

Preventing racism, xenophobia and  
related intolerance in sport across the  
European Union

RAXEN Thematic Study on Cyprus

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## 1.1. Executive summary<sup>1</sup>

- [2]. The political and social backdrop of Cyprus at the turn of the last century was crucial in the development of trends and tendencies in sports in general but mostly in football, which trends survive today albeit in more subtle forms than 100 years ago. The contestations between left and right, between the Greeks and the Turks of Cyprus have left their mark on football which was the primary expression of elitist politics at both urban as well as rural level in the anti-colonial and post-colonial context. In the post independence era, the developments at the political arena with the de fact division of the country between Greeks and Turks, the efforts of the Greeks of Cyprus to unite with Greece and marginalise the Turks all found their expression in sports, with the Greek Cypriots competing in the games of Greece, a practise that soon came under fire with the growth of the Cypriotist movement in Cyprus. The Turkish Cypriots who had been isolated from international games for decades entered into negotiations in 2007 with the Greek Cypriots in a joint effort to reach a formula that will not offend Greek Cypriot sensitivities on the issue of recognition of their breakaway “state”. The issue continues to be pending, mirroring the negotiations for the resolution of the Cyprus problem at the political level.
- [3]. The migration flows in Cyprus in the early 1990s signified the beginning of the participation of migrants into sports albeit in very small numbers, given the fact that permits are as a matter of policy granted primarily for low skilled and low paid jobs. Despite the lack of documented evidence, one may safely deduce that the problem of exploitation on the employment arena is also happening in sports, as many foreign professional footballers are registered as “amateurs” in order to avoid the rights arising under the contract for professional footballers.

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<sup>1</sup> In the interest of data protection, the anonymity of the informers interviewed has been preserved with the designated list of coded names (see list of interviews). The only exceptions are the interviews with the two black players who willingly went on record in order to have their allegations investigated by the authorities.

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- [4]. There is no comprehensive study, nor is there any systematic system of recording racist incidents and discriminatory practices in sport in Cyprus. To collect the necessary evidence for the purposes of this report the authors relied on various secondary sources (books, media reports). Additionally, the report draws on interviews as well as extensive information gathering from the persons interviewed (see interview list). There is however some ‘concrete’ evidence in the form of specialised body reports and sanctions against particular clubs imposed by the tribunal of the Cyprus Football Association (CFA) and the Cyprus Basketball Association (CBA).
- [5]. The main conclusion drawn is that racism in sport is primarily located in professional football, manifested mostly in the racist behaviour of a small group of hard core fans against black footballers and against Turkish Cypriot fans, to a lesser extent in basketball, whilst it is unlikely that there is a serious problem in athletics. Additionally, one may also locate systemic and structural racism in the participation of migrants and Turkish Cypriots in various echelons of the sports structure, which operate as barriers in access. Sport authorities and institutions deny the existence of racism or discrimination or attempt to underplay the problem. The specialised body, however, disputes the allegation that racial incidents are “sporadic”<sup>2</sup> and cites numerous occasions of racist chanting and slogans in football matches. Also, black footballers interviewed point out that racist abuse shouted against them by fans is still a routine affair in Cypriot pitches. Moreover the numbers of times of clubs being fined by the CFA Tribunal for shouting racist abuse is indicative of the continuation of the problem. In fact evidence suggest that since 2003 there has been a rise in the reported racist violent incidents; however one cannot be certain that this necessarily reflect actual rise in racial violent incidents as the system of recording is problematic and inadequate.
- [6]. The new repressive measures as a result of the new law on racist slogans have certainly had some effect in repressing the racist banners from the football pitches. However, this does not seem to tackle the problem but may have merely shifted or transferred the problem outside the sporting pitches, in much

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<sup>2</sup> See Report of the Cypriot Anti-Discrimination Body AKP 4/2004, p.7.

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the way in which, according to experts, it happened with repressive measures on hooliganism (see Tsoukala, 2009). For instance fans often shout racist chants and slogans in neighbouring areas of the sporting grounds prior or after the ‘big’ matches. Racist slogans are often used in “hubs” where fans often hang out and in places where the various organised fans meet, the so called ‘Thires’,<sup>3</sup> thus making racist ideas and discourses more accessible and dispersed to lower ages and in other spheres of life, which are less monitored and policed. There has been an upsurge of football-related electronic racist hate speech and other publications, which go unopposed, despite the ratification of the Additional Protocol to the Convention on Cybercrime concerning the Criminalisation of Acts of Racist or Xenophobic Nature committed through Computer Systems.<sup>4</sup>

- [7]. Regarding structural discrimination, there is very little relevant data or statistics on amateur football, basketball and athletics to draw any meaning conclusions on the subject. No statistical data exists on the participation of migrants, minorities or other potentially discriminated groups, save for professional football and basketball, which employ non-nationals. We can therefore not quantify the extent of the involvement of migrants and ethnic minorities as athletes, coaches, officials and fans in the sports under examination (football, basketball and athletics). In general, the only visible non-natives are the professional athletes and coaches of the top leagues in football and basketball. There is minimum involvement of migrants, who have only arrived en mass after 1990; as for the Turkish-Cypriot community, the problem of the de facto partition and ethnic conflict meant that there is minimum participation of Turkish-Cypriots in sports.
- [8]. A small number of specialised body reports address the issue of racism in sports, highlighting the problematic stand taken by the police and other competent authorities, who stubbornly refuse to identify the problem as one of racism and

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<sup>3</sup> «Θύρες», which literally translates as ‘Gates’ and has been ‘imported’ from Greek fans who organize along the ‘gates’ they enter and sit nearby in the home ground of their football club (see Peristianis 2002: 5).

<sup>4</sup> Cyprus/The Additional Protocol to the Convention against Cybercrime concerning the Criminalisation of Acts of Racist or Xenophobic Nature committed through Computer Systems (Ratification) Law N. 26(III)/2004.

consequently fail to take measures against it. However, the reports themselves also fall short of imposing sanctions and limit themselves to criticism.

- [9]. Some **positive initiatives** were taken by some clubs to curb the influence of neo-Nazi groups who have infiltrated fan clubs and networks and to prevent further fining of the clubs, but there is no sustainable and long-term strategy or campaign to combat racism in football.

## 1.2. Political and social context

- [10]. The modern sport system in Cyprus can be traced back to the British colonial times (1878-1960). The most popular sport by far has been football; other less popular sports are basketball, volleyball, handball, martial arts and athletics. Most are being taught at school. The origins of modern Cypriot football apparently go back to November 1900, when the first reported match took place between a British team and Hellenic Athletic club of Nicosia. Local football clubs began to develop in the mid-twenties, although a few schools, notably the English School, had been playing football since 1902. The first Turkish Cypriot Football Club was formed in 1907 (Djavit An 2008). The first major Greek-Cypriot football club *Anorthosis* was established in 1911 and the Turkish-Cypriot *Çetinkaya* in 1943 (Kapardis, Loizou, and Peristianis, 2006).<sup>5</sup> Football had started as an elite sport, for instance one of the eight clubs forming the Cyprus Football Federation (CFA) in 1934, the Nicosia Turkish Sports Club was “founded by the well-to-do members of the community”. *Çetinkaya* Turkish Sports Union<sup>6</sup> won the Cypriot League Championship in 1950 and it was the cup winner in 1951 and 1952. Some successful Turkish Cypriot and Armenian Cypriot footballers also played in the Cypriot National Football Team.
- [11]. At least since the 1940s, sport in Cyprus has been part of the wider social and political contestations, including the

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<sup>5</sup> The study refers as a source the book by Karydes, N., Avraamides, P. and Nicolaou, P. (eds.) (1986) *Ιστορία του Κυπριακού Ποδοσφαίρου, 1932-1962*, Stavrinides Press, Nicosia.

<sup>6</sup> The *Çetinkaya* Turkish Guilds Sports Hearth was established in 1943 and in 1949 it amalgamated with the Nicosia Turkish Sports Club.

historical ethnic conflict. Moreover, party politics had used football for their own political means and many clubs became, by and large extensions or at least vehicles for political uses, even to this day. Studies illustrate that socio-political and ethnic politics, including ‘ethnicised’, even ‘racialised’, dimensions have been part of the historic context of the conflicts that were shaped during colonial times. Historically, mass sports, and football in particular, reflected the social, political, economic, cultural and ideological life, including its ethnic dimensions. It is documented for instance that the Larnaka football team Alki, a popular club of the town’s lower classes, was the team of the *Mantides*, the Greek-speaking Cypriot Roma;<sup>7</sup> even to this day their opponents will call the club and its supporters ‘*Mantides*’ as a term of abuse. Despite the ethnic division of the country for the last years, even to this day the ‘left-wing’ teams (Omonia, AEL, Alki and Nea Salamina) retain supporters amongst Turkish-Cypriots, whilst the ‘right-wing’ teams (APOEL, Anorthosis, Olympiakos, Apollon) are generally seen as nationalistic and some their supporters carry the Greek Flags to the matches, whilst in their banners one may often see far right wing symbols.

- [12]. The anti-colonial struggles, the contestation between the Greek-Cypriot Left and Right for hegemony of the struggles and its goals, in turn created the conditions for the inter-ethnic rivalries between the Greek-Cypriot and Turkish-Cypriot nationalistic forces pre as well as post-independence. Sporting activities were heavily implicated in these contestations: “in 1948 the Left found itself under attack as the Right and the colonial authorities were trying to marginalize the communist people’s movement”, which “led to the development of a leftist subculture” (Panayiotou, 2007: 87). All sports (such as athletics), but football in particular was a key vehicle of expression of the subaltern classes in this context. As Panayiotou points out, “football is probably the most obvious example of that separation which endures till today – like the coffeshops/*silloyi* which dot most central squares in villages and urban ‘neighbourhoods’” (Panayiotou 2007: 87). Kassimeris (2008: 32) refers to a kind of ‘McCarthyism’

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<sup>7</sup>See Kyrris, C. (1978) «Οι Μάντηδες της Λάρνακας», Rousounides, A. (ed.) *Πρακτικά του Πρώτου Συμποσίου Λαογραφίας, Λεμεσός 20-25 Μαΐου 1978*, Nicosia, p. 56.

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being practiced, where leftist were forced to renounce their ideology to compete in athletics and football activities: “some refused to subject to the fascist conduct of the governing bodies and were expelled from football clubs and prohibited from training”. Leftist teams (Alki from Larnaca, Nea Salamina from Famagusta, Omonia and Orfeas from Nicosia) together with AMOL (from Limassol) and Asteras Morphou formed a new football league in 1948. By 1953 the two leagues, the right-wing controlled one and the leftist one, were united. Oddly enough, during the period when there was a vicious campaign to oust Greek-Cypriot Leftists from the football pitches of rightwing-controlled leagues for not being worthy as they did not possess a “Greek soul”,<sup>8</sup> the Turkish-Cypriot teams continued their participation in it (Panayiotou 2007: 87). To this day these contestations are said to survive, albeit in more subtle manner.<sup>9</sup>

- [13]. The de facto division of the country has also divided sports in Cyprus. The anti-colonial mobilisations begun from the 20s and 1930s; however it was the beginning of the anti-colonial mobilizations of the right, spearheaded by the armed group EOKA, led to increased ethnic tension and since 1955. At that time the Turkish Cypriot clubs formed their own league.<sup>10</sup> The first ethnic conflict in 1957-1958 begun to shake the common sporting activities that existed. The intercommunal strife (1963-1967) with the Turkish-Cypriots leadership ousting/withdrawal from the consociational government in 1964 and the confinement of one third of the Turkish-Cypriot population in the enclaves made it extremely difficult to have

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<sup>8</sup> The football club APOEL sent an anti-communist telegram to the Athens-based Greek Sports Authority SEGAS and instructed its footballers to sign it but five footballers refused to sign it. The daily newspaper published an article with the title “Throw Communists off our pitches”, commending on the teams policy to oust communists from its ranks (see *Νέος Κυπριακός Φύλαξ*, «ΟΞΩ οι κομμουνισταί από τα γήπεδα μας!», 26.5.1948, reprinted in T.11, *Περιπέτειες Ιδεών, Πολίτης*, 26.4.2007).

<sup>9</sup> For a discussion of the concept see chapter 6 in the unpublished thesis: Panayiotou, Andreas. 1999. *Island Radicals: The Emergence and Consolidation of the Cypriot Left*. University of California, Santa Cruz also see Panayiotou, 2006.

<sup>10</sup> There are different versions as to how and why the Turkish-Cypriots were excluded: Djavit (2008) suggests that Çetinkaya was excluded from the CFA. Moreover the Turkish-Cypriot Left was excluded from the Turkish-Cypriot Right (see Djavit 2008). To this day the Greek-Cypriot left-wing teams maintain good relations with the Turkish-Cypriot community – for instance the first division club Nea Salamina has had some Turkish-Cypriot footballers in its squad. Also there is an ongoing debate on the reunification of football as a possible precursor of the reunification of the country.

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inter-communal sports. In any case the Greek-Cypriot controlled Republic of Cyprus pursued a policy of trying to be integrated with Greece when it came to sports. Despite independence in 1960, in athletics Greek-Cypriot athletes would up until late 1970s compete in the games of Greece, whilst football teams that 'qualified' would play in the Hellenic national league of the Greek championships between 1967-1974; the results were embarrassing and they also created tension given the political undertones of a rising feeling for independence among Greek-Cypriots<sup>11</sup> at the time for the teams involved (see Kassimeris 2008: 34). The coup by the Greek junta and EOKA B and the invasions and occupation of the northern part of the country in 1974 has de facto divided sports along ethnic lines. The Turkish-Cypriots have been isolated from international games ever since. The two sides started talks in 2007 on a deal to end Turkish Cypriot isolation from international football. The talks culminated in a preliminary agreement that would have put the break-away Turkish-Cypriot Football Association under the CFA's direction, but would allow the Turkish Cypriots to hold international friendly matches and run their own championship. However, the deal is for the moment off after the Cyprus Turkish Football Association rejected a FIFA and UEFA-brokered deal on ending its decades-old exclusion from the international game.<sup>12</sup>

- [14]. Overall, with regard to migration policies relevant in order to understand the situation of migrants in sport, the historical and structural factors regarding their stay, employment and living conditions have to be borne in mind. The change in policy which allowed migrant labour to come and work in Cyprus occurred in 1990; up until then the migration policy was very restrictive. Since then the migrant labour population has steadily grown: the latest figure of all the legally residing non-Cypriots in the areas under the control of the Republic of

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<sup>11</sup> Actually Omonia, the most popular Leftwing club, did well in the Greek championship but was dealt negatively as it was a leftist team.

<sup>12</sup> Apparently, "the Turkish-Cypriot CFTA president Omer Adal said he could not sign the deal because it ceded too much authority to the CFA. He said a provision granting the Greek Cypriot association final say on international friendlies was the main stumbling block to an agreement." (See *Herald Tribune*, accessed 5.3.2009, <http://www.iht.com/articles/ap/2009/01/30/sports/SOC-Cyprus-Turkish-Cypriot-Football.php> ).

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Cyprus is 138,221 persons,<sup>13</sup> which includes migrant labour from third countries as well as EU citizens. This is a significant population given that the total population of Cyprus is a mere 789,300.<sup>14</sup> However, migration is a very recent phenomenon and the vast majority of migrants tend to occupy the lowest economic strata performing by and large unskilled labouring jobs, which means that their access to sport and leisure activities is significantly less than the local population (see Trimikliniotis 1999, Trimikliniotis and Demetriou 2006; 2007). Even though we do not have any statistical data, very few migrants drawn from these migrant labouring populations are known to be involved in professional sports and we have little evidence of their participation in amateur sports. We are informed by the sport authority officers and other informants that there is a large number of migrant participation in certain types of sports that carry traditions from their countries of origin, such as martial arts (KOA interview). Also we are told that there is migrant participation as athletes in sports such as football (KOP, FA interviews), basketball (BA, CO1 interviews) and athletics (KOA interview) from the second generation of the more settled migrant communities that is emerging now (KOA, T1, T2, T3, C1, C2 interviews). There is some participation of fans, particularly in football (KOP interview) but minimum to negligible participation in mainstream clubs and in the sports authorities (KOA, KOP, FA, C1, C2, C3 interviews). However, there are sports clubs run by migrants in areas which are predominantly resided by migrants such as the Pontians in certain areas of Paphos. A state fund has been set up as part of a program for the economic regeneration of neighbourhoods, intended and used to develop more sporting grounds for economically deprived areas, which are heavily populated by migrants (KOA interview). Most foreign nationals involved in sports are athletes who come to Cyprus in their professional capacity, mostly footballers and basketball players for the top division clubs. The officer of

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<sup>13</sup> Persons who were resident up to the 03.03.2009 (information provided by the Population Archive of the Ministry of Interior, 05.03.2009).

