



VOICES OF INTERNATIONAL STUDENTS - CYPRUS

Human Rights Violations Report – Quarter 3 & 4 (26 Apr – 26 Oct) 2022



Funded by the
European Union



Vois

VOICES OF INTERNATIONAL STUDENTS

C Y P R U S



This publication was funded by the European Union, co-financed by the US Embassy of Nicosia. Its contents are the sole responsibility of VOIS Cyprus and do not necessarily reflect the views of the European Union or the US Embassy of Nicosia.

Dedicated to those who fight for justice.

Contents

Contents	1
Contributors	2
Preamble	3
Summary	5
Human Rights Violations	6

Contributors

Ashraf Saleem

Maghazi Ahmed

Manni Saeed

Samuel Akoni – Editor

Emmanuel Achiri – Reviewer

Preamble

Human rights are one of the pillars upon which modern society rests. On the 10th of December 1948, the Universal Declaration of Human Rights was adopted by the United Nations General Assembly. The document included 30 articles detailing an individual's basic rights and fundamental freedoms and affirming their universal character as inherent, inalienable, and applicable to all human beings. It adopted things such as the right to life, freedom of movement, freedom of association and freedom of speech, and the right to dignified healthcare and life. Since then, several treaties, documents, and laws have been enacted and ratified by many regions and countries in the world, affirming and/or expanding on the declaration, such as the European Convention on Human Rights, which is also applicable in the northern part of Cyprus.

The northern part of Cyprus is the location of this report and the subject of its discussion – its “constitution” also affirms the importance of human rights and the equal treatment of all. Article 8 Section 2 states that “the organs and the administrative authorities of the State are under an obligation to act in conformity with the principle of equality before the law and not to make any discrimination in their actions.” Article 14 similarly contains four different sections that all affirm and state the importance of equal treatment and an honourable and dignified living for all.

International students constitute a significant portion of society and contribute greatly to its culture, economy and social fabric. Registered third-country students make up 13.4% of the population according to fall 2021 estimates. While year after year, increasing efforts are directed towards ensuring their equal and just treatment, there remain significant shortcomings in numerous respects and many international

students are still discriminated against on the basis of their health, race, ethnicity, gender, etc., and are thereby prevented them from enjoying a dignified living based on modern-day standards of human rights.

Since its inception, Voices of International Students in Cyprus (VOIS Cyprus) has worked tirelessly to ensure a just and harmonious society for all. Human rights have been on the VOIS agenda since day one and it has always strived to ensure that they are respected, both inside the organisation and in the local community at large. Since the beginning of 2021, and now as part of THE GAP Project funded by the European Union and co-funded by the US Embassy of Nicosia, VOIS embarked on the ambitious task of recording instances of human rights violations, investigating, and publishing them in a transparent and organised manner. The purpose of the undertaking by THE GAP Project, under which this report was produced, is transparency: to illustrate the types of cases that VOIS deals with and how it tackles them. The hope is that by highlighting and bringing human rights violations into public view in an organised and scientific manner, with data and statistics from every quarter, we can contribute to the betterment of the northern part of Cyprus.

This report will be published in quarterly cycles – in January, April, July, and October – alongside accompanying infographics on VOIS Cyprus’s social media pages and website. We urge all those reading this report to help us compile more cases and have access to more information. If you are aware of any cases or have yourself been subject to a human rights violation, please email the case to humanrights@voiscyprus.org. When handling the cases brought to our attention, VOIS follows the Human Rights Monitoring Principles which compel our team members to keep all information strictly confidential.

Summary

No	Type	Location	Date
1	Lack of access to due legal procedure	General	7 th June
1	Police Brutality	Famagusta	19 th October
2	Physical violence	Nicosia	10 th September
3	Healthcare violation	Nicosia	10 th September
4	Physical violence	Nicosia	14 th September
5	Lack of access to due legal procedure	Nicosia	14 th September
6	Physical abuse	Kyrenia	5 th July
7	Lack of access to due legal procedure	Kyrenia	5 th July
8	Healthcare violation	Nicosia	26 th September
9	Sexual violence	Nicosia	9 th October
10	Physical violence	Nicosia	9 th October
11	Sexual violence	Famagusta	18 th October
12	Physical abuse	Famagusta	18 th October

Human Rights Violations

1 | 7th June – General – Lack of access to due legal process & police brutality

On the 7th of June, 2022, VOIS was notified of a decision from the 'ministry of interior' that listed the names of 11 international students that were to be deported. After VOIS investigated the issue, it was found that all those who were listed were not given any access to a 'court' - to due process in order to prove themselves innocent, and though their crimes were also not listed publicly, they were deported and prohibited from re-entering the northern part of Cyprus.

