



Report of attacks, defamation, persecution and prosecution of KISA and its leadership

The adoption of a “tougher” line on migration and Asylum

Right from the beginning of his appointment in December 2019, the Minister of Interior declared the adoption of a “tougher” line on migration and asylum. With [data distortion and misinformation](#), depicting migrants and refugees as a threat to the [national security, demography and cultural identity](#) of Cyprus because of alleged associations with Turkey and terrorism, scapegoating them for unemployment, criminality and all ills afflicting the country. By also accusing them en masse of disobedience to the measures to contain the COVID-19 pandemic, the Minister compounded an already hostile environment created by a stringent, inherently discriminatory and human-rights abusive migration and asylum system, policies and structures. Espousing an openly and blatantly racist rhetoric, which resonates with extreme right, nationalist and neo-nazi circles, reproduced and propagated by a large section of the media and society at large on social media, the Minister foments and instigates an ever alarming growth of xenophobia and racism and anti-migrant and anti-refugee sentiment.

Having thereby set the scene, the Minister proceeded to get the government adopt an action plan purported [“to holistically tackle the growing migration flows”](#). This plan includes the adoption of refugee deterrence as its key objective through [illegal pushbacks and refoulement](#), [jeopardising the right to effective remedies and judicial review](#) as well as [detention of asylum seekers and irregular migrants as a rule](#) at the centre of his ministry’s aims.

The campaign against NGOs, human rights defenders and lawyers

In the context of this toxic narrative, [the Minister of Interior has unleashed anew a fierce campaign against NGOs](#), human rights defenders and lawyers active in the field of migration and asylum and fighting discrimination and racism. KISA with its work and highly critical positions and actions is the primary target of this campaign. Having first assigned KISA to the “bad”¹ type of NGOs which, in his opinion, [“maximise issues and target government services”](#) and [“perturb the government”](#). In an attempt to defend the indefensible policies and the whole edifice of migration and asylum, the Minister of Interior has responded with totally unsubstantiated smearing and mudslinging of KISA and its leadership, including ridiculous allegations for [links of KISA and ENAR](#)² with Islamic fundamentalist organisations and, almost by default in his opinion, with terrorism and Turkey.

¹ The other “good” type of NGOs are, according to the Minister, doing “wonderful work” and are, therefore, generously supported by the state.

² ENAR (European Network Against Racism) is a EU-wide network, of which KISA is a member since 2005.

With distortion and misleading presentation of the [Moneyval Report of the Council of Europe](#), the Minister hurls ridiculous insinuations against KISA and its leadership for money laundering, exploitation and profiteering at the expense of migrants and refugees for personal gain, with statements such as [“NGOs and lawyers make vast sums of money by assisting irregular migrants to legalise or extend their stay in Cyprus”](#).

As with his racist narrative and hostile environment for refugees and migrants, in this campaign against KISA, too, the Minister is supported by other politicians of his party, extreme right and neo-nazi forces, public officials and others. A prominent role of this alliance is played by the media, many of which, uncritically and unquestionably, ignoring the very basic principles of professional and ethical conduct of their sector, reproduce the government’s toxic narrative, the hostile environment for migrants and refugees and the attacks and defamation of NGOs. Among them, a specific pro-government media group³ is taking the lead with a parallel campaign of its own against KISA and its leadership.

Since its publication on **12/02/2020**, the Moneyval Report has been misused and distorted by many media and politicians, including Andreas Kyprianou, MP of DISY, the governing party, noted for his racist, extreme right, nationalist and sexist rhetoric. In June 2020, he called on the President of the House of Representatives [to declare KISA and its Executive Director as “persona non grata”](#).

On **8/3/2020**, in a statement to CyBC (Cyprus Broadcasting Corporation), Averof Neophytou, President of DISY, followed suit with the statement “There are some [who use asylum to get rich without considering the national damage they cause](#) ... and have set up an industry of millions thereby creating many problems to our country.”

On **20/09/2020**, in Simerini newspaper a journalist known for his nationalist views called on the Minister to [“Name and Shame!](#) ... all those who undermine national security out of selfishness, their own self-interest, greed, irresponsibility and/or treason.” Among others, the article states under the subtitle of “NGOs and lawyers”: “We are in a position to say that N. Nouris knows the subversive activity of particular NGOs. He knows the names of lawyers who make vast sums of money out of the exploitation of illegal immigration.” He also sends warnings that the “Greek Cypriot Hellenism does not take lessons from any NGO or weird so-called human rights defenders or American lover who praises the so-called multicultural composition of Cyprus.”