<sup>14</sup> According to the Cyprus Statistical Service the population of Cyprus in the Government controlled area was estimated at 789,300 at the end of 2007, recording an increase of 1,4% from the previous year (accessed on 5.3.2009 <http://www.mof.gov.cy/mof/cystat/statistics.nsf/All/FC5F3AB325D6BEEAC22574D7002DB767?OpenDocument&sub=1&e=>

the Pancyprian Footballers Association has informed the authors that there was a problem of exploitation and abuse of third country foreign footballers who were registered merely as ‘amateurs’ and thus not given a footballer’s contract. Instead of properly registering them as professionals, some clubs used to register them as migrant workers in one of the other occupations that allow for third country migrant workers: the result was that they were often exploited, were left unpaid and were expelled from the country. According to one interviewee, new regulations are currently under way, it will no longer be possible for amateur third country nationals to play in the lower divisions; they will have to be professionals (KOP interview). The authors were not supplied with a draft of the new regulations so as to be able to comment safely: there is a possibility that this may be discriminatory, unless it is a measure to protect the rights of foreign footballers from possible abuse and/or it is purely an immigration and work-related issue. It must in any way result in discrimination when compared to EU nationals.

- [15]. Today the top Cypriot sport has been professionalised for the higher divisions of football, basketball and for some of the other sports are dominated by foreign professionals who compete in the championship levels. There is also an amateur sport scene and a large state-funded program to develop sport activities for all from very young ages (KOA and KOA2 interviews).

### 1.3. Racist incidents

- [16]. There is no comprehensive academic or research study, nor is there any systematic system of recording racist incidents and discriminatory practices in sport in Cyprus. However, we have some relevant reports by the Cyprus Anti-discrimination Authority, which investigated specific allegations of racism, some are sports related and others deal with youth-related racism and the failure of the school authorities and the police

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to properly investigate and combat racism.<sup>15</sup> Currently, the Anti-discrimination Authority is investigating the overall situations about racism in football following a complaint after the recent racist attacks against Turkish-Cypriots by fans of APOEL.<sup>16</sup> In order to collect the necessary evidence for the purposes of this report the researcher had to rely on a number of different secondary sources (books, media reports) and draw on the interviews conducted as well as an extensive information gathering from the persons interviewed (see interview list). This report will therefore illustrate that there is important concrete evidence on the subject to contextualise and relate the recorded racist incidents during the actual matches (primarily in first club division football): the cases that were investigated by the Cyprus Anti-discrimination Authority can therefore allow the researchers to draw better conclusion as to the general treatment of racism in sport and properly interpret the data regarding incidents and sanctions, primarily in the form of fines, by the tribunal of Cyprus Football Association (CFA) and the Cyprus Basketball Association (CBA) in the case of the AEL player R. Randle, who was racially abused by APOEL supporters.<sup>17</sup>

- [17]. It appears that the main problem with racism in sport is primarily in male professional football (primarily in the higher leagues), to a lesser extent in basketball, whilst we have not located a problem in athletics. The report has identified a number of racial discriminatory acts and some racial incidents that warrant action by the authorities. However the line of the sports authorities and the Cyprus Football Federation (CFA) is to deny that there is any real problem and thus alleges that it is unnecessary and indeed inappropriate to take action to combat

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<sup>15</sup> The case AKP 4/2004 dealt with racist behaviour during football matches. The other two are the following: firstly, AKP Αρ. Φακ.: AKP 241/2008, 10.03.2008 (*Εκθεση της Αρχής κατά του Ρατσισμού και των Διακρίσεων αναφορικά με τον ξυλοδαρμό μαθήτριας αφρικανικής καταγωγής και το χειρισμό του περιστατικού από το Υπουργείο Παιδείας και Πολιτισμού και την Αστυνομία*), which dealt with the racist attacks on a African origin female pupil after a school volley ball match and how it was dealt with by the Ministry of Education and the Police. Secondly, AKP/AYT 2/2008, 26.1.2009, a case involving attacks on migrants in the Limassol village of Ypsonas by village youths frequenting local club (σύλλογος), which is a well-known 'bastion' of Apollon supporters. The third relevant report did not involve football-related racism but youth-related racist school bullying by a migrant pupil's classmates and the subsequent failure of the school to properly investigate and deal with the problem.

<sup>16</sup> Interview with officer of the Cyprus Anti-discrimination Authority, 5.3.2009.

<sup>17</sup> Interview with General Secretary of CBA; the decision by the tribunal of CBA was taken on 17.2.2009.

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racial incidents and discrimination by the ruling body, the CFA, which insists that there is no problem of racism in football. The main problem is located with three popular teams, which are historically connected with the ideological / nationalistic right of the political divide: primarily APOEL from Nicosia, APOLLON from Limassol and to a lesser extent, ANORTHOSI from Famagusta).

- [18]. The **leading case** is an investigation by the **Anti-discrimination Authority into racist behaviour during football match** which took place in 2004.<sup>18</sup> Even though there are currently another three complains of racism in sport under investigation, the specific report of Anti-discrimination Authority remains the most important case as it set out the framework for the handling of these issues by the football authorities and led to the adoption of measures, which however are not far reaching enough to have a serious impact on the fight against racism.<sup>19</sup> The complaint was lodged by the club Enosis Neon Paralimniou,<sup>20</sup> who complained about the racist behaviour of fans of Anorthosis against the African footballer Nagoli Kennedy on 14.02.2004. According to the complaint, every time Kennedy touched the ball fans of Anorthosis were booing and imitating ape sounds but there was no reaction either from the referee, the Cyprus Football Association, or the stadium authorities or the police. The club also complained to FARE and the disciplinary committee of UEFA arguing that in 2003 the fans of Anorthosis demonstrated similar racist behaviour against black players of AEL, whilst fans of APOEL displayed racist behaviour in every match where there are African players playing in the opponent club.<sup>21</sup> After describing the legal framework for the combating of racism and xenophobia in Cyprus,<sup>22</sup> the Cyprus Anti-discrimination Authority referred to the reply letter of the

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<sup>18</sup>AKP 4/2004, 24.12.2004, Έκθεση της Αρχής κατά του Ρατσισμού και των Διακρίσεων αναφορικά με την εκδήλωση ρατσιστικών συμπεριφορών κατά την διάρκεια ποδοσφαιρικών αγώνων.

<sup>19</sup> The present report shows that the measures taken may be welcome but they have not eradicated the problem as we still see racist incidents, albeit in different forms, sometimes on the football ground itself, but mostly not necessarily during matches or in the sporting ground.

<sup>20</sup> The complaint was lodged by Nicos Kelftis, on behalf of the club Enosis Neon Paralimniou (Ενωσις Νέων Παραλιμνίου).

<sup>21</sup> AKP 4/2004, 24.12.2004, p.1.

<sup>22</sup> See the section 5.1 dealing with regulation racism, xenophobia, and related intolerance in all types of sports.

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Cyprus Football Association to UEFA regarding the allegations, according to which the incidents were taken very seriously by the authority. However, the letter of the Cyprus Football Association expressed disagreement with the assessment of the complainant that “the situation is tragic” and states that “on the contrary the Cyprus Football Association has evaluated the situation and has concluded that the incidents are sporadic, there is no concerted practice and by the low profile measures taken” the Cyprus Football Association “believes that the matter will not escalate.”<sup>23</sup> Regarding the allegation that the incidents were ignored by the Cyprus Football Association observer or the referee at the match, the Cyprus Football Association claimed that the incidents went unnoticed because it was of such low magnitude.<sup>24</sup> As for the allegations of racist behaviour against the black player of AEL, Seyni Endiague, the Cyprus Football Association admitted that that the player was indeed the victim of such behaviour, but the fact that he did not react to the abuse has made him a positive example of fair play, so much that he was honoured in the presence of the President of the Republic of Cyprus and was commended by the media and the sports world.<sup>25</sup> Moreover, the Cyprus Football Association said that it takes the problem of racism very seriously and referred to the specific prohibition of racist behaviour contained in its binding statement issued upon the launch of the championship season every year.<sup>26</sup> The relevant section reads: “it is explicitly forbidden to put up [banners], show or chant<sup>27</sup> racist, political or advertising messages and generally messages that insult the dignity of the person in stadiums [...] The club whose fans, employees or members of management who put up or show such messages before and/or during and/or after the end of the match will be reported to the tribunal/disciplinary committee of the CFA with a penalty up to a ban from home ground match of the club”. The Anti-discrimination Authority referred to the Ten Point Action Plan developed by UEFA in collaboration with FARE, which

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<sup>23</sup> AKP 4/2004, 24.12.2004, p.3.

<sup>24</sup> AKP 4/2004, 24.12.2004, p.7.

<sup>25</sup> AKP 4/2004, 24.12.2004, p.7.

<sup>26</sup> Paragraph 63 of the launching statement (προκήρυξη) 2003-2004. The same paragraph is reproduced every year in the launching statement. For 2008-2009, the same paragraph appears as paragraph 71.1.

<sup>27</sup> The Greek words used are «ανατρούγ, αναφωνούν ή επιδεικνύουν».

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suggests ways for clubs to combat racism. Moreover, the Anti-discrimination Authority referred to UEFA making available 50,000 Swiss Francs for each national federation which develops a specific action plan to combat racism in football and noted that the Cyprus Football Association failed to develop such plan and was therefore not eligible for the grant.<sup>28</sup> The report welcomes the initiative of the club APOEL to issue leaflets against racism and some initiatives by the management of the club Apollon. The report concludes that the frequency of racist behaviour in the football field and the shouting of racist slogans are not isolated incidents but instead the behaviour complained of is indeed manifested.<sup>29</sup> The report includes a number of observations that racist behaviour is not confined or unique to Cypriot sport but is widespread in society and inseparable from the broader social processes and developments and as such it must be understood within this wider context, rather than in isolation.<sup>30</sup> Yet, it observes that there is “a new type of racism” which manifests itself in athletic grounds finding opportunities for expression within the anonymity of the crowd and is disguised in a manner that makes the individual racist actors difficult to detect. Whether widely spread and routinely manifested, as the complainant alleged, or sporadically practiced as the Cyprus Football Association alleges, the Cyprus Anti-discrimination Authority notes that it is an abominable illegal act which violates fundamental rights and civilization; moreover, it offends human and professional dignity and any notion of fair play, which is an essential element of the game.<sup>31</sup> The report contains the following recommendations:

- [19]. There is a crucial role for the Ministry of Education, the Cyprus Sports Authority (KOA) as well as the Cyprus Football Federation, the football clubs and the police regarding the education of the young and the public at large.
- [20]. The Cyprus Football Association must immediately proceed to the development of a “Ten Point Action Plan” along the lines recommended by UEFA which includes (a) decisive action in issuing condemning statements to the media; (b)

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<sup>28</sup> AKP 4/2004, 24.12.2004, p.6.

<sup>29</sup> AKP 4/2004, 24.12.2004, p.7.

<sup>30</sup> AKP 4/2004, 24.12.2004, p.7-8.

<sup>31</sup> AKP 4/2004, 24.12.2004, p.8.

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decisive action by the clubs themselves in combating racism amongst their own fans, along the lines that the Scottish club Dundee United did by reporting two of its own fans to the police, which banned them for life from football matches; (c) close cooperation between clubs and all interested parties such as club fans and others to develop common initiatives.

- [21]. The setting up of a common coordinating body for combating racism and xenophobia: for instance the mandate of the National Committee Against Football Violence, which was set up in 1995 can be expanded to cover also racism.
- [22]. Recommendation (2001)6 of the Council of Europe, which provides for the establishment of a special and separate legislative framework to combat racism in sport, must be adopted.
- [23]. The Cyprus Football Association must monitor the situation closely and impose a progressively tougher regime of sanctions for reoffending clubs, whose fans have been accused of racist behaviour.
- [24]. The decision of the Anti-discrimination Authority on the **racial attacks** by youths against migrants in the **village of Ypsonas** is relevant. The Anti-discrimination Authority carried out a self-initiated investigation into the handling by the police of a group attack against migrants which was reported in the press and which was manifestly racial.<sup>32</sup> The attack took place in June 2008 in a rural area and most of the perpetrators were aged between 14-18. According to the attackers' own statement to the police, the attack came as a revenge for an alleged attack the previous night against a Greek Cypriot by two Polish men, which led the attackers to hit any person of migrant origin they found in the street who fled without reporting the incident to the police. The incident was reported to the police by a number of British persons who rushed to the rescue of the migrants and who were attacked

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<sup>32</sup> The Cyprus Anti-discrimination Authority relied on the following laws: Cyprus/ The Combating of Racial and Other Forms of Discrimination (Commissioner) Law 2004 N.42(I)/2004, article 6; Cyprus/ Law ratifying the UN Convention for the Elimination of all kinds of Racial Discrimination (amendment) N.11(III)/1992, article A(3); Criminal Code articles 51A and 47(1).

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themselves by the youth, whose number had meanwhile grown and who equipped themselves with stones and iron bars, causing considerable damage to homes of migrants and to the property of the British people who run to their rescue, shouting racial remarks and injuring several of them. The perpetrators were charged with offences related to common assault, malicious damage to property and riot, which do not involve racial motive. The decision of the Anti-discrimination Authority illustrated that the Police Department for the Combating of Discrimination (PDCD) whose mandate was extended on 11.02.2008 following the Cyprus Anti-discrimination Authority's recommendation, to cover and record not only racial *offences* but also racial *incidents* (as defined inter alia by the victim), does not have any mechanism in place to record racial *incidents*; only a small number of racial *offences* were recorded<sup>33</sup> none of which led to any conviction. This is, according to the Anti-discrimination Authority, evident of the role of the police in handling the investigation and the criminal procedure. It also emerged from the investigation that the system of recording racial offences is such that, unless the investigating officer chooses to classify an offence as racial, the PDCD is not informed of the incident at all. The head of the PDCD admitted that no special training is offered to police officers on the identification and recording of racial motive and expressed the view that the change of mentality within the police body will come gradually through experience. The limited activity of the PDCD was attributed to its serious under- staffing and its wide mandate which covers at the same time two more departments (violence in the family and youth delinquency). The Head of the PDCD informed the Cyprus Anti-discrimination Authority that in the particular case under investigation there did not seem to be a prima facie case of offences in violation of the anti-discrimination legislation, a view which was criticised in the report. The Anti-discrimination Authority referred to the Second and Third ECRI reports on Cyprus of 03.07.2001 and 16.05.2006 respectively which noted that the legislative provisions relating to racism are not adequately implemented, that awareness of these laws is low amongst legal circles and the public at large, that the police is not adequately trained to identify and address racial motive, that racial crime is not

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<sup>33</sup> Two incidents were recorded in 2005, eighteen in 2006 and three in 2007.

