against racism, xenophobia and discrimination, September 2010 Available at

		<p>Recent studies have pointed out the importance for the Cypriot authorities of properly utilising the principles of equality, and combating racial hate crime, racist and xenophobic discourse.³⁰⁴ This was studied in the context of examining the applicability of the Cypriot legal framework to combating racist or xenophobic hate speech and hate crime.³⁰⁵ The Antidiscrimination Authority and the Equality body have invoked various legal instruments and soft law means in addressing hate crime complaints. For instance in n 2012 the Equality Body investigated two complaints against the same politician, a candidate running for municipal elections, regarding the central slogan of his electoral campaign. The slogan, a play of words in Greek, was along the following lines: "Primary or Secondary? Lefkosia or Lefk-ASIA?" The equivalent Greek word (πρωτεύουσα) applies both to an entity that holds the first position and to the Capital city. The implied message of the slogan challenges voters to decide whether they want a capital city that is rated first or whether they want their city to become second rate and 'full of Asians', thus equating 'decadence' with the presence of migrants from Asia.</p> <p>³⁰⁶Following the submission of the complaints, the Equality Body asked the particular candidate to defend his position. In response, he referred to a press article which he authored, in which he expounded his position that Nicosia has been rendered a second-rate city because its central nucleus has become the refuge of migrants who have displaced the indigenous inhabitants. His article concludes that his convictions will not be altered by any attempt of distortion on behalf of those who claim to be defending the rights of foreigners and are indifferent to improving the image of Nicosia. The Equality Body found that, although the said candidate was honest, in that he did not intend to convey racist messages, his campaigning slogan in combination with his views in the said press article amount to a sweeping generalization which depreciates the culture and habits of an entire group of people, leading to their stigmatization and risking their being targeted. The report focuses on the debate regarding 'free speech v. prohibition of racist speech', clarifying that it respects the right of expression of opinions even if they are offensive because it is necessary, for the sake of pluralism, that opposing views mingle and contradict each other. The report notes that in a democracy the most effective confrontation of any form of speech is counter-speech and criticizes the effort to eliminate racist speech through criminal provisions restricting free expression, describing them as "easy" measures that do not reflect value-based democratic questions and as "not solving the problem". Nevertheless, the report adds, racist speech expressed in the public sphere is testing the limits of any</p>
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www.no-discrimination.ombudsman.gov.cy/sites/default/files/kateythintiries_arhes_MME_kata_ratsismoy_xenofovias_diakriseon.pdf

³⁰⁴Patsalidou, A., Athinodorou, I., Tsekouras, C. (2015) 'National Report, Cyprus', *Legal Research Group on Online Hate Speech, Final Report* In cooperation between the Council of Europe and the European Law Students' Association, pp. 112-135. Available at http://files.elsa.org/AA/Final_Report_OHS_Final.pdf

³⁰⁵ Demetriou, C. (2013), *Study on the legal framework applicable to racist or xenophobic hate speech and hate crime in the EU Member States: National Report for Cyprus* (JUST/2011/EVAL/FW/0146/A4) in the framework of a project operated by Milieu Ltd in partnership with ICF-GHK, commissioned by DG Justice, Directorate C: Fundamental Rights and Union Citizenship.

³⁰⁶ Cyprus, Anti-discrimination Authority, Report on the promotion of racism and intolerance through political discourse, Ref. AKR 118/2011 & AKR 129/2011, 25 April 2012. Available at [http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/E31E3A0DAE910405C2257A700047E119/\\$file/%CE%91%CE%9A%CE%A1118.2011-%CE%91%CE%9A%CE%A1129.2011-25042012.doc?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/E31E3A0DAE910405C2257A700047E119/$file/%CE%91%CE%9A%CE%A1118.2011-%CE%91%CE%9A%CE%A1129.2011-25042012.doc?OpenElement)

		democratic culture, regardless of whether it is voluntary or involuntary or naive, because this can create or feed negative attitudes, incite violence and lead to a generalized social and institutional, hostility against minority groups and to the institutionalization of unjust or disproportionate policies, practices or measures, obstructing the efforts of the minorities to overturn prejudices and marginalization. The report pointed out that political persons and journalists have an increased responsibility as regards the content, nature and impact of their rhetoric and thus have a higher duty not only to avoid reproducing racist stereotypes and prejudices but to promote the acceptance of diversity. The report did not recommend the prosecution of the electoral candidate. ³⁰⁷
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4.3. Mixed marriages

Mixed marriages is often used as an index for social distance and integration or, even, assimilation. Mixed (citizenship) marriages are defined as those where one of the spouses has foreign citizenship and the other has national citizenship (including registered partnerships,	<p>The policy and practice of the immigration authorities as regards mixed marriages has been criticised repeatedly both by ECRI and by the national equality body.³⁰⁸ The successful intervention of both these bodies have for the time being stopped the authorities from pursuing a change in the legislation that would introduce a 'pre-marital' interview.³⁰⁹ An abundance of court decisions also challenge the practice of the immigration authorities in almost automatically declaring mixed marriages as bogus,³¹⁰ as analysed in the report by the Ombudsman.³¹¹</p> <p>There are no legal limitations preventing marriages between nationals and foreigners before marriage, but the implementation of the legislative provisions on bogus marriages have created a stringent regime vesting the Chief Immigration Officers with unfettered powers to declare any mixed marriage as bogus.³¹² In</p>
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³⁰⁷ Cyprus, Anti-discrimination Authority, Report on the promotion of racism and intolerance through political discourse, Ref. AKR 118/2011 & AKR 129/2011, 25 April 2012. Available at [http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/E31E3A0DAE910405C2257A700047E119/\\$file/%CE%91%CE%9A%CE%A1118.2011-%CE%91%CE%9A%CE%A1129.2011-25042012.doc?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/E31E3A0DAE910405C2257A700047E119/$file/%CE%91%CE%9A%CE%A1118.2011-%CE%91%CE%9A%CE%A1129.2011-25042012.doc?OpenElement)