The outlawing of KISA

In July 2020 the Ministry of Interior submitted a bill and the Parliament, without any consultation with the affected NGOs, proceeded to the Amendment of the [Law on Associations and Foundations](#) of 2017 104(I)20171. With the [Amendment 118 \(I\)/2020](#), the Director General of the Ministry of Interior, in his capacity as Registrar of Associations and Foundations, acquired the power to proceed to the en masse deregistration of NGOs from the Register of Associations, if they did not comply with formal obligations to submit to the Registrar of Associations the information about their General Assembly, their Board, constitution and their audited accounts within two months from the publication of a list of NGOs .

³ The DIAS Media Group includes Radio Proto, Simerini newspaper and SigmaLive television.

The deregistration is **irreversible and automatically entails prohibition of continuing their action**, despite the fact that under the law, a Court procedure should follow for the dissolution of the associations.

[KISA considers that the Amendment of the Law on Associations and Foundations](#), is in violation of constitutional rights and international human rights law and constitutes a serious setback in terms of freedom of expression and freedom of assembly and association. The establishment and operation of associations constitutes an exercise of the right of freedom to association but also an exercise of the right of freedom of assembly, freedom of expression as well as the freedom of thought, conscience and religion, which are interrelated rights. The protection of personal beliefs enshrined in Article 9 (freedom of thought, conscience and religion) and Article 10 (freedom of expression) of the European Convention on Human Rights (ECHR) is also one of the purposes of the freedom of association and assembly protected by Article 11 of the ECHR. The ECHR ruled in several cases that the dissolution of an association or organization that is not based on particularly serious reasons creates conditions that prevent the exercise of the operation of both the association as well as its members but also of human rights organizations in general.

On 27/08/2020, based on this amendment, the Ministry of Interior published a list of 2827 NGOs, including KISA, which it informed that they had been placed in a "dissolution process" because until then they had not submitted the documents provided by the new Law on Associations and Foundations.

According to the announcement, the NGOs included in this list could "... submit representations for cancellation of their inclusion in this notification table, submitting all relevant information in support of their request" until 26/10/2020. It also stated that after 27/10/2020 the Ministry would publish "The second notification with the final list with the names of the Associations under dissolution" would be deregistered "automatically from the Register of Associations".

KISA submitted its representations laying down the grounds upon which it established its position that it should not be included in the subsequent list of NGOs for dissolution purposes timely and on 26/10/2020. The main argument of KISA was that an NGO /association may not be dissolved because of not complying with formal obligations and that KISA was an active NGO for the last 20 years exercising their right to association and assembly and freedom of expression. KISA also informed the Registrar of the date its General Assembly was planned and that the audited accounts of the association until 2018 were ready to be submitted and that the 2019 accounts would be submitted shortly after.

On 27/11/2020 the Registrar of Associations rejected KISA's representations on grounds of not formally complying with the deadlines for submitting the relevant information to the Registrar of Associations and informed KISA it would be included in the second list of associations for dissolution.

According to the law, KISA had 30 days to challenge this decision with a hierarchical recourse to the General Registrar of Association, with automatic suspensive effect of the deadline for such a recourse and in case of its submission, until a decision is reached on the hierarchical recourse.

On 17/12/2020, KISA submitted its hierarchical recourse to the Ministry of Interior, within the provided deadline. KISA's recourse was rejected on 07/01/2021.

On 14/12/2020, the Ministry of Interior, revealing its true intentions, proceeded [to remove KISA from the Register of Associations](#), ignoring even the right provided for in the Law to hierarchical recourse with

automatic suspensive effect. This action of the Ministry aimed to outlaw KISA's action and thereby to silence a historic dynamic NGO highly critical of the policy of human rights violations by the government.

On 10/01/2021, KISA held its General Assembly, after which it submitted all formal requirements of the law, namely its audited accounts for 2019, amended statutes and names of the new Steering Committee members. We have not had any response from the Registrar of Associations about this.