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adequately recorded and that the bodies involved in the criminal justice process are not adequately aware of the need to address racism. Reference was also made to the ECtHR decision<sup>34</sup> where Greece was found guilty of not adequately addressing the racial motive involved in an attack against a group of Roma, as well as to the reports of the European Union Agency for Fundamental Rights where the data collection carried out by Cyprus appears to be inadequate. The Anti-discrimination Authority concludes that the incident under investigation is not an isolated one and that there is an increase in the number and intensity of racial incidents. It notes that previous investigations have also shown the failure of the police to prosecute racial incidents, adding that although the legislative framework appears to be adequate, the authorities stubbornly refuse to prosecute racial incidents reported by victims or by NGOs or appearing in the media. The report notes with concern the fact that in the incident under investigation the migrants attacked did not file a complaint with the police, which indicates that vulnerable groups feel discouraged from reporting racial incidents for fear of deportation or for lack of trust in the police. At the same time, the underreporting phenomenon shows a general failure of the existing system to record the real picture of racism in Cyprus. The Anti-discrimination Authority recommended the following measures: the precise and credible recording of racial incidents; the provision of assistance and protection to victims and their encouragement to report incidents; the upgrading of the PDCD and its adequate staffing; the training of police officers on the identification and handling of racial incidents. Although this is not the first time that the Anti-discrimination Authority finds that the police has failed to address and prosecute racist crime, the report does not identify this practice as discriminatory in itself and restricts its criticism in the area of lack of efficiency. Also, the failure of the Attorney General and the Legal Service to take a more active role in the prosecution of racial incidents is not addressed by the Anti-discrimination Authority. Moreover, the fact that the attackers were youths who organised their attacks from the local club, which is a 'bastion' of Apollon supporters,<sup>35</sup> illustrates that the problem

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<sup>34</sup> Bekou & Koutropoulou v. Greece.

<sup>35</sup> Interview with officer the Cyprus Anti-discrimination Authority, 6.3.2009.

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of racism within the two popular clubs who have right-wing supporters, such as APOLLON, has not been resolved, as claimed by football officials<sup>36</sup> and is often assumed by the media and football fans. The fact that there has been another recent racist abuse by Apollon fans in women's football match, which was not reported to the CFA authorities but it is currently under investigation by the Cyprus Anti-discrimination Authority,<sup>37</sup> illustrates that the problem of racism has not been resolved at least for the two clubs who have the main problem. It may well be the case that we are dealing with an *organised* racist group within Apollon,<sup>38</sup> given that some Apollon fans websites certainly contain (neo)Nazi symbols, racist and extreme nationalist language that is offensive and abusive.<sup>39</sup>

[25]. From the information derived from the interviews with sports officials and officers of the Cyprus Anti-discrimination Authority,<sup>40</sup> it is apparent that apart from the last recommendation, which is in the hands of the disciplinary committee/tribunal of the CFA and not the executive of the CFA, the Cyprus Anti-discrimination Authority recommendations of 2004,<sup>41</sup> were not implemented. The attitude of all sports officials interviewed is that there is no serious problem or racism anyway, and whatever there it is eradicated through the more repressive-type of measures and the sanction system: it was argued that it would be counter-productive to take any further actions. This is contrary to the

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<sup>36</sup> Interview with officer of the Cyprus Football Association (CFA- KOII), 10.03.2009.

<sup>37</sup> A complaint was lodged with the Cyprus Anti-discrimination Authority.

<sup>38</sup> The officer of the Cyprus Anti-discrimination Authority who investigated the case commented that there may well be a minority of organised racists in football teams with problems of racism; however this needs to be properly investigated by the authority to be established, 6.3.2009. This was repeated by a number of informers (JE1, JE2, JE3).

<sup>39</sup> I would like to thank the researchers and journalist who have alerted us to this fact have pointed to various racist internet resources that seems to contrary to the law on racist and abusive messages on the website such as the Cyprus/The Additional Protocol to the Convention against Cybercrime concerning the Criminalisation of Acts of Racist or Xenophobic Nature committed through Computer Systems (Ratification) Law N. 26(III)/2004.

<sup>40</sup> Interviews with officers of the Cyprus Anti-discrimination Authority, 5.3.2009 and 6.3.2009.

<sup>41</sup> AKP 4/2004, 24.12.2004.

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view expressed by a number club coaches<sup>42</sup> and sports teachers interviewed, who state the problem of racist prejudice, stereotypes and abusive behaviour in schools and everyday training is a routine matter.

- [26]. An empirical question relevant to understanding the intensity and frequency of racism in sport at present as well as the effectiveness of the policies to combat racism is the extent to which this practice continues to this day, or whether the manifestations of racism referred to in the Cyprus Anti-discrimination Authority report of 2004 has been substantially reduced as alleged by the football authorities officers. There are reports about the human suffering caused by the “virus” of racism even by APOEL footballer: according to reports, the manager of AEK, Marios Constantinou that during the match between APOEL V. AEK, the 25-year old Gambian player of AEK Mustafa Camal was racially abused by a footballer of APOEL. Apparently the Gambian footballer burst into tears in the changing rooms and revealed to his playmates that it was because of the racial abuse he suffered after the end of the match.<sup>43</sup> It is a near consensus from those interviewed have noticed that for 2008-2009 there has been some reduction in the shouting or racist slogans or use of racist banners, but from the interviews conducted it is apparent that the problem of racism has not been resolved (C1, C2, JA1, JA6, JA5, CAA2). Teachers interviewed consider that there is a great deal of education to be done as the racist graffiti, including the swastika and Celtic cross is routinely used by fans of the teams of APOEL and Apollon on desks, walls of corridors inside schools as well as public places. Moreover, concern has been raised by a number of teachers interviewed [T1, T2, T3, and T4] that a number of students display racist attitudes: even though a minority has overtly racist views the trends

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<sup>42</sup> Interview with one of the coaches of Nea Salamina, 10.3.2009; interviews primary school athletics teacher, 27.2.2009 and 9.3.3009; interview with teacher and intercultural officer in secondary school, 11.3.09.

<sup>43</sup> See «Το "μικρόβιο" του ρατσισμού παραμένει ζωντανό στο ποδόσφαιρο», which refers to the allegations by the manager of AEK, Marios Constantinou that during the match between APOEL V. AEK, the 25-year old Gambian player of AEK Mustafa Camal was racially abused by a footballer of APOEL. Apparently the Gambian footballer burst into tears in the changing rooms and revealed to his playmates that it was because of the racial abuse he suffered after the end of the match (see [http://www.contra.gr/Soccer/Cyprus/DivisionA/APOEL\\_AEKitiou/130759.html](http://www.contra.gr/Soccer/Cyprus/DivisionA/APOEL_AEKitiou/130759.html) , accessed 13.3.09).

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located by research findings indicate that a complacent approach to the problem of racism without active campaigning against may become even more serious a problem. In a newspaper interview February 2009, the black African player, Mahamantu Sintibe, stated that he faces racism in the pitch but not as much as in Greece.<sup>44</sup> Having spoken to two black footballers we can safely conclude the racist behaviour by the minority of fans of APOEL, APOLLON and Anorthosis continues: (a) during the match between Enosis Neon Paralimniou and APOEL (31.03.2009) the fans of APOEL were imitating monkey sounds when the black player Mustafa Camal touched the ball;<sup>45</sup> the same happened when the team played with Apollon (4.03.2009) for the cup<sup>46</sup> and for 2008 in Limassol, when the Nigerian footballer touched the ball;<sup>47</sup> the same behaviour occurred with Anorthosis.<sup>48</sup> Apparently, the referee and sports officials did nothing at the time and the matter was not referred to the tribunal of the Cyprus Football Federation, nor was it reported in the media.<sup>49</sup>

- [27]. Since 2003 there has been a **rise in the reported racist violent incidents**; however we cannot be certain that this necessarily reflect actual rise in racial violent incidents as the system of recording is problematic and inadequate. In any case, the violent racial incidents recorded over the past five years, as reported in the media and the complaints receive by the Anti-discrimination Authority have seen an important rise. In fact over the last year we have seen three cases that

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<sup>44</sup> MAXAMANTOY ΣΙΝΤΙΜΠΕ , "Ήρθα να τους δείξω ποιος είμαι", Συνέντευξη «ΠΟΛΙΤΗΣ-ΓΗΠΕΔΟ» Συνέντευξη: Αντρη Χρίστου, (accessed 12.2.2009) <http://www.politis-sports.com/cgi-bin/hweb?-A=35298&-V=stiles>

<sup>45</sup> The researchers spoke to Mustafa Camal, footballer playing for Enosis Neon Paralimniou, 16.03.2009.

<sup>46</sup> The researchers spoke to Eric Ejoron, footballer playing for Enosis Neon Paralimniou, 16.03.2009.

<sup>47</sup> The researchers spoke to Mustafa Camal, footballer playing for Enosis Neon Paralimniou, 16.03.2009.

<sup>48</sup> The researchers spoke to Mustafa Camal, footballer playing for Enosis Neon Paralimniou, 16.03.2009.

<sup>49</sup> Interviews with Mustafa Camal and Eric Ejoron footballers playing for Enosis Neon Paralimniou, 16.03.2009.

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were investigated by the Anti-discrimination Authority and have a connection to sports: the violent attack on Turkish-Cypriots fans on 15.1.2009.<sup>50</sup> Turkish-Cypriot informers (JA5, JA6) allege that the attacks on that day were not confined to Turkish-Cypriot fans of OMONIA, as alleged by sports officials, who appear to depict the attacks as part of a generalised endemic of “football hooliganism” (i.e. the fans of APOEL attack any fans of OMONIA, some of whom just happened to be Turkish-Cypriots). The second case is the racial attack against fifteen-year-old pupil with a black complexion from African descent, who was playing volleyball for her school team;<sup>51</sup> and the third the racial attack against migrants in the village of Ypsonas.<sup>52</sup> Moreover, from investigations on the racial attacks on Turkish-Cypriot students in the English School in Nicosia in 22.11.2006, it is revealing that the organisers used APOEL as the recruitment ground to organise the attacks.<sup>53</sup> It seems that APOEL has used intimidation and pressure on the chair of the CFA tribunal chair, when he insisted that the club be punished with a one-match exclusion from its home ground for racist slogans of its’ fans.<sup>54</sup>

[28]. Despite the above, it is contended by many sports and club officials and fans that there is no serious problem of racism in sports in Cyprus and that the little that does exist, it is confined to premier league football amongst fans. Some officials even speak of the problem of racism in Cypriot sport as being of a “zero base.”<sup>55</sup> The prevailing attitude as expressed by almost all sports officials is that any possible

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<sup>50</sup> The issue is currently under investigation by the Anti-discrimination Authority.

<sup>51</sup> The issue is currently under investigation by the Cyprus Anti-discrimination Authority. The case was considered so serious that there was an extraordinary convened session of the educational subcommittee of the House of Parliament on 23.12.2008.

<sup>52</sup> AKP/AYT 2/2008, 26.1.2009. The incident was not *mainly* about football-related racism or football violence, but was a youth violence that involve some of the village youth against migrants living in the community. However, the case certainly had a dimension that related to fans of one of the two clubs which have a problem with racism: the attackers were youths who organised their attacks from the local syllogos/club, which is a ‘bastion’ of Apollon supporters (interview with officer of the Cyprus Anti-discrimination Authority, 6.3.2009).

<sup>53</sup> This involved the student organisation called EFEN and had close links with the Athens-based Neo-Nazi newspaper group *Chrysi Avgi* (Χρυσή Αυγή).

<sup>54</sup> In an interview in *Φιλελεύθερος* («Η Εκτελεστική αρκετές φορές μας άφησε εκτεθειμένους»), 1.3.2009). The President of tribunal said that he felt like resigning after it was revealed to APEL officials that he took a tough stance on the matter and “became a personal target”.

<sup>55</sup> For instance interviews with KOA, KOP, FA and CO1.

manifestations of racism or xenophobia is (a) sporadically expressed by a minute number of fans; (b) where it does happen, it is not necessarily 'racist' or 'xenophobic' as such but rather is much more 'benign' as it is a kind of misguided action by over-zealous supporters in the spirit of sporting competition and; (c) if there is some violence, this is part of wider problem of 'hooliganism', which is essentially a generalised rather than racially-motivated or targeted violence. However, these contentions, which by and large explain the more 'benign' elements of football incidents by masses of football fans and the fact that there is not generalised racial violence, cannot stand to greater scrutiny when it comes to the more serious allegations of racism around sports. The Report of the Cypriot Anti-Discrimination Body disputes that the racial incidents are "sporadic"<sup>56</sup> and cites numerous occasions of racist chanting and slogans in football matches. More recent evidence suggests that the problem of racist slogans in the match has not been 'resolved': black footballers interviewed in the media, even in 2009,<sup>57</sup> point out that racist abuse against them is still a routine affair in Cypriot pitches; moreover the numbers of times of clubs being fined by the CFA Tribunal for shouting racist abuse is indicative of the continuation of the problem.

- [29]. The recent racist violence indicates that some more vulnerable groups are more likely to suffer from acts of violence connected to sports, mostly football. Turkish-Cypriots and migrants for instance seem to be targeted. Moreover, the research directed by Peristianis (2002) indicates that there is a connection violent fans and predisposition towards racism and xenophobia: the violent fans appear more xenophobic than the non-violent ones and have generally a more negative predisposition towards the Turkish-Cypriots (Peristianis, 2002: 179-201). Also the fans of the right-wing teams researched (APOEL, Anorthosis) are more likely to be racist and xenophobic than the supporters of the left-wing teams (OMONIA, AEL).<sup>58</sup>

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<sup>56</sup> See Report of the Cypriot Anti-Discrimination Body AKP 4/2004, 2p.7.

<sup>57</sup> <sup>57</sup> MAXAMANTOY ΣΙΝΤΙΜΠΕ, "Ηρθα να τους δείξω ποιος είμαι", Συνέντευξη «ΠΟΛΙΤΗΣ-ΓΗΠΕΔΟ» Συνέντευξη: *Αντρη Χρίστου*, (accessed 12.2.2009) <http://www.politis-sports.com/cgi-bin/hweb?-A=35298&-V=stiles>

<sup>58</sup> See Peristianis, 2004: 179-201.

- [30]. The new measures, mostly of a repressive nature as a result of the new law on prohibiting racist slogans has certainly had some effect in repressing the racist banners from the football pitches. However, this does not seem to tackle the problem but may have merely shifted or transferred the problem outside the sporting pitches, in the way experts claim to have happened with repressive measures on hooliganism (see Tsoukala, 2009). For instance fans often shout racist chants and slogans in neighbouring areas of the sporting grounds prior or after the ‘big’ matches (interview with C1). Racist slogans are often used wherever some of fans of the two clubs teams who have a serious problem of racism hang out places where the various organised fans meet ‘Thires’ There has been an enormous upsurge of football-related electronic racist hate speech and other publications, which go unopposed, despite the ratification of the Additional Protocol to the Convention on Cybercrime concerning the Criminalisation of Acts of Racist or Xenophobic Nature committed through Computer Systems.<sup>59</sup>
- [31]. In order to appreciate the situation as regard racism in sport one has to view this in the light of the wider social context. In this sense research and surveys are valuable here. All major studies on the third country migrant workers in society point to the same conclusion that they remain ‘a vulnerable position’, as the Second ECRI Report on Cyprus<sup>60</sup> described them; they continue to be in a vulnerable position in spite the improvements of the institutional and legal framework, as the Third ECRI Report on Cyprus (published on 16 May 2006).<sup>61</sup> Moreover, the Third ECRI Report on Cyprus refers to ‘manifestations of racism and discrimination affecting Turkish-Cypriots’. Other three studies record evidence of discrimination against migrant workers, as well as Turkish-Cypriots working in the southern territory under the control of the Cyprus Republic (para. 82) and the few Roma, who reside

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<sup>59</sup> Cyprus/The Additional Protocol to the Convention against Cybercrime concerning the Criminalisation of Acts of Racist or Xenophobic Nature committed through Computer Systems (Ratification) Law N. 26(III)/2004.

<sup>60</sup> ECRI (2001) *Second Report on Cyprus*, European Commission against Racism and Intolerance, Council of Europe, Strasbourg, 3 July 2001.

<sup>61</sup> Amongst migrant workers, evidence shows that domestic workers are in a most vulnerable position, along with asylum seekers whose right to access the labour market is restricted to farming and agriculture, the most low-status and low-paid jobs in the market, whilst evidence of violation of contract terms by employers is abundant.

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in the south (para. 83).<sup>62</sup> The Second Country Report of the European Commission against Racism and Intolerance made abundantly clear the need urgent action. The Report falls short of using the term ‘institutional racism’ but the inference is apparent. In all but name the picture painted by the report is particularly gloomy: excessive violence by the police; immigration offices abuse their discretion; public figures remarks that lead to a xenophobic climate all of which cause the ‘vulnerable position of migrants’. It is hardly surprising that the ECRI report on Cyprus is so critical of the maltreatment of migrants and called on the Government to take immediate action (ECRI 2001).