³⁰⁸ Cyprus, Report of the Commissioner for Administration and Human Rights regarding the rejection of applications by spouses of Cypriot citizens for the acquisition of Cypriot citizenship by registration, due to prior stay in the Republic without a valid permit, Ref. AKR 78/2012 et al, 17 December 2014. Available at [www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/BEF4FBDBB0F91531C2257DCD003AC179/\\$file/%CE%91%CE%9A%CE%A178.2012%CE%BA%CE%B1-17122014-%CE%99%CF%83%CF%84%CE%BF%CF%83%CE%B5%CE%BB%CE%AF%CE%B4%CE%B1.doc?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/BEF4FBDBB0F91531C2257DCD003AC179/$file/%CE%91%CE%9A%CE%A178.2012%CE%BA%CE%B1-17122014-%CE%99%CF%83%CF%84%CE%BF%CF%83%CE%B5%CE%BB%CE%AF%CE%B4%CE%B1.doc?OpenElement)

³⁰⁹ ECRI (2014) *Conclusions on the implementation of the recommendations in respect of Cyprus subject to interim follow-up*, adopted on 19 March 2014. Available at www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Cyprus/CYP-IFU-IV-2014-021-ENG.pdf; ECRI (2011) *Report on Cyprus*, published on 31 May 2011, Fourth Monitoring Cycle. Available at: www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Cyprus/CYP-CbC-IV-2011-020-ENG.pdf

³¹⁰ Mitova Zoya Margaritova V. Κυπριακή Δημοκρατία, Μέσω Διευθυντριας Τμήματος Αρχείου Πίληθους και Μεταναστευσης, Αρ. 67/13, 17 February 2015, Available at http://www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2013/4-201309-67-13endiam.htm&qstring=Mitova

³¹¹ Cyprus, Report of the Commissioner for Administration and Human Rights regarding the rejection of applications by spouses of Cypriot citizens for the acquisition of Cypriot citizenship by registration, due to prior stay in the Republic without a valid permit, Ref. AKR 78/2012 et al, 17 December 2014. Available at [www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/BEF4FBDBB0F91531C2257DCD003AC179/\\$file/%CE%91%CE%9A%CE%A178.2012%CE%BA%CE%B1-17122014-%CE%99%CF%83%CF%84%CE%BF%CF%83%CE%B5%CE%BB%CE%AF%CE%B4%CE%B1.doc?OpenElement](http://www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/BEF4FBDBB0F91531C2257DCD003AC179/$file/%CE%91%CE%9A%CE%A178.2012%CE%BA%CE%B1-17122014-%CE%99%CF%83%CF%84%CE%BF%CF%83%CE%B5%CE%BB%CE%AF%CE%B4%CE%B1.doc?OpenElement)

³¹² Cyprus, The Aliens and Immigration Law Cap 105 (Ο Περὶ Ἀλλοδαπῶν καὶ Μεταναστευτικῆς Νόμος) article 7A. Available at www.cylaw.org/nomoi/enop/ind/0_105/section-sc853b53f8-4894-51a7-86c2-3ebd327f6ca0.html

	<p>common-law marriages). Please indicate legal limitations, if any, for marriages between nationals and foreigners, e.g. for asylum seekers, third country nationals, etc. Do these limitations result in practical barriers?</p>	<p>addition, some studies show that there are bureaucratic, practical and social barriers.³¹³</p>
	<p>Are there any official or non-official data and information on mixed marriages (between nationals and people with another citizenship)? Please provide % proportions on the total number of marriages in a given period, as well as data – where available – about ages, country of origin/birth of migrant spouses.</p>	<p>There are no percentages in the official and unofficial data. The actual numbers of mixed marriages are contained in the official statistics. The actual figures are contained in Annex 12 (forwarded separately).</p> <p>There are very few studies on the subject. One study concluded that Cyprus, like other countries, imposes a wide range of formal constraints through exercising a fairly tight control over its citizens' rights under European law to marry non-nationals.³¹⁴ Also generally, "the more atypical these 'outsiders' are regarded to be, the more severe the state control such as the cases of marriages between former migrant nightclub dancers and Greek Cypriot men." The study refers to different types of state interference with the right of its citizens freely to choose a spouse such as delays to grant permission to marry, and restrictions on the migrant spouse's rights to reside, work and apply for citizenship in Cyprus. Furthermore, it notes that "by fostering certain views about non-nationals, and especially about 'foreign workers' (as the labour migrants are named in public discourses), the state, by its very authority, contributes to and legitimises negative discourses about them. As qualitative findings show, these discourses may influence the way in which civil servants apply their powers of discretion when considering applications for citizenship through marriage to a Cypriot citizen."³¹⁵</p>

³¹³Fulias-Souroulla, M. (2006) *Marriages between Greek Cypriots and Foreign Nationals in the Republic of Cyprus*, University of Cyprus, Unpublished PhD thesis.

³¹⁴Fulias-Souroulla, M. (2011) 'Choice of Spouse, Integration and Citizenship: The Case of Marriages between Greek Cypriots and Non-nationals', *South European Society and Politics*, 15: 4, 553 — 572, 25 January 2011.

³¹⁵Fulias-Souroulla, M. (2011) 'Choice of Spouse, Integration and Citizenship: The Case of Marriages between Greek Cypriots and Non-nationals', *South European Society and Politics*, 15: 4, 553 — 572, 25 January 2011.

Annex 2: National and regional level action plans on integration

N/A.

Annex 4: Indicators monitoring migrant integration - social inclusion/cohesion

N/A.

Annex 5: Use of funding instruments

Table 1 - European Integration Fund (EIF)

	European Integration Fund (EIF) - TOTAL	Own funds	Funds distribution / Thematic areas							
			Participation	Social Cohesion / social inclusion	Active citizenship	Welcoming society	Employment	Education	Healthcare	Other
2010 (from 01.01.2010 until 30.06.2010)	€1,102,001.97	€253,145.51		€40,000.00		€265,037.00		€476.840.75		
2011 (from 01.01.2011 until 30.06.2011)	€1,108,015.61	€254,568.59	€169,750.00	€89,999.00		€158,000.00				
2012 (from 01.01.2012 until 30.06.2012)	€1,148,353.85	€264,114.27	€100,000.00	€89,999.00		€385,243.23		€235,965.90		€218,000.00
2013 (from 01.01.2013 until 30.06.2013)	€1,334,323.19	€316,199.57	€179,992.66			€137,882.85		€173,429.02		€300,000.00
2014 (from 01.01.2012 until 30.06.2012)	€1,356,665.44	€63,747.44	€150,000.00			€266,765.86		€176,399.02	€59,000.00	€622,659.00