It is important to note that the government did not treat all deregistered organisations equally in giving them the opportunity to have their registration reinstated. The government stance was discriminatory towards some organisation, especially those in the area of sports. In particular, in the case of the Cyprus Olympic Committee (COC) and the Cyprus Paralympic Committee (CPC), both deregistered and both handling millions of euro, the government rushed a questionable law bill through Parliament. On 01/03/2021 the government passed through the urgency procedure the [Amendment of the Cyprus Sports Organisation Law 015\(I\)/2021](#)⁴. Articles 23A and 23B of this law stipulate that the COC and CPC, which "have been recognised by the International Olympic Committee according to the Olympic Charter and operate in accordance with its provisions, with this recognition [they] acquire legal personality in the legal order of the Republic of Cyprus, irrespective of their deregistration as associations". In effect, with this law, these Committees are no longer under any control about compliance with the Associations and Foundations Law, which was purported to, among others, guarantee transparency and combat potential money laundering, especially among sports organisations that Cyprus has been plagued with for some time now. The law is also indicative of the intentions of the government towards organisations like KISA as well as a proof that there are ways of resolving the issue if there is a will to do so.

This discriminatory approach is also manifested in the failure of the government to deregister sports organisations, such as GSP (Pancypria Gymnastics Association), the constitution of which includes discriminatory clauses. According to its constitution, "Regular members" "[can only be Greeks and whose applications for membership must be supported by two members, all Greek by birth or citizenship](#)", which it is in violation of the principles of article 4 of the Law on Associations.

The freezing of KISA's accounts aiming at the financial strangulation

On 15/02/2021, KISA was informed orally by the Bank of Cyprus that its bank accounts had been frozen. After repeated requests to the bank by KISA and its lawyer, the Bank informed us that this was based on an order to the banks by the Minister of Interior to freeze KISA's accounts and those of all other deregistered organisations because of their deregistration. This is again in violation of the Law on Associations as the freezing of bank accounts is the first step to dissolve an organisation, which can only be effected by a court decision on the application of the Registrar of Associations according to the Law. To our knowledge, the Registrar has not submitted such an application to the Court.

According to information received unofficially by KISA, the Ministry of Interior issued another order to the banks that this measure should not be applied to deregistered sports associations. This is another indication of the unequal and discriminatory treatment of deregistered organisations by the Ministry of Interior.

⁴ http://www.cylaw.org/nomoi/enop/non-ind/1969_1_41/division-dd6c163a82-e293-4179-8edb-ecd3d660a05f.html

The freezing of KISA's bank accounts has had serious repercussions on its operation and action, including having to dismiss 2 staff members, non-payment of salaries, Social Insurance and other statutory contributions, rent and other basic running expenses, as well as non-payment of expenses for carrying out its work and action and for the implementation of projects. Also, the freezing of its bank accounts made it impossible for KISA to receive any incoming funding from projects, contributions and other sources.

In addition, KISA's deregistration has excluded it from all national public funding, including government services, semi-government organisations and independent authorities. An example of this exclusion was the rejection by the Nicosia District Officer, dated 03/06/2021, of KISA's application for funding, in the framework of a 4-year Plan of the Ministry of Interior for the regeneration of the Green Line areas of Nicosia. KISA's application concerned construction works in our premises that would enable us to convert part of the building to a communications hub/online radio for migrants and refugees. According to the District Officer's letter, our application was rejected because "it has been established that the constitution of your association ... has not been updated and has not been checked whether it complies with the Associations and Foundations Law". It is noted that the Nicosia District Officer also acts as the Nicosia Registrar of Associations, who rejected our administrative appeal against including KISA in the organisations to be deregistered, before the final deregistration in December 2020. As noted above, KISA did submit its updated constitution and all other information required by the law immediately after its General Assembly in January 2021

The registration of a new transitional entity

On 19/05/2021, the Registrar of Companies approved KISA's application to register as a [Non Profit Company](#) (NCP). This decision was taken in view of the length of the court procedures, as a transitional stage and until the reinstatement of the legal status of association and mostly so as not to be any question whatsoever on the part of the administration and the executive power regarding KISA's legal status.

Nevertheless, the Minister of Interior and Ministry of Interior services continue to ignore this development and to label KISA as an "outlawed" organisation, another fact that confirms that the intentions of the Ministry are none other than the persecution and silencing of KISA and its action.