- [32]. Other research conducted in the last ten years ago reached similar conclusions as to the seriousness of problem of racism in Cyprus, illustrating how racialisation was endemic in media,<sup>63</sup> employment,<sup>64</sup> education,<sup>65</sup> discrimination and youth. There was a quantitative study of the Centre of the Study of Childhood and Adolescence which showed a serious problem with Greek-Cypriot children’s perceptions of and attitudes towards a variety of foreigners who live in Cyprus with racist stereotypes.<sup>66</sup>
- [33]. Some academic research and surveys in Cyprus reveal a **connection between violence in football and racist and xenophobic behaviour**, even if the two matters are distinct. The study by Peristianis at. al. (2002) aimed was to study the

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<sup>62</sup> See Trimikliniotis, N. (2009), *Ρατσισμός, Εργασία και Μετανάστες σε μια Μετα-τουριστική Χώρα, Μετανάστες Εργάτες, Εργασία κι Εμείς: Για ένα Νέο Εργασιακό και Μεταναστευτικό Υπόδειγμα και την Ανανέωση του Κυπριακού Συνδικαλισμού* (Forthcoming).

<sup>63</sup> See Trimikliniotis 1999.

<sup>64</sup> See RAXEN Country Reports (2004-2008); Trimikliniotis 1999, 2005; Trimikliniotis and Pantelides 2003; and Trimikliniotis and Demetriou 2006, 2008.

<sup>65</sup> See RAXEN Country Reports (2004-2008); Trimikliniotis 2004; and Trimikliniotis and Demetriou 2006, 2007, 2008; Papamichael 2008.

<sup>66</sup> “Greek-Cypriot children’s familiarity with, knowledge about, perceptions of and attitudes towards a variety of foreigners who live in Cyprus”, 2005: The study was carried out with fifth and sixth grade elementary school children (i.e. around the ages of 10-12) from ten different schools in Nicosia during May and June 2004. With permission from the Ministry of Education and Culture, the schools were selected based on certain criteria such as the size of the school and its social class profile to provide us with the necessary variability. The questionnaires were self-administered in the classrooms in the presence of a research assistant who responded to students’ questions and provided clarifications. The questionnaires were then analysed using SPSS. See also Spyrou 2006 and Papamichael, 2008.

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social phenomenon of football violence in Cyprus.<sup>67</sup> The analysis of the questionnaires resulted in the following main findings: the so-called “gates” are characterized by elements such as uniformity in appearance (dress-code in team colours), massive attendance of football matches, organised marches to and from the football grounds, coordinated manifestations of supporting the team as regards slogans, chants and body movements that resemble (religious) rituals. A percentage of 62percent of the sample were involved in violent incidents either inside or outside the football grounds, especially after the end of the matches. The incidents mainly involved conflicts between rival fans, as well as between fans and the police. From the findings of the research, it is concluded that the young people ending up in violence are not special “types” of “criminals”—but rather common youngsters, with a more than common share of social problems. Hence any policy planning towards tackling the phenomenon of football violence should start from the need to tackle the crime-inducing circumstances / social environment that allow or encourage violent forms of behaviour. The main profile characteristics of the violent fans as compared to the non-violent ones, are the following:

- They come from all social strata, but mainly from the middle classes. Their age group is mainly under 20 years (15-20)

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<sup>67</sup> The methodology utilised focused on the investigation of the behaviour of a number of fanatic football supporters, based on the following: (1) Extended questionnaires with 200 “fanatic” supporters of 4 football teams (APOEL, AEL, Omonia and Anorthosis) 50 from each team. The teams were selected because they have large numbers of supporters; they come from different towns and they are affiliated to different political parties with different political ideologies. The sample selection was based on the method of “multiple snowballs”, in an attempt to locate fanatic supporters of different age groups, social strata and occupations. (2) Participant observation: the researchers attended football matches of the 4 teams under consideration, so as to observe the behaviour of fanatic supporters, especially the members of the fan “gates” (fan subculture groups). (3) Personal interviews: personal interviews were conducted with persons actively involved in football, whose opinion on various aspects of the football violence phenomenon carries special weight (i.e. football players, coaches, referees, sports journalists / commentators, football club executives, police, football stadium authorities etc.) (4) Study of the Media coverage: the aim was to study whether the Media play a significant role in stirring football violence, either in the way violent incidents are covered, or in the way football matches are represented. (5) Study of historical sources that refer to sports violence: a small scale review of old newspapers, which focused on incidents in sports grounds was conducted, as well as a sample review of the minutes of the Judiciary Committee of the Cyprus football Federation. (6) Bibliography: A review of Greek, as well as international bibliography was conducted.

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- Children of divorced families are slightly overrepresented.
- They smoke and drink alcohol to a higher degree than the non-violent ones. Furthermore, a higher percentage of the violent fans have tried drugs.
- They demonstrate a lower degree (than the non-violent ones) of trust in socio-political institutions and their representatives – politicians, clergy, the police, football club executives and especially the referees.
- They are less content with their education, their relationship with their parents, their standard of living and with themselves, but they are more pleased (than the non-violent ones) with their leisure activities and their social affiliations.
- The main reason they present for getting involved in violent incidents is the provocation by rival fans, and strong feelings that the referee wronged their team.
- Violent and non-violent fans, as well as all other functionaries interviewed, feel strongly that the penalties imposed on vandals are non-detering.

[34]. The findings of the research of Charakis, Sitas et. al. on the anti-social behaviour of the Cypriot youth and racist tendencies.<sup>68</sup> Methodologically the research is sound and covers a large representative sample of teachers, school heads and deputy heads, media persons and youth<sup>69</sup> and the results

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<sup>68</sup> The authors are Charakis K., Sitas, A., Sotiriades, K., Demetriou, L., Charakis, C., Alexandrou, E. And the book is edited by Kristis Charakis (ed.) (2005) *Αντικοινωνική Συμπεριφορά των Νέων της Κύπρου- Ρατσιστικές Τάσεις*, Athens: Sakoulas. The book publishes the report of the research conducted by a team of social scientists and financed by the Research Promotion Institute in Cyprus. Part III, Chapter I of the book deals with education and covers issues such as discrimination in the school system, the role of the church and religious instruction, the content of school textbooks, etc.

<sup>69</sup>The sample included thirty nine school heads and deputy heads from all over the part of the island controlled by the Cyprus Republic; forty four teachers (ages: 28 – 60); two special questionnaires for 1,242 youths, between the ages 15-23; sixty two non-Cypriots who were mostly students of unspecified age; twenty three persons aged between 18-52 who are connected to the mass media.

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were published in 2004 and 2005.<sup>70</sup> The aim of the research was to investigate racist *predispositions* in they refer as “racist tendencies amongst the Greek-Cypriot youth, which is what the French sociologist Pierre Bourdieu referred to as *habitués*. Some relevant questions asked and answered in the questionnaires included:

- **“Is racism justified?”** The question only applied to the youth to which a ten per cent of the respondents said that racism ‘is justified’, thirty nine per cent answered that racism is ‘unjustified’, forty eight per cent that is ‘sometimes’ justified and three per cent said that ‘many times’ racism is justified.
- **“Is racism and discrimination promoted through educational books and material?”** This question only applied to teachers, for which forty per cent of the teachers and forty one per cent of the school-Heads said that racism is ‘not promoted’ though the educational material given; twenty three per cent of the teachers and twenty six per cent of the school-Heads said that racism is promoted ‘very sporadically’; twenty six per cent of the teachers and twenty three per cent of the school-Heads said that racism is ‘not particularly promoted’; and finally twelve per cent of the teachers and ten per cent of school-Heads said that the educational material given to schools promotes ‘regularly’ racism and discriminatory stereotypes.
- **“Would Racist tendencies: Is there a ‘superior race’?”** Seventy two per cent of the respondents rejected this statement; eighteen per cent answered “yes, it is a social construct”. Finally, ten per cent of the respondents said “yes, this exists by nature”.
- **“Racist tendencies: Are stereotypes real?”** Amongst the youth nineteen per cent said that stereotypes ‘are justified’; another nineteen per cent said that are ‘usually’ justified; twenty three per cent said ‘sometimes’ and thirty nine per cent ‘never’. Amongst media persons, thirty per cent said that stereotypes ‘are justified’; seventeen per cent said that stereotypes are ‘usually’ justified; nineteen per cent

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<sup>70</sup> The actual research was carried out during 1998-2001 (see Charakis and Sitas, 2004 and Charakis,2005).

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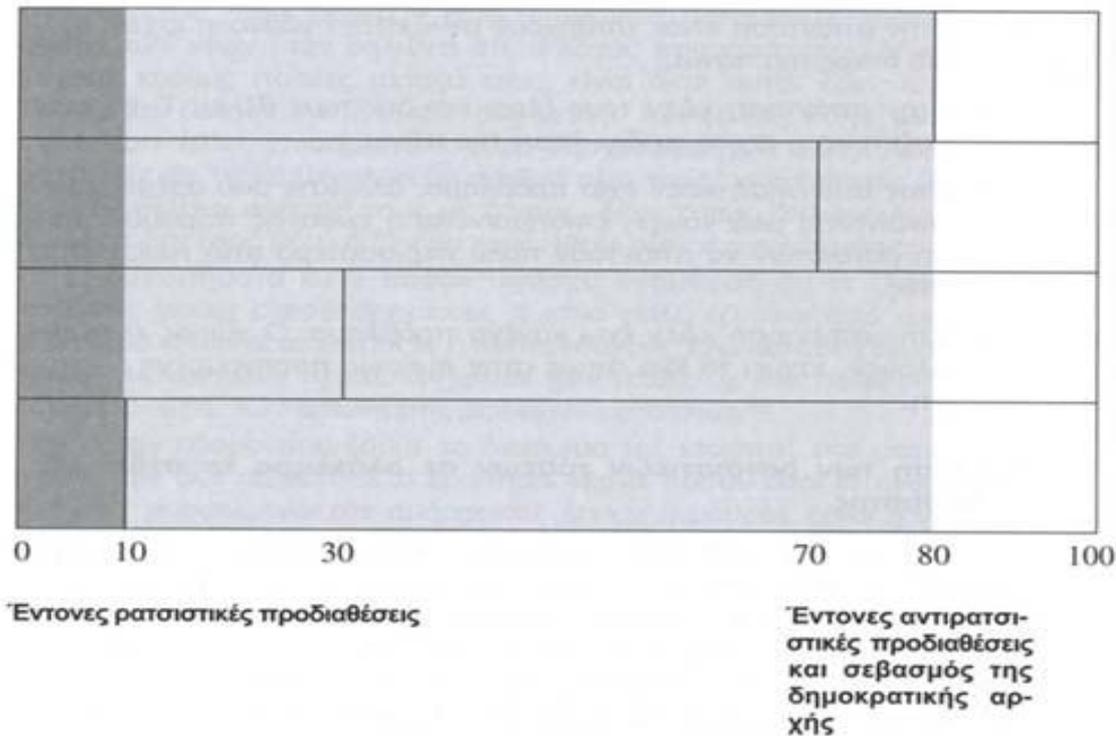
answered 'sometimes' and thirty five per cent that stereotypes are 'not justified'. Amongst teachers thirty seven per cent said that stereotypes 'are justified'; nineteen per cent said that are 'usually' justified; fourteen per cent 'sometimes' justified and thirty per cent 'never' justified. Amongst school heads and deputy heads: Eighteen per cent said that stereotypes 'are justified'; twenty eight per cent that are 'usually' justified; twenty one per cent are 'sometimes' justified and thirty three per cent 'never' justified.

- **Racist tendencies:** Degree of rejection and acceptance of foreigners from the youth (Grade from 1 – 6, 1 less acceptable, 6 most likely to be accepted)
- **Turkish-Cypriots living in the government controlled areas are the less acceptable group among the youth** (grade 3); workers of Arabic origin come second (3.2 grade); the Roma (3.3 grade); Pontians of Greek origin (4.1 grade); domestic workers of Asian origin (4.2 grade); workers coming from East-Central Europe (4.3 grade) and finally women working as artists in cabarets (4.6 grade).
- **Racist tendencies: “When you listen to the news, which is the expected issue when referring to foreigners?”** Fifty per cent of the respondents said that foreigners are usually connected with crime incidents (e.g. drugs); eighteen per cent said that the expected news are related to cultural events and lastly, thirty two per cent of the respondents said that they do not expect a particular issue connected to foreigners.
- The overall conclusion of the study is significant and has a strong bearing on trying to understand the situation as regards combating racism in sport which appears persistent amongst a minority of youths, despite some repressive measures in the football grounds. On the basis of the findings the research team has constructed what they refer as an “emotional map” of the respondents' dispositions of Greek-Cypriot youth between “two intractable extremes”. The table below designated as «Σχήμα 23», which depicts the parameters of racist and anti-racist dispositions: on the right we have 20%, an intractable section which dismisses all forms of discrimination and who espouse a culture of equality and human rights. On the left there another ten percent, which “articulated deep racist dispositions of a primordial sense based on the reduction of phenotype to

genotype and dismissed all forms of ‘otherness’”. They deduce from their empirical research that “whatever correlation is undertaken, or frequencies studied the two cohorts present an intractable boundary”: “all their responses emanate from an unwavering system of beliefs” (Charakis and Sitas 2004: 152). However, what is crucial in terms of tendencies is what happens to the rest 70 percent in middle how they shift, depending on the issue. Charakis and Sitas (2004: 153) argue that “if we correlate respondents with ideas that were discriminatory in the broadest sense possible, the concentration of responses would move from the intractable racist right of the map to spread all the way up to a 79 percent but stop short of the boundary on the right. If we were to correlate respondents with active derogation of the cultural ‘other’ we would find that it also corresponds with ‘xenophobic’ feelings and shrink back to 30 percent of the map”.

■

**Σχήμα 23.**  
**Όρια ρατσιστικών και αντιρατσιστικών πεποιθήσεων των νέων της Κύπρου**



- [35]. The tripolar depiction of map of racist/anti-racist dispositions of youth is extremely important. Charakis and Sitas (2004: 155) five years ago could confidently conclude that given the intractable boundary of one third of the youth on certain issues ideals of equality, human rights and respect for others are shared by 82 percent, which would allow for “a tide of racism and xenophobia to be checked and diminished,” on the conditions however that this can only be hoped if there is “intensive work form all the relevant organisations and networks”. Nevertheless, the alternative possibility in what we can term as the ‘negative scenario’ was also predicted as there were strong dispositions to discriminate: hence the research findings issued “a warning that unless the broader society is challenged and indeed disturbed by them and begin to implement measures to curb the phenomenon wherever it can, such tendencies may and will proliferate”.
- [36]. Various researchers and anti-racist NGOs consider that we have an *escalation* of the violent racist incidents,<sup>71</sup> some of which have been manifested within a sporting context. For instance the two most violent racial attacks over the last four months the attack on fourteen-year- old Cypriot girl of black complexion from African descent, who was playing volleyball for her school team, and the attack on Turkish-Cypriot fans of OMONIA by Greek-Cypriot APOEL fans outside the club, on one of the main boulevards of Nicosia. According to an anti-racist NGO: “This is one of the most serious crimes concerning racist violence in Cyprus, since the reason of the attack was the young girl’s skin colour. She is a Cypriot national of African origins... The incident may be an unusually extreme form of racist violence, but it nevertheless takes place in a broader social framework, where racist attitudes and discrimination against migrants and refugees (concerning employment, housing and other aspects of daily life) now dominate. [...] Unfortunately, the racist venom has been allowed to poison the souls of a portion of our youth...”<sup>72</sup> It has been aptly suggested that “the problem is not that there

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<sup>71</sup> This was raised by one officer of the anti-racist NGO KISA, who complained that migrants have reported violent attacks of inner Nicosia almost every weekend with certain racist thugs attacking all the migrants they find on the streets.

<sup>72</sup> KISA news release on 20.12.2008

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is a small, extreme, racist minority that is opposed to the presence of migrants that makes their lives difficult” but “the larger problem is that the majority simply does not care about the experience, conditions, problems, or joys of migrants in Cyprus and this perpetuates a situation of ‘living apart’ and not ‘together’.”<sup>73</sup> Or it may well be the case that antiracists and a significant portion of the more sensitive population do not react immediately due to a tradition of violence by extreme right wing groups that can be observed in Cypriot history over the last 60 years, particularly in the time of inter-communal and intra-communal violence.<sup>74</sup> This conforms to the research by Charakis, Sitas et. al. (2004, 2005) which has found that there is a ‘hard core’ of ten per cent amongst the Greek-Cypriot youth who express a racist predisposition.