Notes:

1. The column "Other" includes action B1 "Integration Programmes offered by local authorities". This action included educational programmes (computer and English lessons, first aid lessons etc.) as well as social inclusion activities (multicultural festivals, culinary festivals etc.) and psychosocial support programmes (support groups, street social work, counselling etc.) and participation/ active citizenship activities (organization of migrants' associations' fora).
2. The Asylum, Migration and Integration Fund was not used for 2014

Table 2 - European Refugee Fund (ERF) aiming at integration of beneficiaries of international protection

	European Refugee Fund (ERF) - TOTAL	Own funds (national)/regional	Funds distribution / Thematic areas							
			Participation	Social Cohesion / social inclusion	Active citizenship	Welcoming society (host society targeted)	Employment	Education	Healthcare	Other
2010 (from 01.01.2010 until 30.06.2010)	1.588.483,41	482.429,86			30,000	99,400		50,000		
2010-2011 (1.7.2010-30.6.2011)	1.195.107,68	347.193,00			30,000	99,000	89,772	85,000		
2010	1.754.495,69	533.893,67						85,000		
2011	1.731.107,70	543.954,46		85,000		50,000				
2012	1.490.998,00	73.755,79		84,217.56	149,947.36	50,000	127,611	65,000		

* Please indicate if Asylum, Migration and Integration Fund is used for 2014

Notes:

1. The amounts stated in the second and third columns refer to the total EU Contribution and the total Public Allocation, allocated for each Annual Programme.
2. Asylum, Migration and Integration Fund is **not** used for 2014.
3. The above amounts refer to Annual Programmes (AP). The examined years cover AP 2008, 2009, 2010, 2011 and 2012.
4. The amounts stated in the columns of *Funds distribution / Thematic areas* refer to the total budget of the actions (EU Contribution + Public Allocation)
5. The amounts in the thematic areas concern only the target group **of beneficiaries of international protection** and their integration
6. The amounts stated in the column *Active citizenship* refer to orientation programmes for beneficiaries of international protection, an educational seminar on the challenges with regard to matters of applicants and beneficiaries of international protection and best

practices in the management of immigration flows as well as an in-service training programme for primary school teachers, school psychologists and school counsellors and advisors. These programmes indirectly enable the target group to start integrating and be active citizens.

7. The amounts stated in the column *Social Cohesion/ social inclusion* refer to actions that deal with the provision of psychological and social support to asylum seekers throughout the asylum procedures as well as to beneficiaries of international protection.
8. The amounts stated in the column *Welcoming society* refer to programmes to raise awareness and inform the public in Cyprus on issues relating to beneficiaries of international protection.
9. The amounts stated in the column *Employment* refer to vocational training programmes for beneficiaries of international protection.
10. The amounts stated in the column *Education* refer to Greek language programmes for beneficiaries of international protection.

Annex 7: Promising practices

Thematic area	Combating racism and xenophobia
Title (original language)	Κώδικας Συμπεριφοράς κατά του Ρατσισμού, Οδηγός Διαχείρισης και Καταγραφής Ρατσιστικών Περιστατικών
Title (EN)	Code of Conduct against Racism, Guide for Handling and Recording Racist Incidents
Organisation (original language)	Υπουργείο Παιδείας και Πολιτισμού
Organisation (EN)	Ministry of Education and Culture
Government / Civil society	Government
Funding body	Ministry of Education and Culture
Reference (incl. url, where available)	http://www.moec.gov.cy/agogi_ygeias/pdf/odigoι_ekpaideftikou/kodikas_symperiforas_ratsismou.pdf
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	The Code and the Guide were launched in June 2014. Implementation started on a pilot basis in seven primary schools since January 2015 (http://www.moec.gov.cy/agogi_ygeias/kodikas_kata_ratsismou.html). The selection of the pilot schools was based on the following factors: (a) almost all cities must be included (b) different locations of cities to ensure diversity and representation in the socioeconomic and ethnic composition of pupils; (c) the school headmasters have a special interest in combating racism; (d) there is consent by the teaching staff. If the pilot is successful, then there will be national implementation initially during the school year 2015-2016 and, depending on the result, at every year thereafter.
Type of initiative	Code of Conduct and Guide as a policy and system to be implemented at local and at national level
Main target group	Ministry of Education officials (Team for direct Intervention and the Observatory on School Violence), heads of schools, teachers, parents and pupils
Indicate level of implementation: Local/Regional/National	National implementation; school level

<p>Brief description (max. 1000 chars)</p>	<p>This initiative sets up a system of monitoring, recording and intervening to combat racial and other intolerant incidents at schools.</p> <p>The Code sets out basic principles of respect for multiple identities and of the need to combat intolerant incidents on the grounds of ethnicity, religion, culture, gender, sexuality, belief and disability. It explains in simple terms various forms of racial, xenophobic and other types of intolerance and defines concepts such as identity, diversity, race, prejudice, stereotype, discrimination, racism, xenophobia, nationalism, intolerance, homophobia, transphobia, bullying/threatening, hate speech, under-reporting and racial incident.</p> <p>The Guide aims at developing a mechanism for recording and reporting racial and other intolerant incidents, addressing all stakeholders, allocating to each group specific responsibility in recording and responding to the incidents. Moreover, it provides for a step-by-step system of handling racial incidents as well as a nine-step sanction system based on the degree of seriousness and the repetition of the prohibited conduct.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>Both the Code and the Guide are based on international literature and practice, drawing on studies from different countries including Cyprus. The definitions of the various concepts and the various intolerant-related phenomena are transferrable to different contexts. So is the detailed description of the role and responsibility of stakeholders in the system to handle such incidents.</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>The initiative is sustainable because it has a clear objective, sustainable activities and requires minimum expenditure for its implementation. The administrative and logistics support provided by the Ministry of Education and Culture will cover not only the pilot phase but also the implementation from year to year. All teachers at the pilot schools have already undergone the optional training, consisting of two series of seminars run by the Pedagogical Institute of the Ministry of Education, in the form of all-day workshops at each of the pilot schools. The skills acquired by the trained teachers, which will be further developed through operating the mechanism, can be utilised in assisting with the operating of the mechanism in other school settings.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The impact is measurable by its outcome: the number of incidents recorded, the number of interventions made and the outcome of these interventions. Also, the number of teachers having received training in order to operate the mechanism is measurable.</p>
<p>Give reasons why you consider the practice as transferrable to other settings and/or Member States?</p>	<p>The system is easily adaptable and transferrable to other member states, as well as to other school settings in the public and in the private sector and at the tertiary level, as it is not based on the local characteristics of the pilot schools but on general principles of setting up mechanisms of recording, reporting and intervention.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review</p>	<p>The Code and Guide were initiated as a result of a recommendation by the Equality body following a number of racial bullying complaints. They are based on research and consultation with various stakeholders such as pupils, teachers, parents association, Ministry officials and the Equality body. During the pilot phase, students, parents and teachers</p>