On 20/09/2021, the Parliamentary Committee on Human Rights and Equal Opportunities for Men and Women had a meeting on the issue of a [Syrian refugee woman who had just given birth](#) and had been recently separated from her family (two children, aged 1,5 and 3 years old, and husband), who along with other refugees had been pushed back to Lebanon by the Cypriot coastguard. On the Friday before the meeting, KISA was informed that the Minister of Interior (Moi), in a letter to the chair of the Committee, said he refused to attend because [KISA, which was "illegal" because it had been deregistered](#), was invited to the meeting. To its credit, the Committee unanimously considered the Minister's act as "unacceptable intervention in its work" and proceeded to hold the meeting with KISA's participation.

In addition, in a [letter to the President of the House of Representatives](#) the Minister of Interior again refused to attend a meeting on 18/11/2021, this time of the Parliamentary Committee on Internal Affairs to discuss "The political management of migration flows". In an unexplainable interpretation of the law, the Minister claimed that by registering as a NPC KISA is "circumventing and violating" the law.

On the basis of KISA's consideration that the Law on Associations violates constitutional and international human rights law, we are challenging the decision of the Ministry of Interior to deregister it. After the [Administrative Court's rejection of KISA's application on 10/06/2021](#), KISA filed an appeal to the Supreme

Court. KISA's request for an accelerated procedure for the appeal was partly granted as the Court already gave directions for filing KISA's written submissions after which it will be set for a hearing.

Prohibition of entry to the reception centres for asylum seekers

As from 24/09/2021, the Asylum Service (AS) refused to grant KISA access to Kofinou reception centre to visit a Syrian woman who had recently given birth, while her husband and 2 young babies had been pushed back, with other Syrian refugees, to Lebanon. The reason for the AS's refusal was that it considered KISA to be "illegal". KISA responded with a letter to the head of the AS, informing her that as a result, the meeting with the Syrian woman had to take place outside the centre under unacceptable conditions for her and her baby. We also informed her that, although KISA had been deregistered, it has not been dissolved, it is registered in the Register of Companies as a NPC and is not therefore "illegal". However, in a 3-line response to our letter, the head of the AS repeats her and the Minister's allegation, thereby violating the Law on associations and totally disregarding the Companies Law. Since then, KISA has been barred from accessing all such centres.

On 12/03/2022, Doros Polykarpou of KISA and Brigitte Espuche, Coordinator at Migreurop, a Euro-African network, who was on a visit to KISA, a member of the network, went to Pournara "reception centre" to verify the claims of a number of unaccompanied minors seeking asylum, who had escaped from Pournara a few days previously in protest against the inhuman conditions they were subjected to there, and to get a direct and personal view of them. They entered the camp through an open unguarded gate. In the course of their visit, Doros Polykarpou was verbally and physically attacked by private security guards of the company running the camp, who told him that "he should not be there" and that they "had entered the camp illegally". D. Polykarpou and B. Espuche were directed to the local Police station, where D. Polykarpou launched a complaint for physical assault against the guards. On 13/03/2022, D. Polykarpou was called to the Police station, where he was informed that he was prosecuted with the charges of "illegal entry, common attack, disturbance, public insult, illegal processing of personal data without permission from the person concerned and conspiracy to commit an offence". On 14/03/2022, B. Espuche sent a [statement to the President of the Parliamentary Committee on Human Rights and Equal Opportunities for Men and Women](#).

Refusal of examination of complaints by the independent human rights authority

Adopting the same position as the MoI and in line with a clearly hostile stance towards KISA since her appointment in 2017, the Commissioner for Administration and Protection of Human Rights (Ombudsperson) repeatedly [referred to the "former" KISA](#) during a meeting, on 18/10/2021, of the Parliamentary Committee on Human Rights and Equal Opportunities for Men and Women. She did not reply to an MP's question why she called KISA a "former" organisation.

In addition, the Ombudsperson excluded KISA from an online consultation meeting on hate crime, held in cooperation with the OSCE-ODIHR in March 2021 as well as from the Working Group set up in November 2021 to tackle hate crime in Cyprus. In excluding KISA, the Ombudsperson failed to acknowledge the fact that KISA is by far the most experienced NGO in Cyprus in this area, as the issue of hate speech and hate crime has been one of its priorities for a number of years, with a plethora of actions implemented in the framework of EU and other-funded projects. These include cooperation with and training of Law Enforcement Agencies on the issue, research and reports, public discussions and other events, awareness-

raising campaigns and publications. An important aspect of KISA's work on this issue is the provision of information, support and mediation services to victims of hate speech and hate crime through its Migrant and Refugee Centre.