- [37]. What are the implications of these findings for that research to the question of racism in sport? The findings of that research, even though they were based on empirical data that goes back almost a decade are still valid today, as more research shows.<sup>75</sup> The research findings are instructive as they provide us with the basis to sociologically explain and interpret racism amongst the youth in general and more specifically explain the level, intensity and perpetuation of racist tendencies in professional sport, mostly affecting fans of a couple of top football clubs. Moreover, it allows us to assess the impact of some policies to combat the phenomenon and explain why, despite the enhanced repressive measures that have been imposed racism in and around sport has not been eradicated. Rather what we seem to be experiencing a transformation of the phenomenon which is manifested in there tendencies:
- [38]. The first is a *shifting* or a *transfer* of racist behaviour into arenas which there is no system of surveillance, repression and proper monitoring, in the fashion that football violence has been transferred to lower divisions in the UK and elsewhere following the repressive and surveillance measures

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<sup>73</sup>Quoted from the presentation of project leader at PRIO Cyprus (the International Peace Research Institution Oslo), who presented her work on *Migrant Cities* (see Demetriou 2008).

<sup>74</sup> We thank the sociologist Andreas Panayiotou for pointing this out to us.

<sup>75</sup> See for instance the latest ECRI county Report on Cyprus 2006. For a review of the data on the subject see Trimikliniotis and Demetriou 2006 as well as the relevant Raxen reports 2003-2008. Also see Trimikliniotis 1999, 2004; 2005, 2006; Trimikliniotis and Pantelides 2003; Trimikliniotis and Demetriou 2007; 2009; Papamichael 2008; Demetriou 2009.

take (see Tsoukala 2009). It may well be that there is also a shifting to younger ages but this needs to be properly investigated as a research hypothesis; what we have is a number of serious indications from existing research drawn from an increasing number of research on education, exclusion and racism, as well as the violent attacks against the African pupil in the volley match and the cases investigated by the Cyprus Anti-discrimination Authority, referred to above.

- [39]. In terms of the reported and recorded cases we certainly have **an increase in violent racist incidents**, which may not necessarily mean that there is more racial violence now, but more awareness and better systems of reporting, complaining and investigating. Nor does it mean that there is no expression of political will by the education authorities; on the contrary we have had the strongest ever expression of political will to stamp out racism by the Minister of Education himself, who was one of the first to condemn the attack on the 14-year-old African pupil as racist. However, the problem of racism is an accumulated problem over the years, which was not properly tackled *via anti-racist education* as the recent report by the Cyprus Anti-discrimination Authority illustrated. Also, there seems to be resistance by organised teachers to treat racist violence as a more serious aggravating factor in the context of a more generalised “youth deviance” or “delinquency”.<sup>76</sup> Moreover, the approach of CFA and the sports authorities at large is one of general complacency as Kassimeris (2008) as well as a number of informers of this Report. It may well be the case that the ten percent of youths with an overtly racist disposition that the study of Charakis and Sitas (2004) points out have become *more* violent or *more* organised. We can therefore speak of indications, even if this cannot be considered to be conclusive evidence based on direct research, that there has been an escalation or an increase in frequency of violent racist incidents over the last years. The question certainly warrants further investigation.

- [40]. In terms of policy, it may well indicate that the *prima facie* ‘success’ on the pitch, which essentially repressing racist

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<sup>76</sup> See the report of the Cyprus Anti-discrimination Authority, which criticises the approach taken by teachers, who to this day refuse to recognise that the attack on the African pupil was racist.

symbols and slogans from the match, in the absence of a decisive and effective general policy to eradicate via a combination of education, making socially and politically unacceptable racism in all fields of social life, has actually spread and has contaminated more youths in the way the 'negative scenario' Charakis and Sitas have demonstrated (2004: 153). Of course such contentions require further research and analysis, but they are certainly plausible explanations for undisputed recent rise in reported racial violent cases.

### 1.3.1. Racist incidents in organised men's amateur adult sport

- [41]. There is no detailed information about the situation in organised men's amateur sport. The persons interviewed stated that there no noticeable problem of racism in neither amateur adult sport, nor are there any racist incidents reported during 2003-2008.

### 1.3.2. Racist incidents in men's professional adult sport

- [42]. It has to be noted that the system of properly monitoring and recording the racist incidents in general and sport in particular is inaccurate and thus inadequate. The data collected for the purposes of this paper are drawn from a number of sources that do however provide us with an important bearing that serves as an indication as to the kinds of issues, the frequency, intensity and seriousness of the racial incidents in sport, which by and large is concentrated on professional sport, and primarily affects professional football. Moreover, the interviews with officials, coaches, researchers, journalists and sports experts and fans have given us an insight into the main problems of racism and the policies and practices to combat racism in sport.
- [43]. Starting with football, apart from the most known cases which we have referred to above when discussing the general context (and will discuss them in some more detail further down), we have some important data from the CFA authority itself. The CFA tribunal has imposed on five first division teams

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sanctions, mostly fines, and on some occasions the hefty sanction of banning from playing in their home ground for club fans carrying or chanting “racist slogans” in the matches. Six clubs were fined or had some other sanctions imposed on them for racist slogans on fifteen occasions since 2003: APOEL six times; Apollon five times, Anorthosis once, AEK once, Omonia once (Interview KOP). In additions we are informed at least on another six occasions there were racist incidents on the pitch for which the CFA has accepted in mitigation that the (foreign) footballers was provoked by some racist abuse by another player before fining them for “retaliating” in some manner (e.g. by fouling or resorting to some other form of aggressive behaviour): such incidents are unfortunately not reported in public, but he have it on good authority.<sup>77</sup> APOEL is the club with the most frequent and most serious incidents, with Apollon following closely. Moreover, there are allegations against both teams that their fans are very often engaged in racist slogans: in the case of APOEL, the club faced a fine for a racist incident by their fans in a basketball match and the club faces allegations for the recent attacks against Turkish-Cypriots near the premises of the club, a matted currently under investigation by the Cyprus Anti-racist Authority.

- [44]. As far as basketball is concerned the only available information concerns the case of Randle of AEL, who was referred to the CBA tribunal for assault and/or anti-athletic and/or inappropriate behaviour against fans of the opponent club in the semi-final playoffs of the championship in first division men’s match between ASPIS-APOEL-PROTEAS V. EKA AEL.<sup>78</sup> At the same time APOEL was referred to the CBA tribunal for the conduct of its fans which involved the throwing of objects and/or anti-athletic and/or inappropriate behaviour during the same match. During warming up prior to a basketball match, a group of fans of the club (APOEL) were making sounds and gestures imitating monkeys and shouting racist remarks to a black basketball player of the opponent club (AEL). The player in question went up to them in the fans’ quarter and a fight of pushing and shoving started. The police who witnessed the incident told the fans to stop the

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<sup>77</sup> Interview with officer of the CFA tribunal, 10.3.2009.

<sup>78</sup> On 09.03.2008 (referral No. 57).

abusive behaviour but made no arrests. The player was referred by the Cyprus Basket Federation for assault and/or anti-athletic and/or inappropriate behaviour against fans of the opponent club. The fans were not charged with racism related offences. By majority, the committee decided that the player be fined with 450 euro plus 100 euro for costs. The descending view was that he should have been banned from playing in one game. APOEL was fined with 850 Euros. The descending view was that the club should have been banned from playing on home ground. Although the decision is not justified or supported with any reasoning, it is clear that the tribunal did not accept the defence lawyer's arguments, that the player was unjustly provoked, in their entirety and presumably based its decision on the premise that the player should not have involved himself in a fight despite having been provoked.

### 1.3.3. Racist incidents in organised women's amateur adult sport

- [45]. There is no detailed information about the situation in organised women's amateur sport in general. As far as female football in Cyprus has developed in the last four years: in 2008-2009 was the first year that foreign footballers were employed, who are semi-employed (interview C1). Save for one serious incident recently, which will be outlined below, there no noticeable problem of racism in neither amateur adult sport, nor are there any racist incidents reported during 2003-2008. No reasoning was offered by the tribunal for this decision, as is the norm in these procedures. The player's lawyer argued that the fans had demonstrated grossly racist behaviour and that fining him would amount to equating the victim with the assailant. The player's lawyer also protested against the favourable treatment which the opponent club (APOEL) is receiving from the prosecution, stressing the racist nature of the incident.
- [46]. According to a coach of a football team during a recent football match between Apollon V. Nea Salamina (02.02.2009), a number of organised male fans entered the

stadium and started swearing against Nea Salamina and racially abused the black footballer of the guest team in violation of the criminal provisions of the law and the regulations of the football federation. There were five police officers present and the referee was from the first division.<sup>79</sup> Neither the referee, nor the observer, or the clubs referred the matter to CFA for reference to its tribunal. But we are informed that a complaint may be lodged to the Cyprus Anti-discrimination Authority. The informer reported that he had approached and confronted one of the leaders of the fans to inform him that the racial abuse was illegal but he was ignored (interview with C1).

[47]. We have no data on any problems in athletics.

#### 1.3.4. Racist incidents in women's professional adult sport

[48]. We have not received any reports of incidents or other forms of racism in professional or amateur women's basketball or athletics.

#### 1.3.5. Racist incidents in organised children's and youth sport

[49]. We do not have any data regarding racist incidents in organised children's and youth sport during 2003-2008. The only case that we have been informed about is an important recent case was **the racial attack on a black Cypriot female pupil during and after school volleyball**,<sup>80</sup> which the Cyprus Anti-discrimination Authority criticised the handling of a racist attack by the police and by the school authorities. The Cyprus Anti-discrimination Authority investigated a complaint received from an NGO regarding the attack against a Cypriot black female pupil by a group of about 40 other

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<sup>79</sup> The referee's name is published in the match document (S. Tryfonos).

<sup>80</sup> AKR 241/2008, dated 10.03.2009.

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Cypriot white pupils following a volleyball match between her school and another school. The attack took place in December 2008 when the victim tried to defend one of her co-players in the match and was then attacked by pupils of the other school shouting racist insults. The victim was severely injured and had to be taken to hospital. When the police arrived on the scene, the school headmaster informed them that the matter would be handled internally between the two schools. No arrests were made and no charges were brought against anyone by the time of issue of the Cyprus Anti-discrimination Authority's report, three months after the incident. The police who initially refused to accept a statement from the victim's father, subsequently agreed to do so following the Cyprus Anti-discrimination Authority's intervention. A statement issued later by the school's teachers rejected the allegations of racist motives and described the incident as the manifestation of youth delinquency. The only measure taken by the school was to permanently expel one pupil who initiated the attack against the victim but cited as reasons for the expulsion her involvement in the incident and her shouting insults against the teachers; the school's decision made no mention of racist behaviour. In contrast, the Minister of Education unequivocally described the incident as racist and committed himself to the setting up of a monitoring mechanism for the recording and analysis of violent incidents maintaining a special record for racist incidents. In its' decision the Cyprus Anti-discrimination Authority criticised the school authorities for refusing to attribute racist motive to the attack and for stressing the allegedly provocative behaviour of the victim, in an apparent effort to shift responsibility from the assailants to the victim. The report also criticised the decision of the school to permanently expel one of the assailants stating that this measure is not only inadequate in that it failed to address the racist motive of the pupil but it was also lacking educational sensitivity, as the repercussions from the permanent expulsion are likely to intensify the problem. The Cyprus Anti-discrimination Authority also criticised the attitude of the police who failed to take an active stand against racism in spite of the victim's unequivocal position that she wanted the case to go to Court, and stated that the lack of commitment of the police against racism will lead not only to the

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intensification of the phenomenon but also to the vulnerable groups losing faith in the police. The report welcomes the stand of the Minister of Education who consistently described the incident as racist and visited the schools as well as the victim in order to show his solidarity and concern. After emphasising once more<sup>81</sup> the inadequacy of the system of recording racist incidents maintained by the police who clearly make an underestimation of the problem, the report refers to decisions of the ECtHR<sup>82</sup> and to ECRI recommendations on recording racist incidents on the one hand<sup>83</sup> and on anti-racist education on the other hand.<sup>84</sup> The report concluded that as long as educationalists do not take an active stand against racism and prefer the oversimplified interpretation of youth delinquency and as long as incidents are not addressed and handled and assailants go unpunished, the phenomenon of racist violence will be reproduced and multiplied. The problem becomes more serious when the victims are migrant children who form a particularly vulnerable group and even more so when they were born or raised in Cyprus or acquired Cypriot nationality as there are serious issues of integration of second generation Cypriots posed and racist incidents must be faced decidedly in order to reinstate their feelings of security and social acceptance. The report falls short from recommending concrete measures to be taken in order to address this and other incidents of racist violence, despite its emphasis on the growing tendencies of the phenomenon. In that vein, the report accepts the setting up of the monitoring mechanism promised by the Minister of Education as exhaustive of the measures that may be taken. In addition, although the report hints on the fact that teachers essentially disregard state policies over the handling of racist incidents and apply their own decisions, it does not recommend any measures to be taken against the teachers. This is a wider problem facing Cypriot society in recent months, where the leadership of the teachers' unions are

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<sup>81</sup> Similar comments were made by the Cyprus Anti-discrimination Authority in previous reports: AKR 37/2005, dated 11.07.2005; AKR 7/2006, dated 01.08.2007; and AKR/AYT 2/2008, dated 26.01.2009.

<sup>82</sup> *Bekou & Koutropoulou v. Greece* where Greece was found guilty of not adequately addressing the racial motive involved in an attack against a group of Roma

<sup>83</sup> ECRI General Policy Recommendation No 11 on combating racism and racial discrimination in policing.

<sup>84</sup> ECRI General Policy Recommendation No 10 dated 15 December 2006.

openly opposing the government's efforts for comprehensive educational reform towards multicultural education and go as far as issuing decisions contradicting the circulars issued by the Ministry of Education.

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## 1.4. Indirect (structural) racial/ethnic discrimination

### 1.4.1. Structural discrimination in all sports

- [50]. It is difficult to make any assessment regarding the most common forms of structural discrimination as there is hardly any information gathered on statistics of sport participation of migrants, minorities or other potentially discriminated groups in Cyprus. There is no authority keeping track of statistics on the representation of migrants and ethnic minorities in any of the sports, save for professional football and basketball, who employ non-nationals – but these are usually specially recruited and well-paid professionals rather than members of immigrant communities living in Cyprus, who are located in the lowest echelons of the labour hierarchy.<sup>85</sup> We can therefore not quantify the extent of the involvement of migrants and ethnic minorities as athletes, coaches, officials and fans in the sports under examination (football, basketball and athletics). In general, the only visible non-natives are the essentially the professional athletes and coaches of the top leagues in football and basketball. There is minimum involvement of migrants, who have only arrived en mass after 1990; as for the Turkish-Cypriot ethnic community, the problem of the de facto partition and the ethnic conflict preceded that meant that there is minimum participation of Turkish-Cypriots in sports, although there are some Turkish-Cypriot individuals, who do participate, despite the political and social problems that have resulted as result of the ethnic

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<sup>85</sup> See Trimikliniotis and Pantelides, 2003, Trimikliniotis and Demetriou, 2007.

conflict and the de facto partition: we are informed that there are a handful of young Turkish-Cypriot footballers playing with some second division football clubs;<sup>86</sup> to a couple of years ago, the first division club Nea Salamina had some Turkish-Cypriot footballers playing up. Also apparently there are also some athletes in track and field.<sup>87</sup> There is no information about the involvement of the smaller minorities designated by the constitution as “religious groups” (Maronites, Armenians and Latins). Officials are almost always Greek-Cypriots, with some notable exceptions, and the makeup of the fans varies enormously according to sport and club.