assessment and implementation of the practice.	are consulted for a regular reflection in the design of the final program before its national implementation. The final program will be modified to take their views into consideration. The Code and Guide as a set of principles and practices are designed to be simple and understandable so that all stakeholders can be trained and consulted.
Explain, if applicable, how the practice provides for review and assessment.	Implementation will be reviewed in April-May 2015 and will continue to be reviewed and revised at the end of each year.

Thematic area	Code of good practice for bus companies and bus drivers
Title (original language)	Κατευθυντήριες Αρχές για την Εξυπηρέτηση και τη Μεταχείριση Επιβατικού Κοινού Διαφόρων Εθνικοτήτων από μέρους Εταιρειών που εκτελούν Δημόσιες Συγκοινωνίες και Οδηγών Λεωφορείων
Title (EN)	Guidelines for the servicing and treatment of passengers of diverse ethnic background by companies offering public transport services and by bus drivers
Organisation (original language)	Αρχή κατά του Ρατσισμού και Οργανισμός Συγκοινωνιών Επαρχίας Λευκωσίας
Organisation (EN)	Equality Body (Anti-discrimination Authority) and Nicosia Transport Organisation OSEL
Government / Civil society	Independent public body (Equality Body) and private company (OSEL)
Funding body	None
Reference (incl. url, where available)	www.ombudsman.gov.cy/Ombudsman/Ombudsman.nsf/All/039C942A59914385C2257B9E00313203/\$file/%CE%9A%CE%B1%CF%84%CE%B5%CF%85%CE%B8%CF%85%CE%BD%CF%84%CE%AE%CF%81%CE%
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	The Guide was published in June 2013. It has no finishing date.
Type of initiative	Publication of Code of Good Conduct
Main target group	Bus companies, bus drivers
Indicate level of implementation: Local/Regional/National	Regional (Nicosia district)

<p>Brief description (max. 1000 chars)</p>	<p>In collaboration with a national bus company, the Equality Body published a set of guidelines for bus companies and for bus drivers, in an effort to create a regulatory framework, in the form of a non-binding code of conduct, on how foreign passengers must be treated and on the complaints procedures to be followed in the event of allegations for discriminatory or racist behaviour..</p> <p>The publication is divided into two. The first section targets the bus drivers, urging them to respect all passengers and refrain from any action that may be perceived as sexual or other form of harassment or may offend one's dignity or create a hostile or humiliating environment for a person, even if the bus driver is provoked. The second section targets the bus companies, urging them to ensure that their drivers comply with the guidelines and to apply and encourage the practice of requiring bus drivers or bus conductors to submit written reports of incidents. Bus companies are also required to examine complaints in a timely, confidential and objective manner and to impose the required sanctions; ensure that complainants are not victimized or harassed or targeted and that all passengers or other persons can submit complaints in relation to conduct which they consider to be racist; carry out regular vetting of the bus drivers in matters of behaviour especially towards migrant passengers; intervene decisively when discriminatory treatment or racist behaviour is established; take measures to ensure that conduct that has led to a violation of the Guidelines will not be repeated in the future.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>The initiative is transferable to all settings where public transport services are used by migrants</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>Buses are now in their majority used by migrants, and particularly by migrant women for their access to work</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The impact is expected to be concrete, as the bus will no longer be seen as an unmonitored space where no migrant passenger rights apply and no recourse to justice is possible. Whether the results will be measurable will depend on whether the bus company implements the recommended measure of recording incidents.</p>
<p>Give reasons why you consider the practice as transferrable to other settings and/or Member States?</p>	<p>A simple but potentially effective measure to turn the spotlight on incidents taking place within the unmonitored space of a public transport vehicle, in order to act as a deterrent against potential perpetrators, reinforce a feeling of security for passengers, particularly the vulnerable female migrant passengers, and offer the tools for recording incidents in order to comprehend the extent and the nature of the problem.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review</p>	<p>The Code was issued in response to a number of complaints lodged to the Equality Body by migrants through a migrant support NGO. The NGO that filed the complaint was informed both in the process and of</p>

assessment and implementation of the practice.	the outcome. But there was no actual participation of migrants in the design and implementation.
Explain, if applicable, how the practice provides for review and assessment.	No such provision is explicitly made. However, if the bus companies enforce the recommendation for the recording of incidents, it may in the future serve as a tool to facilitate one dimension of assessment.

Annex 8: Discrimination complaints submitted to Equality Bodies

Table 3 – Numbers of discrimination cases on any ground submitted by third country nationals (TCNs) in 2014*

The Equality Body does not maintain statistical data as regards the nationality of the complainants, only whether they are

- third country nationals or
- EU nationals or
- Cypriots.

Number of cases (report the 10 Largest nationality group that submitted a complaint by the end of 2014)	Grounds								
	Racial or ethnic origin	Nationality (where applicable)	Race / skin colour	Religion / faith/ belief	disability	gender	Sexual orientation / gender identity	age	other
A total of 19 complaints were submitted in 2014 by TCNs to the Anti- discrimination Authority, which examines complaints in all fields beyond employment. The nationality of the complainants is not recorded.	3 (concerned racial incidents)	6		2					10
A total of 6 complaints were submitted in 2014 by		4				2			

<p>TCNs to the Equality Authority, which examines complaints in all fields beyond employment</p> <p>The nationality of the complainants is not recorded.</p>									
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Table 4 - Outcome of discrimination cases on grounds of ethnic origin submitted by third country nationals*

No statistical data is maintained either by the Equality Body or by the courts to enable the completion of this table. In the case of the Equality Body, the data on the outcome of the investigations are processed for all six grounds of discrimination; no data as regards the outcome is available regarding the complaints submitted by third country nationals. In the case of the courts, no statistical data whatsoever are kept; cases are recorded only by name and by registration number.