One student on the list is the president of the National Association of Nigerian Students – Turkish Zone¹. VOIS learnt that this particular student took the matter to 'court'. The 'court' hearing took place on the 16th of September where the following determination was made:

1. The 'court' has found that the plaintiff's request for an injunction due to the imminent risk of deportation is valid.
2. According to 'Chapter 105 Foreigners and Immigrants Code Article 6(1) (g)', the 'council of ministers' should provide sufficient evidence to the 'court' in order to deem someone an unwanted foreigner. The 'court' finds that the 'council of

¹ NANS Turkish Zone is a student-based organisation that represents Nigerian students at Higher Institutions of learning in the northern part of Cyprus.

ministers' did not provide sufficient evidence to prove the Plaintiff is in an illegal gang or has been taking part in illegal activities.

3. The 'court' has agreed that the Plaintiff will suffer irreparable damage in the case that an injunction is not granted.

Although the 'court' found legal and factual reasons to grant an injunction, it highlighted that the Plaintiff has been hiding and evading the police, and has not come to the 'court' in order to avoid executive decisions. Given this action by the Plaintiff, the 'court' motioned to dismiss as the Plaintiff did not come with 'clean hands'.

The international Convention on Civil and Political Rights, states that; *"Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgment."*²

² <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

On the 4th of November, VOIS got in contact with the student, who was deported after being physically abused and tortured by the 'police': "They arrested me and pinned me down. They literally had their knees on my neck. I was finding it hard to breathe while I was down. I was in handcuffs so I wasn't resisting, but they were still hitting me. It is just like someone who hates you finally saw you." He went on further to highlight that he asked to speak to his lawyer but the 'police officers' refused and rather insisted that he purchases his flight ticket for Nigeria.

This case does not only breach multiple human rights at once, but also sets a damaging precedent and erodes a sense of security among international students and foreigners at large. It suggests that the local body can cancel their residence permit at any given moment and deprive them of their right to due process.

[2,3 | 10th September – Nicosia – Physical violence & Healthcare violation](#)

On the 10th of September, a group of over 7 individuals assaulted a Liberian international student in the city centre of Nicosia in plain sight. The assailants used cold weapons and the student was hospitalised in critical condition due to the magnitude of his injuries. VOIS has been coordinating with the Liberian Student Association since the incident occurred and was able to go to the 'police' and follow

the case. At the moment, the individuals involved are out on bail and awaiting their next 'court' hearing. The student remains in pain and is recovering from his injuries.

VOIS learnt that this attack was premeditated, as certain taxi drivers were discovered distributing a picture of the student and offering monetary rewards to anyone who could provide information about him. To date, it is unclear if the 'police' took the necessary action regarding the taxi drivers involved.

This assault is a clear violation of the right to safety, dignity and the right to life.

Additionally, the student in question did not receive adequate and appropriate treatment at the public hospital as he was only allowed to do an X-ray and a blood test and then released. It is also alarming that he had to do a medical test, leading us to suspect that this perhaps may be another form of discrimination as students who test positive for HIV are immediately deported.

[4,5 | 14th September – Nicosia – Physical abuse & Lack of access to due legal process](#)

On the 14th of September, 2022, VOIS was notified of an incident in which a female student in Nicosia was physically assaulted by 3 individuals on the side of the road.

VOIS managed to reach the student, who recounted her version of events: she had a problem with her landlord not returning her rental deposit following a series of

previous problems with the residence. The situation escalated into a physical altercation, after which the landlord and some others dragged her outside, held her down, and physically assaulted her. The student rightly called the 'police', who, upon their arrival, took a statement from the landlord but not the student.

This incident is a flagrant violation of the rights to safety and dignity, alongside the right to due legal process.

VOIS has remained in close contact with the student to provide legal support and minimise the harm that may come to the student from taking certain actions.

[6,7 | 27th June - Kyrenia – Physical abuse & Lack of access to due legal process](#)

On the 5th of July, 2022, an international student reached out to VOIS and reported that they were facing domestic abuse—in the form of physical assault carried out by their partner—and wanted legal and financial support. VOIS gave advice to the student on possible courses of action going forward, as well as mental and legal support options. Ultimately, the student decided not to go forward with the case.