## 1.4.2. Structural discrimination in the three focus sports

### Organised men's amateur sport

- [51]. As far as structural discrimination prevailing in the three sports the following can be identified we have no relevant data or statistics on amateur football, basketball and athletics to draw any conclusions on the subject.
- [52]. As far as football is concerned, there is the issue of exploitation of foreign footballers who play in second division teams as “amateurs” was raised by the Pancyprian Footballers’ Association.<sup>88</sup> The practice of some football clubs to obtain work permits and register some footballers in jobs unrelated to football and use them in matches as “amateurs” resulted in instances of non-payment and deportation from the country. Apparently from next year the new regulations will

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<sup>86</sup> Interview with officer of the Cyprus Football Federation, Nicosia, 11.2.2009.

<sup>87</sup> The officer of KOA informed us that there have been efforts, but the only real problem is that the Turkish-Cypriot athletes find it difficult to compete as they do not have the infrastructure in the occupied north. No figures were provided (interview with officer of the Cyprus Athletics Federation, Nicosia, 19.2.2009).

<sup>88</sup> Interview with Spyros Neofitides, President of Pancyprian Footballers Association, Nicosia, 3.3.2009.

no longer allow third country nationals to be registered as “amateurs” but can only be professionals.

## Men's professional sport

- [53]. In the second football division of Cyprus there are 230 Cypriot players and 110 foreigners. There are calls by the Pancyprian Footballers’ Association (PFA) for the CFA to adopt the Scottish football regulations since last year that have a rule compelling each team to include within their 18-squad four to five under twenty-one year olds.<sup>89</sup> The journal of the Pancyprian Footballers’ Association which raises concerns about the fact that Cypriot footballers are being displaced by foreigners (EU nationals and third country nationals), is of the view that the adoption of a Scottish-type of rule will work as an indirect quota for Cypriots, who will become the ‘core’ of the squad, as it is unlikely that foreigners would move to Cyprus before they are 21 years old. The president of the Pancyprian Footballers’ Association considers that Cypriot footballers suffer from discrimination as they are less likely to accept conditions that are unacceptable for locals – but which may be adopted by foreigners.<sup>90</sup> In any case this is a major European issue of debate following the Bosmans ruling in 1995.<sup>91</sup> The Pancyprian Footballers’ Association is arguing for the adoptions a rule in the spirit of the UEFA ‘Home-grown Player rule’, which is also discriminatory under EU law but unlike a quota system it constitutes indirect, rather than direct discrimination. The argument here is that the system may be justified under EU law if it can be “objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary”.<sup>92</sup>
- [54]. The Pancyprian Footballers’ Association (PFA) has further informed us of a discriminatory practice by the CFA regarding the football games scheduled during the Christmas vacations:

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<sup>89</sup> See «Οι αριθμοί φοβίζουν. Νοιάζεται η ΚΟΠ;», *Επάγγελμα Ποδοσφαιριστής*, issue 1, 2008, journal of the Pancyprian Footballers’ Association, p. 10.

<sup>90</sup> Interview with Spyros Neofitides, President of Pancyprian Footballers Association, Nicosia, 3.3.2009.

<sup>91</sup> Union Royal Belges des Sociétés de Football Association ASBL & others v. Jean-Marc Bosman; Case C-415/93, ECR I-4921.

<sup>92</sup> Article 2(b) of the EU Directive 43/2000

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the scheduled fixity was planned for the 27 and 28 of December 2008, which arranged apparently as the result from pressure on CFA by the football clubs which wanted to avoid their contractual obligations of paying the tickets of foreign footballers, if there was a vacation.<sup>93</sup> As a result of industrial action by the Pancyprian Footballers Association, there were no matches for the second, third and fourth division, but the first division went ahead as scheduled.<sup>94</sup>

- [55]. The CFA has so far failed to participate in any serious initiative as far as campaigning to combat racism in football. However, some individual clubs do make such bold statements. For instance Apollon had tried to address its problem in 2005-2007. In 2005, despite strong advice from FARE and UEFA, the CFA refused to accept an offer of 50,000 Swiss francs to organise a campaign to combat racism from football, claiming that there is no problem of racism in Cypriot football. A scholar involved in the FARE initiative to this as “incomprehensible” and a “disgrace”.<sup>95</sup> “while the problem of institutional racism is self-explanatory, one feels compelled to ask whether the incomprehensible response of the Cyprus Football Association adds a new dimension to the issue”. A similar approach was taken in various newspaper editorials and featured articles at that time.<sup>96</sup> This becomes all the more questionable given the calls by black footballers to stamp out racism in Cypriot football: for instance Seyni N’Diaye, a Senegalese player described an “unacceptable situation, which the authorities must clamp down on” and that “in Cyprus, the crowd make derogatory noises towards me and shout insults”. Chants such as “let’s throw some bananas at him,” and “go back to the jungle you black bastard” are a common occurrence at some grounds. Moreover, he singled out fans of APOEL, Anorthosis and Apollon as being the

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<sup>93</sup> Interview with Spyros Neofitides, President of Pancyprian Footballers Association, Nicosia, 3.3.2009.

<sup>94</sup> See «Δεν θα μας ... σταυρώσουν Χριστουγεννιάτικα;», *Επάγγελμα Ποδοσφαιριστής*, issue 1, 2008, journal of the Pancyprian Footballers’ Association, p. 14-15.

<sup>95</sup> Kassimeris, 2008, p.128.

<sup>96</sup> See John Leonidou (2005) “Cyprus in the dock over football racism”, *Sunday Mail*, 30.10.2005; Leo Leonidou (2005) ‘Not enough is done to combat racism in Cyprus’, *Cyprus Mail*, 18.11.2005; “What’s to be done about Cyprus football? CFA yet to tackle outstanding problems”, *Sunday Mail*, 27.11.2005.

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main culprits, with the rest being “generally OK”.<sup>97</sup> It was reported at that time that some black players wanted to leave from Cyprus as a result of this behaviour.<sup>98</sup> As for the current situation, more research is required.

- [56]. Regarding the adoption of measures by CFA for the combating of discrimination, the CFA official interviewed stated that he had no idea about the offer of 50,000 CHF by FARE and that if it declined it was done so only by mistake. He stated that the two clubs which had experienced problems of racism had launched campaigns and one of them, Apollon, was commended by UEFA for its campaign. He denied the allegation made by the Pancyprian Footballers Association that CFA rejected a proposal by PFA for an antiracist campaign to be launched before every month, such as “red card to racism”. In support of this, he added that CFA’s launching of the league contains unequivocal condemnation of racism and rules for the punishment of those guilty of racism. He stated that CFA is ready to promote any kind of measures needed for the combating of racism and encourages the clubs to take measures to raise awareness amongst the fans. When asked whether in his opinion it is the duty of the clubs and not of CFA to educate the fans and the public in general, he said yes. We are informed that the CFA official that an example of good practice, he mentioned that a week ago a CFA official went to a school in Dali (a Nicosia suburb) to talk about violence and racism in sports.

### Organised women's amateur sport

- [57]. We have no data to form an opinion on the extent and the forms of structural discrimination prevail in the football, basketball and athletics in women’s amateur sports.

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<sup>97</sup> See Leo Leonidou (2005) ‘Not enough is done to combat racism in Cyprus’, *Cyprus Mail*, 18.11.2005;

<sup>98</sup> What’s to be done about Cyprus football? CFA yet to tackle outstanding problems”, *Sunday Mail*, 27.11. 2005.

## Women's professional sport

- [58]. We have no data to form an opinion on the extent and the forms of structural discrimination prevail in women's amateur.
- [59]. We are informed by the sports officials interviewed (KOA, KOP, BA) that there are no regulations of national sport federations and sport organisations limiting the access of migrants and ethnic minorities to sport.
- [60]. There is statistical data on the representation of migrants and ethnic and religious minorities as athletes/players, as spectators, as members of sport clubs, or in administrative and leadership positions available.

## Organised children's and youth sport

- [61]. We have no data to form an opinion the issue of structural discrimination prevail in the three sports. It is likely that the barriers that exist and the representation of recognised vulnerable groups or group at risk of disadvantage and discrimination to also be discriminated against in the three sports examined in this report.
- [62]. We are informed by the sports officials interviewed (KOA, KOP, BA) that there are no regulations of national sport federations and sport organisations limiting the access of migrants and ethnic minorities to sport.
- [63]. There is statistical data on the representation of migrants and ethnic and religious minorities as athletes/players, as spectators, as members of sport clubs, or in administrative and leadership positions available.

## Media (representation of ethnic minorities among sport journalists)

- [64]. There is statistical data on the representation of migrants and ethnic minorities in sport journalism.

## 1.5. Regulations and good practice

### 1.5.1. Regulations preventing racism, xenophobia and related intolerance in sport

#### Regulations preventing racism, xenophobia, and related intolerance **in all sports**

- [65]. The Cypriot sports authorities maintain that the regime regulating the prevention of racism, xenophobia, and related intolerance in all types of sports complies fully with what is required by EU law (KOA interview).
- [66]. The legal provisions regarding regulating combating racism in sport, particularly as regard the power of the Anti-discrimination Authority to intervene was summarised in the 2004 report.<sup>99</sup> The law to combat racism and discrimination is the result of the transposition of the EU anti-discrimination acquis.<sup>100</sup>
- [67]. Until the eve of its EU accession, Cyprus lacked a comprehensive primary anti-discrimination legal framework: the pre-accession anti-discrimination framework did not provide an effective enforcement mechanism, even though there was one case that provided that human rights created rights against the state and individuals.<sup>101</sup> On 01.05.2004

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<sup>99</sup>AKP 4/2004, 24.12.2004, Έκθεση της Αρχής κατά του Ρατσισμού και των Διακρίσεων αναφορικά με την εκδήλωση ρατσιστικών συμπεριφορών κατά την διάρκεια ποδοσφαιρικών αγώνων. This report investigated the racist behaviour of fans of Anorthosis against the African footballer Nagoli Kennedy and failure of the authorities to combat racism in football.

<sup>100</sup> For the trends in Cyprus see Trimikliniotis, N. and Demetriou, C. (2006) *Combating ethnic and racial discrimination and promoting equality: Trends and developments 2000 – 2005 - Report on Cyprus*, Special Study for RAXEN. For an updated study on the subject see Demetriou 2008 and Trimikliniotis and Demetriou 2008.

<sup>101</sup> This ineffective regime was noted by the *Second ECRI Report on Cyprus* (2001), as well as the European Commission Report of 2002, under the heading *On the issue of human rights and the protection of minorities*, states that significant work still needs to be done in the area of anti-

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three laws came into force purporting to transpose Directives 43/2000/EC and 78/2000/EC: (a). The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law<sup>102</sup> purporting to discharge of the Republic's obligation to appoint a national Cyprus Anti-discrimination Authority under Article 13 of the Race Directive (hereinafter Law No. 42(1)); (b) The Equal Treatment (Racial or Ethnic Origin) Law<sup>103</sup> purporting to transpose the Race Directive; and (c) The Equal Treatment in Employment and Occupation Law<sup>104</sup> purporting to transpose the Framework Directive. Cyprus has not taken the option to defer implementation of the provisions of Directive 78/2000/EC relating to age and disability to 02.12.2006. The relevant laws came into force on or before 1<sup>st</sup> May 2004, the date of Cyprus' accession into the EU. Law No. 42(1) appoints the Commissioner of Administration or *Ombudsman*, an independent officer appointed by the President of the Republic, as the specialised body to (i) combat racist and indirectly racist discrimination as well as discrimination forbidden by law and generally discrimination on the grounds of race, community, language, colour, religion, political or other beliefs and national or ethnic origin;<sup>105</sup> (ii) promote equality of the enjoyment of rights and freedoms safeguarded by the Cyprus Constitution (Part II) or by one or more of the Conventions ratified by Cyprus and referred to explicitly in the Law<sup>106</sup> irrespective of 'race', community, language, colour, religion, political or other beliefs, national

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discrimination. The relevant section reads: "Cyprus has ratified all major human rights conventions and signed Protocol 12 to the European Convention on Human Rights on 4 November 2000 prohibiting discrimination on any grounds. Whereas Art. 28 (2) of the Constitution prohibits any direct or indirect discrimination against any person on the grounds of his community, race, religion, language, sex, political or other convictions, national or social descent, birth, colour, wealth, social class, or any ground whatsoever, there is no specific implementation legislation for the EC non-discrimination directives adopted in 2000."

<sup>102</sup> The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004)

<sup>103</sup> The Equal Treatment (Racial or Ethnic Origin) Law No. 59(I) /2004 (31.3.2004)

<sup>104</sup> The Equal Treatment in Employment and Occupation of 2004 No. 58 (1)/2004 (31.3.2004).

<sup>105</sup> The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004), Section 3.(1).(a), Part I.

<sup>106</sup> These Conventions are: Protocol 12 of the European Convention for Human Rights and Fundamental Freedoms; the International Convention for the Elimination of All Forms of Racial Discrimination; the Framework Convention for the Protection of National Minorities; the Covenant for Civil and Political Rights and the Convention Against Torture and Inhuman and Degrading Treatment or Punishment.

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or ethnic origin<sup>107</sup> and (iii) promote equality of opportunity in the areas of employment, access to vocational training, working conditions including pay, membership to trade unions or other associations, social insurance and medical care, education and access to goods and services including housing.

- [68]. The Law vests the Ombudsman with powers beyond those prescribed by the two EU Directives as the designated Cyprus Anti-discrimination Authority of Cyprus: the power to receive and investigate complaints of discriminatory treatment, behaviour, regulation, condition, criterion or practice prohibited by law; the power to issue Reports of findings; the power to issue orders (through publication in the Official Gazette) for the elimination within a specified time limit<sup>108</sup> of the situation which directly produced discrimination, although such right is somewhat limited by a number of exceptions.<sup>109</sup> The Ombudsman's decisions can be used for the purposes of obtaining damages in a district court or at an employment tribunal. The Ombudsman in its capacity as the Cyprus Anti-discrimination Authority is further empowered to impose small fines,<sup>110</sup> to issue recommendations to the person against

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<sup>107</sup> The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004), Section 3(1).(b), Part I.

<sup>108</sup> Which time limit shall not exceed 90 days from publication in the Official gazette ( The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004), Section 28).

<sup>109</sup> The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004), section 14(2) and section 14(3), Part III, list the limitations to the Commissioner's power to issue orders as follows: where the act complained of is pursuant to another law or regulation, in which case the Commissioner advises the Attorney General accordingly, who will advise the competent Ministry and/or the Council of Ministers about measures to be taken to remedy the situation [ The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004), Sections 39(3) and 39(4)]; and where discrimination did not occur exclusively as a result of violation of the relevant law; where there is no practical direct way of eradicating the situation or where such eradication would adversely affect third parties; where the eradication cannot take place without violating contractual obligations of persons of private or public law; where the complainant does not wish for an order to be issued; or where the situation complained of no longer subsists.

<sup>110</sup> The fine to be imposed cannot exceed CYP350 for discriminatory behaviour, treatment or practice [ The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004), Section 18(a)], CYP250 for racial discrimination in the enjoyment of a right or freedom [ The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004), Section 18(b)], CYP350 for non-compliance with the Commissioner's recommendation within the specified time limit [ The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004), Section 26(1) (a)] and CYP50 daily for continuing non-compliance after the deadline set by the Commissioner [ The Combating of Racial and Some Other Forms of

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whom a complaint has been lodged, and to supervise compliance with orders issued against persons found guilty of discrimination.<sup>111</sup> However, all orders, fines and recommendations issued or imposed by the Cyprus Anti-discrimination Authority under this Law are subject to annulment<sup>112</sup> by the Supreme Court of Cyprus upon an appeal lodged by a person with a 'vested interest.'<sup>113</sup> The Cyprus Anti-discrimination Authority may also investigate issues on his/her own right where the Cyprus Anti-discrimination Authority deems that any particular case that came to his/her attention may constitute a violation of the law.<sup>114</sup> Also, the Cyprus Anti-discrimination Authority may investigate cases following applications by NGOs, chambers, organizations, committees, associations, clubs, foundations, trade unions, funds and councils acting for the benefit of professions or other types of labour, employers, employees or any other organised group, local authorities, public law persons, the Council of Ministers, the House of Parliament etc.<sup>115</sup> In such cases, the Cyprus Anti-discrimination Authority is empowered to issue recommendations to the person or group found guilty of discriminatory behaviour as to alternative treatment or conduct, abolition or substitution of the provision, term, criterion or practice. The findings and reports of the Cyprus Anti-discrimination Authority must be communicated to the Attorney General of the Cyprus Republic who will, in turn advise the Cyprus Republic on the adoption or not of appropriate legislative or administrative measures, taking into account the Republic's international law obligations and who will at the same time prepare legislation for the abolition or substitution of the relevant legislative provision.