* Provide data for 2013 if 2014 not available by March 2015

Annex 9: Case law – max 5 leading cases

1 - Thematic area	Rejection of citizenship application
Decision date	7 July 2014
Reference details	Supreme Court of Cyprus, <i>Leelawathie Perera v. the Republic of Cyprus</i> , Case No. 467/2010. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2014/4-201407-467-10.htm&qstring=LEELAWATHIE%20and%20PERERA ,
Key facts of the case (max. 500 chars)	The applicant, a Sri Lankan national, came to Cyprus in 1997 to work as a domestic worker. She was issued repeated back-to-back visas until 2006, when her visa was stamped as 'final-not renewable'. Having completed a stay in excess of seven years, she applied for citizenship. Whilst her application was pending, she married the father of the two children she had given birth to while in Cyprus. Her citizenship application was rejected on the ground that her arrival and residence in Cyprus was intended to be temporary and she had not fully integrated into Cypriot society. The applicant argued that she met all the criteria foreseen in the law as regards citizen acquisition and the rejection of her application was arbitrary. She further argued that the attempt to invoke the criteria applicable for acquiring the long term migrant status were irrelevant because she was not applying for the long term residence visa. The Court found that the rejecting decision was not sufficiently researched or justified and ruled to set it aside.
Main reasoning/argumentation (max. 500 chars)	The court rejected the two arguments put forward by the authorities, namely that she had not fully integrated into society and that the nature and duration of her stay did not justify her registration as a citizen. The attempt of the authorities to introduce in this context prerequisite elements from the Long-Term Residence Directive was deemed by the Court as irrelevant and was rejected. As regards the issue of her integration, the file contained two inconsistent accounts, one claiming that she had integrated and the other that she had not integrated; the authorities chose the first without any explanation as to why they rejected the second, which renders the decision inadequately justified and thus wrongful.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	When data in an applicant's file is inconsistent, additional investigation should be carried out in order to establish the facts; the administration cannot rely on inconsistent information in order to justify its decision. The law regulating the acquisition of citizenship specifically provides that domestic workers are entitled to apply and

	<p>therefore the applicant could not be excluded on the premise of the nature of her visa.</p> <p>The reference in the police report that “the applicant is of good character but if she is granted citizenship this will give the right to her husband and her children to remain in Cyprus and eventually claim citizenship too” is an external factor that should not have been considered; even though this was not incorporated in the Chief Immigration Officer’s report to the minister, one cannot exclude the possibility that the applicant’s citizenship application was viewed through these lenses, which is unacceptable.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The application for judicial review of the decision rejecting the applicant’s citizenship application was successful; the rejecting decision was annulled and the respondents were ordered to pay all costs.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p>Τα πιο πάνω αποκαλύπτουν ως αποφασιστικά στοιχεία για το αποτέλεσμα της αίτησης της αιτήτριας, κατά πρώτον το ζήτημα της ενσωμάτωσης της αιτήτριας στην κυπριακή κοινωνία και της προσαρμογής της τελευταίας με τα ήθη και έθιμα του τόπου και κατά δεύτερο την άποψη της Διευθύντριας ότι η καθαρά εργασιακής φύσεως και προσωρινής μορφής παραμονή της αιτήτριας, δεν δικαιολογούσε την πολιτογράφηση της. Αναφορικά με το πρώτο ζήτημα, της προσαρμογής της αιτήτριας, η Διευθύντρια και κατ' επέκταση ο Υπουργός, είχαν ενώπιον τους δύο αντίθετες απόψεις, από τις οποίες στο τέλος υιοθέτησαν τη μία χωρίς αναφορά στους λόγους απόρριψης της άλλης και χωρίς περαιτέρω διερεύνηση στοιχείων και δεδομένων. Με βάση δε, το ιστορικό της αιτήτριας, την πολυετή νόμιμη παραμονή της, τις επιστολές των κατά καιρούς εργοδοτών της και τις συστάσεις των Κύπριων πολιτών που υποστήριζαν την αίτηση της, καθώς και τον επισήμως διαπιστωμένο καλό χαρακτήρα της, η άποψη ότι δεν είχε προσαρμοσθεί πλήρως στην κυπριακή κοινωνία, παραμένει μετέωρη και συνεπώς ατεκμηρίωτη.</p> <p>The above reveal as decisive for the outcome of the request of the applicant, firstly the issue of integration of the applicant in Cypriot society and her adaptation to the manners and customs of the island and secondly in terms of the Director that the networking nature and form of temporary stay of the applicant, did not justify her naturalization. Regarding the first issue, the adjustment of the applicant, the Director and, by extension, the Minister had to consider two opposing views, from which in the end one was adopted without reference to the reasons for the rejection of the other and without further investigation of the data. Indeed, based on the history of the applicant, her many years of lawful residence, the recommendations provided by her employers and by the Cypriot citizens who supported her application, as well as the undisputed good nature of her character, the view that she was not fully integrated in Cypriot society remains vague and therefore unsubstantiated.</p>