This was a violation of the right to safety and dignity.

Furthermore, the student's right to due legal process was also violated. The student had previously informed the 'police' of their situation twice, and after taking the student's statement, the 'police' said they would call them back but failed to follow

through with this both times. It has now been months since the last statement was taken and the 'police' is yet to reach out to the student.

8 | 3rd October – Nicosia – Healthcare violation

On the 3rd of October, 2022, VOIS received an immigration complaint from a student detailing the inhumane treatment he faced at the point of entry.

The student is a Zimbabwean graduate who studied and lived in the northern part of Cyprus for four years (2016-2020), while satisfying all the necessary requirements from the local bodies. His graduation took place during the pandemic, leaving him stranded as an unregistered student and irregular migrant. After the pandemic regulations were lifted, the student was accepted into a Master's program at the European University of Lefke. He subsequently attempted to renew his residency permit, which had lapsed in 2020 (the year of his graduation). According to the student, he attempted to do his permit for the year 2021 but the system only allowed him to apply for a 6 month stay, dating from the 30th of March 2021 to the 30th of September 2021. He assumed that there was a system malfunction that renewed his 2021 permit for 6 months while taking the fees established for a 1 year renewal. He then proceeded to follow the normal procedure of renewing his permit in 2022.

In July 2022, the student travelled back home to attend to some health problems he was facing with his eye. Upon his arrival to the northern part of Cyprus, on the 26th of September 2022, he was detained by immigration officers and deported within less than 4 hours, in the absence of any sort of communication between the officers and the student. The student was placed in a cell that he described as lacking proper ventilation, which, combined with the second-hand smoke from other detainees, aggravated the condition of his eye and caused him immense pain. He attempted to communicate this to a 'police officer', who simply replied "I am not a doctor" in a hostile manner.

The student proceeded to question the 'police officer' on the reason for his detention and deportation order, but no explanation was provided by the officer. After his stay in the cell, he was deported to South Africa and not Zimbabwe where he is from. Stranded in the wrong country, he was only able to return to Zimbabwe through the assistance of well-wishers.

This is a breach of Article 25 of the UDHR that states that everyone has the right of access to preventive health care and the right to benefit from medical treatment under the conditions established by national laws and practices. Furthermore, the deportation of the student, in the absence of his right to raise a defence to preceding order, contradicts numerous human rights treaties. Article 13 of the International

Covenant on Civil and Political Rights (ICCPR) states that “An Alien lawfully in the territory of a State Party to the present covenant may be expelled therefrom only in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion and to have his case reviewed by, and be represented for the purpose before, the competent authority or a person or persons especially designated by the competent authority.”

[9,10 | 9th October - Nicosia – Sexual assault and Physical abuse in the workplace](#)

On the 9th of October, 2022, VOIS' attention was called to a circulating video that depicted an assault on a female international student at her workplace. A social media news platform shared the video of a black female foreign student being physically assaulted by her employer at a cafe in Nicosia in response to her voicing her frustrations concerning a previous instance of sexual harassment by the same employer. VOIS representatives attempted to reach the student, who communicated her preference to not take any legal action against the boss due to her permit being expired. Furthermore, VOIS was successful in reaching her friend to send a message of reassurance that our organisation is willing to provide support while respecting her privacy and maintaining confidentiality.

In addition to Articles 1 and 3 of the Universal Declaration of Human Rights, this particular case is also in breach of Article 23, which states that every human is entitled to a just, secure, and harassment-free workplace.

11, 12 | 18th October - Famagusta – Sexual assault and Physical abuse

On the 18th of October, 2022, VOIS was contacted by a survivor of sexual harassment and physical abuse. The survivor is a Turkish female student who is residing in Famagusta. The student stated that she was walking on the street when she was sexually harassed by a stranger. Upon showing frustration, the student was subjected to a physical assault by the harasser, resulting in a headache, backache, and pain in her neck. The student recorded her statement to the 'police' and is currently awaiting feedback. A VOIS representative is currently following up on the case to provide support as needed.

Cases of sexual harassment contravene Article 1 and Article 3 of the Universal Declaration of Human Rights, which state that all humans should have security and a dignified life; harassments and/or attacks of a sexual nature breach the security, dignity, physical health, and mental health of the survivor.