- [69]. Since 2004 there have been other regulations that have strengthened the legal framework. For instance, as far the legal regime of regulating abusive behaviour during sports

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Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004), Section 26(1) (b)]. Generally speaking, the fines are considered to be very low.

<sup>111</sup> The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004), Section 24(1).

<sup>112</sup> The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004), Section 23.

<sup>113</sup> Term used in Section 146 of the Cyprus Constitution, which sets out the procedure for appeal to the Supreme Court of Cyprus.

<sup>114</sup> Law No. 42(1)/ 2004 (19.03.2004), art. 33.

<sup>115</sup> Law No. 42(1)/ 2004 (19.03.2004), art. 34(2).

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matches, including racist conduct in sport we have a new law that came in force on 11.07.2008 a new law came into force<sup>116</sup> (Cyprus/Law N.48(I)/2008) addressing violence in sporting venues in general. The law includes a provision (article 71) prohibiting statements by sports actors amounting to encouragement of violence and of feelings of prejudice, racism or discrimination against inter alia other spectators or sports fans, sports actors, journalists, players or referees; such statements are punishable with a fine not exceeding Euros 5,000. A further provision of the same law (article 72) outlaws the use of posters or banners with racist or insulting content, gestures or the uttering of words with racist or insulting content, the penalty for which is imprisonment not exceeding six months and/or a fine not exceeding Euros 1,000.

[70]. There also a number of important criminal provisions that enhance combating racism and discrimination in sport. Cyprus has ratified the Additional Protocol to the Convention on Cybercrime concerning the Criminalisation of Acts of Racist or Xenophobic Nature committed through Computer Systems<sup>117</sup> which also creates a number of criminal offences:

- Article 4 criminalises the dissemination of racist and xenophobic material through a computer system.
- Article 5 criminalises racially and xenophobically motivated threat disseminated through a computer system.
- Article 6 criminalises racist and xenophobically motivated insult.
- Article 7 of criminalises the denial, gross minimisation, approval or justification of genocide or crimes against humanity.
- Article 8 criminalises the aiding and abetting of any of the crimes provided for in Articles 4-7 of the law.

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<sup>116</sup> Cyprus/Law on Prevention and Combating of Violence in Sports Venues N. 48(I)/2008 (11.07.2008).

<sup>117</sup> Cyprus/The Additional Protocol to the Convention against Cybercrime concerning the Criminalisation of Acts of Racist or Xenophobic Nature committed through Computer Systems (Ratification) Law N. 26(III)/2004.

[71]. With the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>118</sup> as well as with the subsequent amendments introduced to the basic law,<sup>119</sup> Cyprus established a number of offences relevant to combating racism and intolerance, in conformity with a recommendation of the Committee for the Elimination of Racial Discrimination. The offences include incitement to racial hatred, participation in organisations promoting racial discrimination, public expression of racially insulting ideas and discriminatory refusal to provide goods and services. As a result of these amendments, it is no longer necessary that the incitement to racial hatred is intentional for the corresponding offence to be committed; in addition, for the refusal to provide goods and services to constitute an offence it is no longer necessary that race be the sole ground of discrimination.<sup>120</sup> Article 2A of amended law renders criminally liable those persons who:

- (a) incite acts which are likely to cause discrimination, hatred or violence against persons on account of their racial or ethnic origin or religion;
- (b) establish or participate in organisations that promote propaganda aiming at racial discrimination;
- (c) express ideas that insult persons by reason of their racial or ethnic origin or religion;
- (d) refuse to supply goods or services to people by reason of their racial or ethnic origin or religion.
- The penalty is up to two years imprisonment and/or a fine of up to CYP £1,000 (approximately Euros 1,720).
- Article 2A (4) of the same law reads: “Any person who supplies goods or services by profession and refuses such supply to another by reason of his racial or ethnic origin or

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<sup>118</sup> Cyprus/The Convention on the Elimination of All Forms of Discrimination (Ratification) Law, N. 12/1967.

<sup>119</sup> Cyprus/ Laws amending the Convention on the Elimination of All Forms of Discrimination (Ratification) Law, No. 11(III)/1992 and 28(III)/1999

<sup>120</sup> Section [about 6700 euro].

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his religion, or who makes such supply subject to a condition relating to the racial or ethnic origin or to the religion of a person is guilty of an offence and is liable to imprisonment not exceeding one year or to a fine not exceeding four hundred pounds or to both such punishments”. The section referring to the refusal to provide goods and services has resulted in at least one conviction.<sup>121</sup>

[72]. There are however some other relevant provisions of the Criminal or Penal Code. Under the Cypriot Criminal Code (Cap.154) a number of discriminatory acts are punishable offences:

- Article 47: publication<sup>122</sup> with a seditious intention;
- Article 48: “intention to promote feelings of ill will and hostility between different communities or classes of the population of the Republic”,<sup>123</sup>
- Articles 51 and 51A: the calculated statement, printed or published to “encourage recourse to violence on the part of any of the inhabitants or to “encourage recourse to violence or promote feelings of ill will between different classes of communities or persons in the Republic of Cyprus” or which “procures the inhabitants to acts of violence against each other or to mutual discord or foments the creation of a spirit of intolerance.”<sup>124</sup>

[73]. The Criminal Code contains two more provisions which may, in the opinion of the Cyprus Expert of the Legal Network of

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<sup>121</sup> In criminal case No. 31330/99 dated 12 December 2001 where the accused was actually convicted and a term of imprisonment was imposed.

<sup>122</sup> The wording reads “any person who publishes any words or documents or makes any visible representation whatsoever with a seditious intention is guilty of a felony and is liable to imprisonment for five years.”

<sup>123</sup> This is deemed to be seditious intention for the purposes of the above offence under s. 47.

<sup>124</sup> A person who commits any of those acts is “guilty of a misdemeanour and is liable to imprisonment for twelve months or to a fine of one thousand pounds or to both such penalties and, if a body corporate, to a fine of three thousand pounds” [1000 pounds is 1700 euro; 3000 pounds is 5000 euro].

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Independent Experts on Fundamental Rights,<sup>125</sup> indirectly lead to a conviction for discriminatory acts:

- Article 105 provides that civil servants (i.e. government employees) may be held guilty for “abuse of power” and may be sentenced to imprisonment of up to two years and/or a fine of up to CYP£1,500 (approximately Euros 2,580). Abuse of power may well include using their position to discriminate against persons in the course of their duties.
- Article 136 provides that any person who violates the law on purpose, in relation to an act involving the public or part of the public, is guilty of an offence and is liable to up to two years imprisonment and/or a fine not exceeding £1500 CYP (approximately Euros 2,580). It can therefore be inferred that an act violating the anti-discrimination provision of the Cypriot Constitution (article 28) or any other law, may constitute a criminal offence under Section 136 of the Criminal Code if committed with a racist motive.

[74]. Moreover, the law transposing Directive 2000/43/EC<sup>126</sup> renders all violations of all its provisions by physical persons criminal and punishable with up to six months imprisonment and/or with a fine of up to CYP£4000 (approximately Euros 6,900).<sup>127</sup> Article 6 of the law contains the general prohibition against, direct discrimination, indirect discrimination, harassment and instruction. Similarly, the law transposing Directive 2000/78/EC<sup>128</sup> renders violations of its articles 6 and 10 by physical persons criminal and punishable with up to six months imprisonment and/or with a fine of up to CYP£4000 (approximately Euros 6,900).<sup>129</sup> Article 6 of the said law contains the general prohibition against, direct discrimination, indirect discrimination, harassment and instruction to discriminate, whilst article 10 contains the protection against victimisation

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<sup>125</sup> See Opinion on Racial Profiling, submitted to the EU Network of Independent Experts on Fundamental Rights by the Cyprus Expert Achilleas Demetriades, 31.08.2006, pp. 4-5.

<sup>126</sup> Cyprus/ Equal Treatment (Racial or Ethnic Origin) Law No. 59(1)/2004 (30.04.2004).

<sup>127</sup> Cyprus/ Equal Treatment (Racial or Ethnic Origin) Law No. 59(1)/2004 (30.04.2004), article 13(1).

<sup>128</sup> Cyprus/ Equal Treatment in Employment and Occupation Law No. 58(1)/2004 (30.04.2004),

<sup>129</sup> Cyprus/ Equal Treatment (Racial or Ethnic Origin) Law No. 59(1)/2004 (30.04.2004), article 15(1).

## Regulations preventing racism, xenophobia, and related intolerance in the three focus sports

- [75]. The anti-racist and/or anti-discriminatory regulation of the national sport federations and sport organisations for the three focus sports vary between them. Only football has strict rules and specific provisions for racist messages in the stadiums.
- [76]. Rule 77.1 of the latest launching call, which is the binding document which provided the statement for the championship of 2008-2009 provides the following: “it is explicitly forbidden to put up [banners], show or chant<sup>130</sup> racist, political or advertising messages and generally messages that insult the dignity of the person in stadiums [...] The club whose fans, employees or members of management who put up or show such messages before and/or during and/or after the end of the match will be reported to the tribunal/disciplinary committee of the CFA with a penalty up to a ban from home ground match of the club”.
- [77]. For Basketball there are no specific references to racism but the use of the general regulations against offensive, abusive and anti-athletic behaviour.
- [78]. There are no **direct sanctions** foreseen against sport associations or sport clubs that have racist practices in place or that do not take action against racist behaviour by their fans. However, in football for any division, if in the context of a match the fans of a club are engaged in racist activities or behave in a racist manner the club may be fined or even lose points, which are one of the heaviest sanctions provided in the regulations. We may call this indirect sanction. Nevertheless, the fact that clubs are not directly sanctioned allows for the clubs to evade responsibility for the actions of their fans, even when using the club premises to launch their various racist activities.

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<sup>130</sup> The Greek words used are «αναρτούν, αναφωνούν ή επιδεικνύουν».

## Decisions by national courts, specialised bodies or tribunals regarding all sports

- [79]. There are no decisions by national courts on the subject. There are two cases involving racism in sport that were investigated by the specialised body, i.e. the Cyprus Anti-discrimination Authority): one case involved a complaint about the racist behaviour of fans against a black African footballer<sup>131</sup> and another involving a violent racial attack against a black female pupil after a volleyball match.<sup>132</sup> However, the Cyprus Anti-discrimination Authority instead of making its decision binding and impose the sanctions that are provided by the law to culprits, it chose to analyse the situation and make non-binding recommendations. The only other case is a basketball incident involving racial abuse against the black player Randle who was charged by the basketball authorities for assault and/or anti-athletic and/or inappropriate behaviour against fans. All the cases analysed in the main body of this Report when discussing incidents of racism and listed with the relevant information in Annex 4.

### 1.5.2. Good practice

#### Overview of positive initiatives combating racism, xenophobia, and related intolerance **in all sports**

- [80]. A good practice that is developed by the Cyprus Sport Authority is the funding and creating “Pupil Athletic Associations and Student Athletic Associations”<sup>133</sup> in a variety of sports such as basketball, volleyball, gymnastics swimming etc). These will be voluntary associations and initiatives whenever there is an interest by 20 or more pupils or students, who have all selected a particular sport. The activities will take place beyond school time and will provide facilities

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<sup>131</sup> The complaint was lodged by Nicos Kelftis, on behalf of the club Enosis Neon Paralimniou (Ενωσις Νέων Παραλιμνίου).

<sup>132</sup> AKR 241/2008, dated 10.03.2009.

<sup>133</sup> Μαθητικοί Όμιλοι Αθλημάτων & Φοιτητικοί Όμιλοι Αθλημάτων.

(sporting places, equipment, training material and guides) and support for the enhancement of the activity such the provision of trainers in certain instances. In cases of ethnic and migrant communities residing in deprived neighbourhoods there will be additional provisions sporting facilities and the building of sports premises. This is a project that may alleviate some structural and systemic issues of racial discrimination and as such it is a welcome plan. It will involve the participation of the ethnic and migrant communities in choosing a sport of the common liking and would allow for a national development of sport for all classes and strata. It is of course depended on state, EU and private funding to continue.

### **National initiatives and projects combating racism, xenophobia, and related intolerance in the focus sports**

- [81]. Very little initiative has been taken by the sports authorities themselves to tackle racism, particularly when it comes to football which faces most serious problem. One of the positive initiatives taken by the Cyprus Football Association was a visit by an official to a secondary school in Dali (a Nicosia suburb) to talk about violence and racism in sports. The sports authorities apparently do visit various schools when invited. However, there is not long-tem plan or any systematic planning of making this into a genuine good practice.
- [82]. From the club initiatives taken that can be commended as good practices are those taken by Apollon since 2006, particularly during the time of the presidency of club of George Savvides.<sup>134</sup> The campaign was high profile and it involved regular educational seminars on history and anti-racism that showed that racism and Nazism had no place in the history of the club and the modern day life. The club officials, footballers of different ethnic backgrounds made tens of visits to various schools of Limassol aiming to put the anti-racist message across to teenagers from the ages of ten onwards. Banners were carried in the football matches and the club officials appeared regularly on televisions and the radio

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<sup>134</sup> Between 2006-2008.

to issues strong condemnations of racism. The club president did not hesitate to publicly denounce the fans' club, even on televisions; at one time some of the extremist fans damaged the windscreen of his car.<sup>135</sup> In terms of the effectiveness and impact, it has certainly created more awareness and gave confidence to those with sensitivity to speak out against racism. However, its effects are likely to be of a longer-term nature, provided that the campaign will be regularly reinvigorated and renewed. The campaign is said to continue, however it no longer has the same focus and high profile as it did last year. It seems that there is a problem with the sustainability of the good practice since the change of the president of the club and it appears as a limitation or weakness of the good practice: the new leadership of the club appears to somehow assume that the problem of racism is over as it was somehow dealt with and that is a matter of the past, as there is currently no trace in the official website of the club,<sup>136</sup> nor the official website of the organised fans about its anti-racist program. However, only a few weeks ago there was a racist abuse against a black female footballer of Nea Salamina (C1 interview), whilst the racist behaviour of a group of fans who make monkey sounds whenever an opponent black player makes contact with the ball continues to this day (see relevant section in this report). Another weakness is the fact that the Cyprus Sports Federation refused to offer any financial support for the campaign, as the former president of Apollon has informed the researchers.<sup>137</sup>

- [83]. Another good practice involves actions by Anagennisi-Elpida football club. Between 18 to 25 October 2008 a number of activities were organised such as an intercultural evening with players and fans from Anagennisi-Elpida football club and the partner organisation members on 18.10.08; a seminar that brought members from the organisations and young people from different local minorities, mostly from Eastern European countries was organised on 22.10.2008; from the first two activities would be inspired and get ideas for a poster and a leaflet that would introduce at the start of a game of

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<sup>135</sup> According to Mr. Savvides, this did not scare him, but strengthen his resolve to tackle racism (communication with the authors 16.03.2009).

<sup>136</sup> <http://www.apollon.com.cy/apollon/indexgr.php> (accessed 10.03.2009).

<sup>137</sup> Communication with the authors 16.03.2009.

Anagennisi-Elpida FC; a website to be designed based on our activities and our ideas, by the participating organisations; an article will be published in a local newspaper regarding the action and its purpose. Throughout the programme there will be dissemination of relevant informational material and it will also be available at our partner's organizations along with the 10 point plan of action of UEFA/FARE.<sup>138</sup>

Provide a list of all good practices in Annex 5

## 1.6. Conclusions

[84]. There is a near consensus for the persons interviewed that the main area of concern is football and to a lesser extent basketball and athletics. However, this does not take into consideration the structural and system problems of exclusion of ethnic, migrant and other vulnerable groups. As far as the problem of overt racist behaviour, there appears to be a hard core fans from the clubs APOEL, Apollon and Anorthosis who persistently and systematically racially harass black football players in pitch and Turkish-Cypriot fans. The sports authority officers appear oblivious to the persistence of this problem, insisting that the measures taken (i.e. fines for the clubs for racist slogans and messages) are working and therefore the problem has been eradicated. However, what this fails to take into account is that

- black footballers tell a different story; even this year a group of fans of the same team continue to behave in the same racist manner: this report has located at least four times where racist behaviour was demonstrated by the fans of the same three teams but the referee, the observer and police failed to take any action and refer the matter to the Tribunal of the Cyprus Football Authority.
- Turkish-Cypriot fans are extremely concerned about their safety and are systematically harassed by fans of the same

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<sup>138</sup>See <http://www.farenet.org/default.asp?intPageID=151>

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three teams (mostly APOEL and Apollon and to a lesser extent Anorthosis).