2 - Thematic area	Rejection of citizenship application by a spouse of a Cypriot national and issue of orders of detention and deportation against her
Decision date	23 December 2014
Reference details	Supreme Court of Cyprus, Guilan Zhou v. The Republic of Cyprus, Case No. 1079/2014. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2014/4-201412-1079-2014apof.htm&qstring=GUILAN%20and%20ZHOU
Key facts of the case (max. 500 chars)	<p>The applicant, a Chinese national, came to Cyprus in 2003 in order to attend a college. In 2004 she married a Cypriot and since then secured repeated residence permits sometimes as a visitor spouse of a Cypriot national and sometimes for work. In 2008 she applied for citizenship as a spouse of a Cypriot citizen; this was rejected because of her previous stay without a visa for various periods during which the applicant had delayed applying for her visa. Her application for the judicial review of this decision was rejected. She subsequently re-applied for citizenship and for a visa as a visitor spouse of a Cypriot national; she was granted the visa until 2016. The police reported that her marriage was genuine, that the couple lived together harmoniously and that their economic situation was satisfactory. However, her husband's daughter from a previous marriage moved her husband to an old people's home without notifying the applicant and forced the applicant to leave her husband's house. Her husband died on 31 December 2013. The immigration authorities cancelled the applicant's visa on the ground that she was no longer cohabiting with her husband. The applicant was then found to be working without a permit and was ordered to leave Cyprus. A detention and deportation order was issued against her. She applied to the Court for the judicial review of the detention and deportation orders and succeeded in having them annulled</p>
Main reasoning/argumentation (max. 500 chars)	<p>The latest visa issued to the applicant was cancelled on the sole ground of the interruption of her cohabitation, without giving the applicant the right to be heard and without examining whether her marriage was genuine. Such an investigation was indeed necessary given the police reports expressing doubts as to whether the marriage was genuine because the applicant was much younger than her Cypriot husband. But instead of referring the case to the Advisory Committee for False Marriages for investigation, the immigration authorities wrongfully decided to rely entirely on the account of the daughter of the applicant's husband, without investigating her allegations.</p> <p>The applicant was not offered the option of voluntary return as foreseen in the legislation transposing the Return Directive. Given that there was no reason why her case should fall outside the scope of this Directive, the failure to offer her the</p>

	option of voluntary return violated the provisions of the Return Directive.
<p>Key issues (concepts, interpretations) clarified by the case</p> <p>(max. 500 chars)</p>	<p>The rejection of the applicant's citizenship application due to previous periods of illegal stay had to be reviewed in light of the CJEU ruling in <i>Ergat v. Stadt Ulm</i>, which required that the issue of illegal stay be seen not in isolation or in an absolute manner but in combination with other relevant data.</p> <p>The justification given by the authorities for the issue of the detention and deportation orders was not convincing; the applicant continued to be a spouse of a Cypriot national with a lawful residence in Cyprus of many years and the detention and deportation orders were issued in breach of the principles of good administration, good faith and proportionality.</p>
<p>Results (sanctions) and key consequences or implications of the case</p> <p>(max. 500 chars)</p>	The detention and deportation orders issued against the applicant were annulled and set aside. The Court ordered that all costs be paid by the respondents.
<p>Key quotation in original language and translated into English with reference details</p> <p>(max. 500 chars)</p>	<p>Η δε αιτιολογία που έδωσε η διοίκηση για τα επίδικα διατάγματα, όχι μόνο δεν είναι επαρκής, αλλά φαίνεται ότι με τον τρόπο που άσκησε τη διακριτική της ευχέρεια, προκύπτει πλάνη ως προς τις νομικές επιπτώσεις της διακοπής της συμβίωσης. Περαιτέρω, οι επίδικες αποφάσεις με τις οποίες διατάχθηκε η απέλαση και κράτηση της αιτήτριας, η οποία εξακολουθούσε να είναι σύζυγος Κυπρίου υπηκόου, με νόμιμη διαμονή στην Κύπρο επί σειρά ετών, υπό τις περιστάσεις της συγκεκριμένης υπόθεσης, παραβιάζουν τις αρχές της χρηστής διοίκησης, της καλής πίστης και της αρχής της αναλογικότητας.</p> <p>Indeed, the reasons given by the administration for the disputed orders, not only are insufficient but it seems that the way the discretion was exercised revealed an apparent error as to the legal implications of the interruption of the cohabitation. Furthermore, the contested decisions ordering the deportation and detention of the applicant, even though she was still the wife of a Cypriot citizen with legal residence in Cyprus for many years, in the circumstances of the case, violated the principles of good administration, good faith and proportionality.</p>

3 - Thematic area	Application for acquiring the long term residence visa
Decision date	13 March 2013
Reference details	AndriyPopovic v. The Republic of Cyprus, Supreme Court of Cyprus, Case No. 1699/2011. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2013/4-201303-1699-2011.htm&qstring=Andriy%20and%20Popovich

<p>Key facts of the case</p> <p>(max. 500 chars)</p>	<p>The applicant was a Ukrainian national who came to Cyprus in 1998 to work as a construction builder, on the basis of back-to-back visas which were being renewed. In 2011 he applied for the long term residence visa. His application was rejected on the ground that he did not have stable and regular economic resources considering his weekly salary (€360) and the fact that he did not have his own accommodation. The applicant applied for the judicial review of this decision arguing that it violated both the letter and the spirit of the Long-Term Residence Directive, because the factors taken into account to assess his economic capacity should have been seen indicatively and not exhaustively. In addition, the Directive casts a duty on member states to investigate all relevant criteria in good faith and to take all factors into account in order to achieve the effective implementation of the Directive. The immigration authorities had failed to take into account that he had completed 12 years of lawful stay, the last five of which uninterruptedly; he had two children born in Cyprus, aged 10 years and three months respectively; he was a qualified mechanical engineer and had been continuously working since he arrived in Cyprus; he had secured a certificate of basic knowledge of Greek and an employment contract of 20 months' duration; his remuneration included tips and overtime pay which was not taken into consideration by the authorities who failed to consider other terms of his contract that may potentially increase his salary; he never resorted to the welfare system of the Republic and was paying his social insurance contributions regularly; he was renting an apartment for the accommodation of himself and his family, as neither the Directive nor the national law require applicants to own their accommodation premises; the authorities failed to consider the level of minimum salaries as an indicator for the adequacy of resources, as required by the Directive.</p>
<p>Main reasoning/argumentation</p> <p>(max. 500 chars)</p>	<p>In spite of evidence in the applicant's file which could have been assessed in favour of the applicant in accordance with the criteria set by the Directive, these were not adequately investigated, leading the authorities to the conclusion that he did not have adequate resources. The argument of the authorities that the visas granted to the applicant contained a time restriction which justified his exclusion from the scope of the law, based on the reasoning in the case of <i>Motilla v. Republic</i>, was rejected because there was no condition in the applicant's visa formally restricting its duration, that would justify exclusion from the scope of the Directive. Even if this argument had been valid, the authorities were not justified to raise it laterally, since there was no evidence in the applicant's file that this was the operative reason for the rejection of his application.</p>
<p>Key issues (concepts, interpretations) clarified by the case</p>	<p>The authorities' conclusion regarding the adequacy of the applicant's resources was not sufficiently investigated or justified and lacked good faith, because it was not based on reasonable and credible criteria. The authorities had interpreted the Directive wrongly both as regards the manner</p>