What is of more concern, however, is that the Ombudsperson has failed to respond to KISA's three letters, dated 11/03/2020, 24/03/2021 and 19/10/21. In these letters, KISA reported the systematic attacks by the government and ruling party DISY, including the Minister of Interior, as well as a section of the media, against NGOs and targeting especially those engaged in the areas of migration and asylum, in an attempt to defame and slander them, and we informed the Ombudsperson about KISA's registration as a NCP.

We also informed the Ombudsperson that the [European Commissioner for Human Rights of the CoE](#), [5 UN Special Rapporteurs](#) and a large number of [European](#) and [international](#) organisations consider that KISA's deregistration is a violation of human rights.

Instead of taking a clear position in line with these international HR institutions, in her report on Cyprus in the [State of the rule of law in Europe report 2021](#) of the European Network of HR Institutions (ENHRI) (p. 174), the Ombudsperson [totally justified the deregistration of KISA by the government](#).

Delays and failure of the Police to investigate KISA's complaints

Several complaints filed by KISA and Doros Polykarpou, then Executive Director of KISA, for on line threats, defamation and physical attacks were not adequately or timely investigated by the Police. Indicatively:

1. On 25/07/2020, Doros Polykarpou filed a complaint at Likavitos police station for attack at a far right "citizen's demonstration" in Aglantzia with the active participations of ELAM. The "protest" took place on 22/06/2020, against the operation of a centre for refugee women and unaccompanied children.
2. Following a complaint to the Likavitos police station by KISA, initially in January via telephone and confirmed in writing on 20/03/2020, regarding the arbitrary and illegal use of KISA's parking lot by a construction company, on 11/05/2020 the owner of the company verbally attacked Doros Polykarpou and threatened "to cut him into pieces", all witnessed by a number of people in the neighbourhood. KISA immediately reported the attacks and threats to the Police, two members of which arrived on the spot shortly afterwards. The two police officers informed KISA that the Police would proceed with the investigation of the attacks and threats. Following our unsuccessful attempts to be informed about the investigation of the above, in a letter dated 09/06/2020, KISA reported the above to the Chief of Police. On 08/12/2021, a police officer from Likavitos police station informed KISA that they had concluded the investigation about KISA's complaint re. the parking lot. Asked about the complaint for the threats against Doros Polykarpou, the police officer did not know but would look into it and inform us. Todate, we have had no further information.
3. On 15/08/2021, Doros Polykarpou filed a complaint at Ayios Dometios police station about online life threats against him and his family and other offences.
As the Police did not respond to any of the above, KISA filed a complaint to the Independent Authority for the Investigation of Allegations and Complaints Against the Police (AADIPA) on AADIPA has not as yet issued its opinion on any of the above complaints.
4. On 15/01/2022, Doros Polykarpou filed a complaint at Paphos police station against the Police for failing to prevent extreme right demonstrators from racist attacks and threats against the residents, mostly

Syrian refugees, of the St. Nicolas building complex in Chloraka, Paphos. We have information about the investigation.

5. On 12/03/2022, Doros Polykarpou filed a complaint at Kokkinotrimithia police station for a physical attack by guards in Pournara camp. The case is at the initial stage of investigation.

The history of criminalisation and persecution of KISA and its leadership

As it can be easily discerned from the examples listed below, in the course of its over 23-year lifespan, KISA has been the target of a multitude of attacks, defamation and discrediting campaigns, including criminal prosecutions. The current onslaught against KISA will most probably not be the last one. But as with all previous ones, once again KISA declares its resolution and determination to face up to this new attempt to stop its action in supporting and advocating for the rights of migrants and refugees and to silence its critical voice for human rights and against racism. What follows provides a small fraction of these attacks and campaigns.

Members of KISA's Steering Committee, as well as ordinary members and activists with a migrant and refugee background, who are hired by public services as interpreters, mediators or other temporary, low-paid jobs, are systematically intimidated and/or directly prohibited from having any ties with KISA. This is particularly so in the case of the Civic Registry and Migration Department and the Asylum Service of the Ministry of Interior.