(max. 500 chars)	of assessing the adequacy of his income as well as regarding the ownership of accommodation of the applicant and his family. The invocation of the restricted duration of the visas issued to the applicant was irrelevant and in any case could not be invoked laterally to justify a decision already taken.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The decision to reject his application was wrongful because it was not premised upon reasonable and credible criteria. The application for judicial review was successful and the administrative act by which the applicant's application for the long term visa had been rejected was annulled. Legal costs were attributed to the Republic.
Key quotation in original language and translated into English with reference details (max. 500 chars)	<p>Οι καθ' ων η αίτηση δεν φαίνεται να αξιολόγησαν τα πιο πάνω στοιχεία στο σύνολο τους παρότι ήταν σχετικά κριτήρια που θα έπρεπε να ληφθούν υπόψη. Αντιθέτως αξιολόγησαν τους πόρους του αιτητή με αναφορά στις μέσες μηνιαίες υπαλλήλων απολαβές για το έτος 2010 που τις καθόρισαν «μεταξύ €1874 και €2224, σύμφωνα με τα στοιχεία της Στατιστικής Υπηρεσίας» ... Ωστόσο η ίδια η Οδηγία δίνει ως κατευθυντήριο κριτήριο αξιολόγησης της επάρκειας των πόρων, το επίπεδο των κατώτατων μισθών και συντάξεων πριν από την αίτηση για τη χορήγηση του καθεστώτος του επί μακρόν διαμένοντος. Συνεπώς το κριτήριο που χρησιμοποιήθηκε διαφοροποιήθηκε και αυτό χωρίς εξειδίκευση για το επάγγελμα του αιτητή αλλά με μια γενική αναφορά σε μισθούς υπαλλήλων. Θεωρώ συνεπώς ότι παρά την ύπαρξη στοιχείων στο διοικητικό φάκελο που μπορούσαν να εκτιμηθούν σύμφωνα με τα κριτήρια που θέτει η ίδια η Οδηγία υπέρ του αιτητή, αυτά δεν διερευνήθηκαν επαρκώς. Το συμπέρασμα δε αναφορικά με τους πόρους του αιτητή και την οικονομική του κατάσταση δεν είναι επαρκώς αιτιολογημένο, αφού δεν στηρίχθηκε σε εύλογα και αξιόπιστα κριτήρια.</p> <p>The respondents do not appear to have evaluated the above data in their entirety even though they were relevant and should have been considered. Instead, they reviewed the resources of the applicant by reference to average monthly employee earnings for the year 2010 that they set "between € 1874 and € 2224, according to data from the Statistical Office" ... However, the Directive itself foresees as an indicator for assessing the criterion of adequate resources, the level of minimum wages and pensions prior to the application for granting the status of long-term resident. Therefore the criterion used was varied without specification as regards the applicant's profession but with a general reference to staff salaries. I therefore consider that despite evidence in the administrative file that could be assessed according to the criteria set by the Directive itself in favor of the applicant, these were not sufficiently explored. The conclusion regarding the resources of the applicant and his financial situation is not sufficiently justified, since it is was not based on sound and reliable criteria.</p>

4 - Thematic area	Rejection of citizenship application by a spouse of a Cypriot national
Decision date	31 October 2012
Reference details	Cyprus, Supreme Court, Emma Angelides v. the Republic of Cyprus, No. 1408/2010, 31 October 2012. Available at www.cylaw.org/cgi-bin/open.pl?file=apofaseis/aad/meros_4/2012/4-201210-1408-10.htm&qstring=1408%20w/1%202010
Key facts of the case (max. 500 chars)	In 2003 the applicant, a Philippino national, married a Cypriot national and was thereafter repeatedly granted renewable temporary residence permits. In 2008 she applied for citizenship. The police certified that her marriage was genuine and recommended that her citizenship application be accepted. In 2010 the immigration authorities rejected her citizenship application on the ground that she had remained illegally in the country for 15 days in 2004. The applicant challenged this rejection through judicial review and succeeded in annulling the rejection of her application.
Main reasoning/argumentation (max. 500 chars)	The act of rejecting the citizenship application is wrongful primarily due to lack of proper investigation. The Chief Immigration Officer offered no justification for her decision and the file did not show any investigation into the alleged reason for the rejection, which was the 15 days of illegal stay; the only issue which the police was instructed to investigate was whether the applicant's marriage was genuine and if she was of good character. The invocation of the 15 days of illegal stay as a justification for rejecting her citizenship application were lateral positions of the authorities which can in no way be deduced from the facts and therefore cannot be used as justification for the rejection.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The issue of illegal stay must not be viewed in an absolute manner particularly in light of the CJEU decision in <i>Ergat v. Stadt Ulm</i> which held that the non possession of a residence permit for short periods of time was immaterial since the authorities did not consider the legality of the applicant's stay as crucial for the purpose of issuing the short term visas. Given that the police investigation showed that the applicant's marriage was genuine and she was of good character, the 15 days of illegal stay, which took place a long time ago, must be seen as having been rectified by the fact that subsequent visas had been issued to the applicant.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The application for judicial review was successful and the administrative act by which the applicant's citizenship application had been rejected was annulled. Legal costs were attributed to the Republic.

Key quotation in original language and translated into English with reference details

(max. 500 chars)

Το ζήτημα της παρανόμου διαμονής έστω και στο παρελθόν που κρίθηκε κατ' απόλυτο τρόπο και επιβεβαιώθηκε και μεταγενέστερα από την Ολομέλεια στη **Z.M. v. Δημοκρατίας** - πιο πάνω - θα πρέπει να επανεξετασθεί ενδεχομένως υπό το φως της απόφασης του ΔΕΕ στην υπόθεση **Ergatv. StadtUlm**, C-329/97, ημερ. 16.3.2000, όπου στις σκέψεις 28-31, κρίθηκε ότι η μη κατοχή άδειας διαμονής του εκεί αιτητή για ορισμένα βραχεία χρονικά διαστήματα δεν είχε καμία σημασία εφόσον οι αρμόδιες αρχές του κράτους μέλους δεν αμφισβήτησαν για το λόγο αυτό τη νομιμότητα της διαμονής στο εθνικό έδαφος, αλλά αντιθέτως του χορηγούσαν κάθε φορά και νέα άδεια διαμονής. Η απόφαση παραπέμπει επίσης στις συναφείς υποθέσεις **Kadiman**, C-351/95, ημερ. 17.4.1997 και **Ertanir**-C-98/96, ημερ. 30.9.1997.