On **13/03/2022**, Doros Polykarpou was accused by the Police of "illegal entry, common attack, disturbance, public insult, illegal procession of personal data without permission from the person concerned and conspiracy to commit an offence", which allegedly took place on 12/03/2022, at the Pournara reception centre.

On **15/01/2022**, Doros Polykarpou was charged by the Police with "violation of the personal data law" for taking photos of demonstrators during an event [aimed to intimidate refugees residing in the St. Nicolas building complex in Chloraka](#), Paphos.

On **06/04/2021**, Nicoletta Charalambidou, KISA's lawyer and a member of its Steering Committee, was notified by letter the Disciplinary Board (DB) of the Cyprus Bar Association (CBA) that she was under investigation after "evidence on the basis of which it is possible that you are guilty of dishonourable, fraudulent or incompatible conduct towards the profession or that you have acted or behaved in a way that contradicts or conflicts with the provisions of the Code of Conduct for Lawyers". This resulted from a letter of the Minister of Interior, which was sent on 10/04/2020, i.e. a year earlier, to the previous president of the CBA. In the letter, the MoI accuses N.Charalambidou that she "had attempted to incite an uprising" of asylum seekers in Pournara. The "written testimonies" referred to in the MoI's letter and which the DB refers to as "evidence" have not been presented/submitted by the MoI, nor have the DB or the CBA appear to have requested them from the MoI. A fact that confirms KISA's position that these are totally unsubstantiated allegations aiming to defame and slander a widely respected human rights lawyer, who has been working for the promotion and respect of the human rights of migrants and refugees for a long time. As explained in detail in N.Charalambidou's reply to the above letter of the DC, she "acted as

a human rights lawyer, as required by my professional ethics and beliefs, to give in general my legal opinion to those who asked me and inform them about their rights. ... Throughout my visit there were no episodes or any such intensity that suggests that any episodes or inappropriate behaviours would follow.” Todate, the Disciplinary Board has not replied to N.Charalambidou’s reply.

On **2/08/2019**, Doros Polykarpou, KISA’s Executive Director, was [arrested and prosecuted](#) with the charges of “obstructing police work and resisting arrest”. This was preceded by an incident outside KISA’s previous premises with a police officer shouting and harassing a young person. Doros, along with other KISA staff and many neighbours, went to see what was happening and offered to help the young person who was clearly in distress. This caused the said police officer ordering Doros to leave. When Doros pointed out that it was his right to remain at the scene, the police officer proceeded to call other police officers to come for Doros’s arrest. The case is still pending in court.

In **2016**, the Police prosecuted Doros Polykarpou and another member of KISA with the charges of “conspiracy to commit a criminal offence, illegal entry of a property with the intent of causing disturbance and intervention in a court procedure”. Doros Polykarpou and another person entered an apartment, whose occupants had left a few days earlier, to investigate the circumstances as to the killing of a migrant man by the police. The court decided that all three charges were totally unsubstantiated and therefore acquitted Doros and the other person.

On **19/06/2014**, Doros Polykarpou was charged by the police for attack causing real bodily harm of a prison officer, in an incident 01/04/2013, outside Doros’s house, adjacent to the Central Prison in Nicosia. The court found the charge totally unsubstantiated and acquitted Doros in 2016.

In **February 2011**, the Immigration Officer ⁵in cooperation with the Aliens and Migration Service of the Police submitted a complaint to the Attorney General, asking for the disciplinary prosecution of a lawyer member of KISA’s Steering Committee, ostensibly for submitting a “false complaint” to the Independent Authority for the Investigation of Allegations and Complaints against the Police about the maltreatment of a migrant client, who was detained for the purpose of deportation by members of the Aliens and Migration Service. It is noted that the court had judged that the said migrant’s detention was illegal. Instead of releasing him, the authorities deported him by force in order to avoid a new court decision in a new case filed by his lawyer before the Supreme Court. The lawyer was finally acquitted by the Disciplinary Board of Lawyers four years after the case started.

On **05/11/2010**, a racist march of the Greek Resistance Movement (KEA), other extreme right and nationalist groups and elements, including a member of the House of Representatives and a local councilor, attacked the 13th *Rainbow Festival*⁶ at Finikoudes seafront, in Larnaca. In this march, they carried banners bearing slogans against Turkish Cypriots, Jews, Muslims, refugees, asylum seekers,

⁵ The title “Immigration Officer” was a remnant of the Aliens and Migration legislation that dates back to colonial times, when Cyprus was a British colony. The title has since changed to “Director of Civil Registration and Migration Department”. Much of this legislation is still in force despite the many amendments effected especially since 2004, when Cyprus joined the EU.

⁶ The *Rainbow Festival*, the largest multicultural anti-racist event in Cyprus, was organised annually by KISA, from 1999 to 2015, in cooperation with migrant and refugee communities, bi-communal and human rights civil society organisations, including Turkish Cypriot, independent institutions such as the Office of the Ombudsperson, the Youth Board, the EU Representative in Cyprus, local authorities and other stakeholders.

migrants and against KISA (which they routinely referred to as “a fifth columnist” and “axe and fire to KISA’s dogs”). The attack on the Festival, which was sponsored and supported by the Cyprus Youth Board, the European Commission Representation in Cyprus, the Head of which was at the Festival, the Ombudsperson’s Office and the Mayor of Larnaca, resulted, among others, in the attempted murder of a Turkish Cypriot musician who was hospitalised with serious knife wounds, the beating and wounding of another Turkish Cypriot musician, assault of a number of migrants, in many cases with serious bodily harm, risk to the bodily integrity of many children and women, as well as considerable material damages.

Some five months later, the police prosecuted KISA’s Executive Director, Doros Polykarpou, with charges of rioting, an offence punishable with a 3-year prison sentence, and of participating in an illegal assembly⁷. After a protracted trial and with the support and solidarity of many international and European agencies, networks and individual NGOs, Doros Polykarpou was finally acquitted on 5 June 2012. In the words of the coalition of the supporting organisations⁸, “... the accusations were manifestly false and represented only the most recent in a series of attempts⁹ by the Cypriot authorities to silence KISA ... We regret the charges were not withdrawn before such a lengthy trial took place.” To date, there has been no police or other inquiry as to the attack on the *Rainbow Festival* and its aftermaths, nor has there been any investigation as to the attempted murder of the Turkish Cypriot musician, who sued the Cypriot government for failing to protect him and to do him justice in relation to the hate crime against him.

In **October 2010**, the competent authorities took a number of actions in order to exclude a lawyer member of KISA’s Steering Committee from representing the Commissioner for Children’s Rights in cases of asylum-seeking unaccompanied minors. According to the Refugee Law, unaccompanied minors are represented legally for the purpose of asylum procedures by the Office of the Commissioner for Children’s Rights. During the discussion in the House of Representatives of an amendment bill so that the Commissioner could buy the services of private lawyers in order to be able to discharge its role as legal representative of unaccompanied minors asylum seekers, the Cypriot government made every effort to get a provision approved so that the Commissioner would not be able to buy these services from the said lawyer member of the Steering Committee of KISA, who was ‘photographed’ in the particular provisions of the amendment. After the reaction of a number of MPs and the Commissioner, as well as reports of the matter in the daily press, the government changed its position and disagreed with every proposed legal amendment that would provide separate legal representation of unaccompanied minors seeking asylum.

⁷ In the course of the trial, the police prosecutor dropped the second charge without any explanation but it was clear that it could not stand in court as KISA had obtained all relevant permissions.

⁸ European Association for Human Rights/ Association Européenne des droits l’Homme (AEDH), Euro-Mediterranean

Network for Human Rights, European Network Against Racism, Fahamu Refugee Legal Aid Programme, Front Line Defenders, Migreurop, Observatory for the Protection of Human Rights Defenders and Platform for International Cooperation on Undocumented Migrants, “*Press Release – Cyprus false accusation confirmed: Judge drops all charges against human rights defender Doros Polykarpou*”. See: <https://www.statewatch.org/news/2012/june/cyprus-human-rights-defender-acquitted-as-police-accusations-are-found-not-credible/>, accessed on 20122020

⁹ Observatory for the Protection of Human Rights Defenders, “*Annual Report 2011: Europe and the Commonwealth of Independent States*”, p. 397 and 399-400. See: http://www.fidh.org/IMG/pdf/obs_2011_uk-europecis.pdf

The result of this government position was, among others, the freezing of the examination of asylum applications by unaccompanied minors with very negative consequences on the children concerned.