Το παρόν Δικαστήριο είχε εκφράσει παρόμοιες σκέψεις στις αποφάσεις **NoreenNuiquev. Δημοκρατίας**, [υπόθ. αρ. 1648/08](#), ημερ. 25.5.2010 και **Mutikah (ArcNo 5384169) v. Δημοκρατίας**, [υπόθ. αρ. 1833/08](#), ημερ. 25.5.2010, καθώς και στην **NickSolamillov. Δημοκρατίας**, [υπόθ. αρ. 642/09](#), ημερ. 22.7.2010, ως προς το ότι η διοίκηση δεν μπορεί αντιφατικά και ενάντια στη χρηστή διοίκηση να θεωρεί παράνομες περιόδους εκείνες που εκ των υστέρων καλύφθηκαν από ανανέωση των αδειών προσωρινής παραμονής.

The issue of illegal stay, even if previously declared in absolute terms and confirmed subsequently in plenary at ZM v. Republic - above - should perhaps be reviewed in the light of the decision of the CJEU in the case of *Ergat v. Stadt Ulm*, C-329/97, dated. 16.3.2000, which in paragraphs 28 to 31 considered that the non-possession of a residence permit for some short intervals did not matter if the competent authorities of the Member State did not thereafter contest the legality of residence in the national territory but instead granted him each time a new residence permit. The decision also refers to the relevant cases *Kadiman*, C-351/95, dated. 17.4.1997 and *Ertanir* C-98/96, dated. 30.9.1997.

This Court has expressed similar thoughts in decisions *Noreen Nuique v. Republic*, Case. no. 1648-1608 dated. 25.5.2010 and *Mutikah (Arc No 5384169) v. Republic*, Case. no. 1833-1808 dated. 25.5.2010, and the *Nick Solamillo v. Republic*, Case. no. 642/09 dated. 22.7.2010, in that the administration cannot inconsistently and against the principles of good administration consider illegal those periods retrospectively covered by the renewal of temporary residence permits.

Annex 11: Children with migrant background in secondary schools within zones of educational priority

Children with migrant background in secondary schools within zones of educational priority																			
SECONDARY SCHOOL	2010-11			2011-12			2012-13			2013-14				2014-15					
	Cypriot	Aliens (Non-Cypriot)	Total	Cypriot	Aliens	Total	Cypriot	Aliens	Total	Cypriot	EU national	EU ns	Aliens	Total	Cypriot	EU National	EU ns	Aliens	Total
1	Faneromeni Lefkosia	14	58	72	9	61	70	15	41	56	19	14	22	55	19	17	23	59	
2	Latsia Lefkosia	486	34	520	464	43	507	471	56	527	445	36	17	498	415	45	11	471	
3	Faneromeni Larnaca	144	70	214	138	55	193	127	48	175	127	35	11	173	131	26	11	168	
4	Xilofagou Larnaca	379	1	380	353	2	355	356	5	361	337	6	0	343	315	12	2	329	
5	Ayia Varvara Limassol	277	17	294	271	23	294	244	27	271	223	19	4	246	175	12	8	195	
6	Linopetra Limassol	464	61	525	450	70	520	442	59	501	514	38	25	577	487	39	24	550	
7	Neapolis Λεμεσού	245	71	316	241	95	336	205	108	313	183	59	30	272	190	61	44	295	
8	Secondary Ayios Antonios Limassol	184	24	208	160	30	190	164	35	199	139	22	9	170	131	21	9	161	
9	Panayia Theoskepasti Pafos	198	136	334	187	146	333	157	150	307	134	128	10	272	115	145	17	277	

Annex 12: Mixed Marriages from Cyprus National Statistics

Table 5 – Marriages of residentss by nationality of groom and bride, 2013

Nationality of groom	Nationality of bride																
	Total	Cyprus	Romania	Russia	Bulgaria	Philip.	Greece	U.K.	Ukraine	Poland	Georgia	Latvia	Moldova	Sri Lanka	Vietnam	Other	Not Stated
Cyprus	3,857	3,078	74	114	44	62	86	39	75	20	12	16	31	23	21	160	2
Greece	321	240	2	21	2	4	27	1	7	0	2	0	3	1	3	8	0
Pakistan	163	3	72	0	25	0	3	2	0	20	0	13	0	0	0	25	0
Un. Kingdom	155	29	0	5	2	22	1	71	4	2	0	0	1	1	2	15	0
Romania	146	18	50	1	0	38	0	2	2	0	1	0	7	7	7	12	1
Bangladesh	125	2	41	0	56	0	1	1	0	16	0	4	0	0	0	4	0
India	99	7	49	0	20	0	0	0	1	5	0	7	0	0	0	10	0
Russia	79	7	1	55	0	0	1	0	4	0	7	0	0	0	0	4	0
Georgia	76	4	0	17	0	0	1	0	4	0	49	0	0	0	0	1	0
Bulgaria	51	9	0	5	21	1	0	0	0	0	1	0	1	2	1	10	0
Syria	35	12	6	0	3	0	2	2	0	1	0	1	0	0	0	8	0
Lebanon	30	12	1	0	0	0	0	0	0	0	0	0	0	0	0	17	0
Nigeria	27	3	3	1	1	0	1	0	0	3	0	1	0	0	0	14	0

Egypt	26	11	5	0	6	0	1	0	0	1	0	0	0	0	0	2	0
Other	292	104	12	15	6	10	8	9	11	23	2	6	5	3	0	78	0
Not Stated	11	0	1	0	1	0	0	0	0	0	0	0	0	0	0	1	8
Σύνολο - Total	5,493	3,539	317	234	187	137	132	127	108	91	74	48	48	37	34	369	11