In January 2008, Doros Polykarpou was arrested during a peaceful event in support of refugee women and children protesting in front of the Ministry of Interior. Even though he did not resist arrest and requested to be allowed to willingly present himself at the police station, he was violently handcuffed and taken to a police station. He was held for five hours and later charged with the use of loudspeakers without permission, resistance during arrest and cause of physical harm to the policeman who had arrested him. KISA was later informed in writing by the spokesperson of the Chief of Police that the case was not filed in the court.

In July 2009, a migrant woman from Bulgaria sought KISA's assistance in relation to systematic psychological violence, indecent behaviour and threats from the son of her former employers. She had come to Cyprus in 1999 as a domestic worker for an elderly couple and was residing in the same house with them. When her employers died in 2008 she continued residing in the same house which was actually the property¹⁰ of the Republic of Cyprus. During that period her adult son who had come to Cyprus in search of employment was also living with her. The son of her former employers after the death of his parents wanted to exploit the property and for this reason he was trying to force the woman to leave the house.

Because of serious indications of the risk of use of physical violence, KISA's Executive Director asked the local police station to investigate the matter and to intervene in order to prevent the risk of violence against the migrant woman and her son. The response of the police was that this was a case of private dispute and any complaints should be made to the court and that they could see no reason to intervene or to investigate possible offences. They also refused to investigate a complaint made by the son of the migrant woman about an attack by the son of the former employers against his mother. Furthermore, the policemen made degrading and racist comments concerning the gender and ethnic origin of the complainant for which they were criticised by Doros Polykarpou.

After three hours of waiting at the police station KISA's Executive Director made a last attempt to convince the policemen to intervene, pointing out the possibility of violent incidents resulting from the violent behaviour displayed by the former employers' son. The police continued to refuse to intervene and Doros Polykarpou left the station together with the complainants. More than 7 months later, on **11/02/2010**, the police prosecuted KISA's Executive Director for "threatening to use violence" and for "causing such a disturbance that might have given rise to concern among local residents and caused disturbance of the peace", who in this case were the police officers on duty at the police station.

In 2006, the Immigration Officer asked the Attorney General to investigate the possibility of criminal prosecution of a member of KISA's Steering Committee on the charge of his position as a public servant being incompatible with his role as a human rights activist.

¹⁰ The former employers of the migrant woman were refugees (internally displaced) of the 1974 coup and Turkish invasion. The government of the Republic of Cyprus housed many of these people but retained ownership of the properties.

Following this unsuccessful attempt, in December 2007, the Immigration Officer asked the University of Cyprus Senate, where the said member of KISA's Steering Committee worked, to take disciplinary action against him. This attempt also failed because the University Senate justifiably judged the accusations as unfounded.

In 2004, the police prosecuted KISA and the Chair and Treasurer of its Steering Committee because in 2002 the organisation had conducted public fundraising to pay towards the medical expenses of a domestic worker with a life-threatening disease. Fundraising for health issues was a common practice in Cyprus at the time but it was not regulated by law¹¹. Until then, there was no criminal prosecution for fundraising without permission. However, in the specific case of KISA's fundraising, the police acting at the request of the Migration Officer, proceeded with the prosecution of KISA. The court decided to have the money collected (£573 - about €980) confiscated by the police.

In 2006, the police prosecuted Doros Polykarpou, in his personal capacity and not as the Chair of KISA's Steering Committee, with the charges of "disobeying a court order and for receiving stolen goods" because the "product of the fundraising" was not found in the original bank account where the contributions were made in 2002. What had actually happened was that long before the new prosecution, the Steering Committee decided to transfer the proceeds of the fundraising to a special bank account for the health needs of migrants in general because the Ministry of Health had responded positively to KISA's request to waive the fee for the migrant woman's treatment. On 22/01/2008, the case was withdrawn during the court hearing by the public prosecutor, most probably in order to avoid embarrassing and discrediting of the police and the government, especially in view of the public outcry and support for KISA and its leadership both in Cyprus and internationally.

Steering Committee

Nicosia, March 2022

¹¹ This was changed with the Law on Fundraising 68(I)/2014, which requires written application prior to fundraising