- We may be witnessing a transfer of the problem into areas less monitored and even an escalation into a more violent form as there has been a rise the numbers of violent incidents; there are indications that extreme right groups may be using football clubs to recruit young members.

[85]. There is disagreement as to the direction of any discernible trend regarding the level or the direction of the trend in terms of increase or decrease of racist incidents and racial/ethnic discrimination in football. The available data is very restricted in terms of reporting the incidents, the way these are dealt with by the sporting authorities, as well as issues regarding the participation of ethnic communities and migrant groups.

[86]. As far the structural and systemic elements of the problem of racism, the authorities must conduct a more detailed survey that collects the relevant data, there should be monitoring of the statistics and research on the subject can be developed in cooperation with the university sector of the country. In this way we will be able to properly locate the seriousness and depth of the problem and develop policies to address it. This report has located some elements of structural discrimination, some policies that may be discriminatory and require further analysis and some practices that need to be questioned. The failure to respond to the problem of racism in football itself may indeed be a result of institutional discrimination by the sports authorities.

[87]. Sport can be considered a powerful positive force in the fight against racism within the Cypriot context providing that a serious effort is made to implement a comprehensive anti-racist program. The particular context of the chronic ethnic conflict, the war and the de facto division requires that sport is used to unite and reconcile and not divide the country and its people. The approach taken by the sports authorities so far has been one of denial and complacency, assuming that by adopting a repressive approach confined in the sporting field (just before, during and immediately after the match) and few fines to teams for fan behaviour will eradicate the problem. Moreover, the attitude of taking 'low profile measures' so as "not to provoke fans" is not only misguided but may be sending the wrong messages to racist groups: racism is only verbally condemned to avoid its public display, as it is embarrassing internationally to our European partners;

however no serious effort has been taken to eradicate it. This can be understood as a policy of appeasement and acquiescence rather than one of showing zero-tolerance. It is therefore possible for racist behaviour to be shifted elsewhere in fields that are not so much in public limelight which does not directly affect the sporting activities. In this way the sports authorities, football clubs, the police and the authorities in general do not take responsibility for combating racism. Responsibility is shifted elsewhere rather than developing a systematic method for the collaboration of all to eradicate the phenomenon. Sport can be a powerful tool that shows that there is no room whatsoever for racism: it can act as a symbolic and educational force for advancing inclusions, mutual respect, cooperation and inter-ethnic and inter-cultural diversity and respect. At the same it has to be recognised that symbolic gestures can work only if they are accompanied by a systemic drive and a broader agenda for enhancing equality, human rights and understanding and combating racial and other forms of discrimination.

- [88]. In terms of improving the situation in sports in general and the three focus sports in particular, both, a broad and a more focused anti-racist agenda are required. Based on the research conducted for this study and as well as reviewing the existing literature and research, it is apparent that a more **comprehensive policy framework to combat racism and xenophobia** is required. Putting an end to what the Cyprus Anti-discrimination Authority called “new racism”, which corresponds to the notion of a dangerous “European apartheid”<sup>139</sup>, requires a robust anti-racist program as proposed in the Cyprus Anti-discrimination Authority: this means developing new instruments (as proposed by ECRI and local anti-racist experts and NGOs); full implementation of existing penal provisions and more effective and specialized policing on monitoring, recording and tackling racist incidents and crime; the development and full implementation of a specific action plan by the sports authorities, especially the CFA, along the lines of the UEFA and FARE guidelines; finally, enhancing the educational aspects of anti-racism in the wider sense of the term ‘education’, in schools, the media world,

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<sup>139</sup> Balibar, E. (2004) *We, The People of Europe – Reflections on Transnational Citizenship*, Princeton, University Press, Oxford.

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public and private institutions and organisations, so that all social institutions work towards an inclusive society.<sup>140</sup> Sport policy must be part of a wider process to open up Cyprus as an inclusive society that allows all those living and working here to feel free from racism, secure and safe from xenophobia and intolerance.<sup>141</sup>

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<sup>140</sup> Ratcliffe, P. (2004) *'Race', Ethnicity and Difference, Imagining the Inclusive Society*, Open University Press.

<sup>141</sup> These sort of ideas were developed for Cyprus but also have been articulated in the Greek context (see. Pavlou, M. and Christopoulos, D. (2004) *Η Ελλάδα της Μετανάστευσης*, Athens: Κριτική).

## 1.7. Annexes

Please complete the following six Annexes:

### 1.7.1. Contact list of national sports federations

- [89]. <http://www.cyprussports.org/>
- [90]. Cyprus Football Association President Costakis Koutsocoumnis, P.O. BOX 25071, 1306 Nicosia, Telephone 22352341, Fax 22590544.
- [91]. <http://www.pasp.org.cy/links.shtml>
- [92]. [info@pasp.org.cy](mailto:info@pasp.org.cy)
- [93]. Cyprus Basketball Association, 9 Zenonos Kitieos str., Engomi, 2406 Nicosia

### 1.7.2. Statistical data

### 1.7.3. Interviews

### 1.7.4. List of sources

#### **Books and Research papers**

- Charakis, K., Sitas, A. (2004) “Racist Tendencies Among Cypriot Youth 199-2001”, The Cyprus Journal of Science and Technology, No. 2, 2004, Frederick Research centre, Nicosia, pp. 145-155.
- Charakis K., Sitas, A., Sotiriades, K., Demetriou, L., Charakis, C., Alexandrou, E. (book is edited by Kristis Charakis) (2005) *Αντικοινωνική Συμπεριφορά των Νέων της Κύπρου - Ρατσιστικές Τάσεις*, Athens: Sakoulas.
- Demetriou, O. (2008) *Migrant Cities Research, Nicosia South*, part of the Living Together Project of the Institute for Public Policy Research and

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British Council, November 2008

<http://www.prio.no/upload/NicosiaSouth.pdf>

- ECRI (2006) *Third Report on Cyprus*, European Commission against Racism and Intolerance, Council of Europe, Strasbourg, CRI 2006(17), adopted 16 December 2005, published 16 May 2006, at [http://hudoc.ecri.coe.int/XMLEcri/ENGLISH/Cycle\\_03/03\\_CbC\\_eng/CYP-CbC-III-2006-17-ENG.pdf](http://hudoc.ecri.coe.int/XMLEcri/ENGLISH/Cycle_03/03_CbC_eng/CYP-CbC-III-2006-17-ENG.pdf)
- ECRI (2001) *Second Report on Cyprus*, European Commission against Racism and Intolerance, Council of Europe, Strasbourg, CRI 2001(35), adopted 3 December 2000, published 3 July 2001 at [http://hudoc.ecri.coe.int/XMLEcri/ENGLISH/Cycle\\_02/02\\_CbC\\_eng/02-cbc-cyprus-eng.pdf](http://hudoc.ecri.coe.int/XMLEcri/ENGLISH/Cycle_02/02_CbC_eng/02-cbc-cyprus-eng.pdf)
- Kapardis, A., Loizou, C. and Peristianis, N. (2006) *Monatsschrift fur Kriminologie und Strafrechtsreform*, 3 June 2006.
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- Kyrris, C. (1978) «Οι Μάντηδες της Λάρνακας», Rousounides, A. (ed.) *Πρακτικά του Πρώτου Συμποσίου Λαογραφίας*, Λεμεσός 20-25 Μαΐου 1978, Nicosia.
- Panayiotou, A. (1999) *Island Radicals: The Emergence and Consolidation of the Cypriot Left*, University of California, Santa Cruz.
- Panayiotou, A. (2006) 'Lenin in the coffee-shop: the communist alternative and forms of non-western modernity', *Postcolonial Studies*, Vol. 9, No. 3, pp. 267-280, 2006.
- Panayiotou, A. (2007) 'Models of Compromise and 'Power Sharing' in the Experience of Cypriot Modernity,' *Cyprus Review*, Vol. 18, No. 2, 2007, pp. 75-103.
- Elena Papamichael (2008) "Greek Cypriot Teachers' Understandings of Intercultural Education in an Increasingly Diverse Society", *The Cyprus Review*, Special Issue on *Rethinking Migration, Discrimination and Multiculturalism in a Post-tourist Society*, Volume 20:2 Fall 2008 pp. 51-78.
- Peristianis, N. et. a. (2003) *Βία στα Γήπεδα*, Final Research Report, Cyprus Research Promotion program 86/1999.
- Spyrou, S. (2006), 'Children Constructing Ethnic Identities in Cyprus' in Papadakis, Y. Peristianis, N. and Welz, G. (eds.), *Divided Cyprus:*

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*Modernity, History and an Island in Conflict*. Bloomington and Indianapolis, Indiana University Press, pp. 121-139.

- Spyrou, S. (2005) *Greek-Cypriot children's familiarity with, knowledge about, perceptions of and attitudes towards a variety of foreigners who live in Cyprus*, Report for the Centre of the Study of Childhood and Adolescence.
- Tsoukala, A. (2009) *Football Hooliganism in Europe, Security and Civil Liberties in the Balance*, Palgrave, London.
- Trimikliniotis, N. (1999) "New Migration and Racism in Cyprus: The Racialisation of Migrant Workers", chapter in book edited by Anthias, F. and Lazarides, G. Title: *Into the Margins: Migration and Exclusion in Southern Europe*, Ashgate, Avebury, pp. 139-178.
- Trimikliniotis, N. and Demetriou, C. (2007) "Cyprus", Triandafyllidou, A. and Gropas, R. (ed.) *European Immigration: A sourcebook*, Ashgate, Aldershot, pp.45-58.
- Trimikliniotis, N. and Demetriou, C. (2006) *Combating ethnic and racial discrimination and promoting equality: Trends and developments 2000-2005*, RAXEN Special Study.
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- Trimikliniotis, N. and Demetriou, C. (2009) "The Cypriot Roma and the Failure of Education: Anti-Discrimination and Multiculturalism as a Post-accession Challenge ", Nicholas Coureas and Andrekos Varnava (eds.) *The Minorities of Cyprus: Development Patterns and the Identity of the Internal-Exclusion*, Cambridge Scholars Publishing, forthcoming, 2009.

### **Interview List**

**Black Footballers interviewed:** Mustafa Camal, Footballer playing for Enosis Neon Paralimniou, 16.03.2009; Eric Ejoron, Footballer playing for Enosis Neon Paralimniou, 16.03.2009

#### **Sports officials:**

- **KOA1 director of KOA, Nicosia 19.2.2009.**

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- KOA2 Officer of KOA, Nicosia 19.2.2009;
- KOP Deputy Director of Cyprus Football Association (CFA- KOII) 10.03.2009.
- BA General Secretary of Basketball Association, Nicosia, 26.2.2009.
- TR1 officer of CFA tribunal, 10.3.09

### **Journalists, academics and sports experts**

- JE1 author, cultural commentator and sport journalist, Nicosia 19.2.2009.
- JA2 sociologist and media analyst, Limassol, 7.3.2009.
- JA3, sociologist and researcher, Nicosia, 8.3.2009.
- JA4 social anthropologist, Nicosia, 9.3.2009.
- JA5 Turkish-Cypriot committee member of Yeni Cami and political scientist, Nicosia, 7.3.2009.
- JA6 Turkish-Cypriot researcher, Nicosia, 8.3.2009.
- JA7, researcher, fan of ANORTHOSIS, Nicosia, 8.3.2009.

### **Officers of the Cyprus Anti-discrimination Authority**

- CAA1 officer of the Cyprus Anti-discrimination Authority, 5.3.2009
- CAA2 officer of the Cyprus Anti-discrimination Authority, 6.3.2009.

### **Club officials, footballers association**

- CO1 Press officer of basketball team of AEL, Limassol, 24.2.2009;
- FA officer of Pancyprian Footballers Association, Nicosia, 3.3.2009.

## **Teachers and coaches**

- **T3 Deputy head teacher in secondary school, 11.3.09.**
- **T1 primary school athletics teacher, Nicosia, 27.2.2009.**
- **T2 primary school athletics teacher, Nicosia, 9.3.2009.**
- **T3 deputy head in secondary school, 11.3.09.**
- **C1 coach of women's football team (Nea Salamina), 10.3.2009**
- **C2 sports teacher in secondary school and coach in women's volleyball team 10.3.09.**
- **C3 athletics trainer, Nicosia, 27.2.2009.**
- **C4 sports teacher in secondary school and coach in women's volleyball team 5.3.09.**

## 2. Annex 1: List of documents

[94]. **EU-institutions:**

White Paper on Sport, Brussels, 11.7.2007 COM (2007) 391 final

Conclusions of the high-level Conference 'Towards an EU strategy against violence in sport', Brussels, 28-29 November 2007

Declaration of the European Parliament on tackling racism in football  
14 March 2006 P6\_TA(2006)0080

European Parliament Resolution of 8 May 2008 on the White Paper on Sport (2007/2261 [INI])

Council of the European Union, Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin

Council of the European Union Framework Decision on Combating Racism and Xenophobia, Luxembourg, 19 April 2007 8665/07 (Presse 84)

[95]. **Council of Europe:**

European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (1985)

Nomination of National Ambassadors for Sport, Tolerance and Fair Play

Council of Europe Resolution on preventing racism, xenophobia and intolerance in sport (NO 4/2000)

Council of Europe, Committee of Ministers, Recommendation Rec (2001) 6 of the Committee of Ministers to member states on the prevention of racism, xenophobia and racial intolerance in sport, Adopted by the Committee of Ministers 18 July 2001

Council of Europe, Standing Committee, European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (T-RV), Recommendation Rec (2003) 1 of the Standing Committee on the role of social and educational measures in the prevention of violence in sport; handbook on the prevention of violence in sport, Strasbourg, 27 January 2003

Commission against Racism and Intolerance (ECRI), Declaration on the occasion of EURO 2008, 'Unite against Racism'

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[96]. **United Nations:**

UN General Assembly, Resolution 61/149, Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action, 7 February 2007, Sixty-first session, Agenda item 65 (b)

[97]. **UEFA and FIFA:**

UEFA Ten Point Plan of Action for Professional Football Clubs  
(October 2002)

UEFA Disciplinary Regulations Edition 2008; FIFA Disciplinary Code  
27 May 2007

## Annex 3: Questions for interviews

- [98]. **Note:** Interviews may be carried out either in person or through the telephone. The interviews are semi-structured meaning that, once a set of questions is given to the respondents, answers may make reference to other related issues. Interviewers should try to avoid other or wider issues to be raised or discussed, but also be aware that it is useful to allow a respondent to raise an important issue that is not covered by the questions.
- [99]. NFPs are expected to provide an **English** summary of at least 4-5 pages covering all interviews. The summary should allow the FRA to develop a comparative analysis. **Therefore, the summary should refer to all questions, summarize responses to these questions, highlight contradictory responses and provide important quotations from interviewees.**
- [100]. Please find the questionnaire starting on the next page.

### 3. Annex 3: Questions for interviews

- [101]. **Note:** Interviews may be carried out either in person or through the telephone. The interviews are semi-structured meaning that, once a set of questions is given to the respondents, answers may make reference to other related issues. Interviewers should try to avoid other or wider issues to be raised or discussed, but also be aware that it is useful to allow a respondent to raise an important issue that is not covered by the questions.
- [102]. NFPs are expected to provide an **English** summary of at least 4-5 pages covering all interviews. The summary should allow the FRA to develop a comparative analysis. **Therefore, the summary should refer to all questions, summarize responses to these questions, highlight contradictory responses and provide important quotations from interviewees.**
- [103]. Please find the questionnaire starting on the next page.

## 4. Annex 4 Court, specialised body or tribunal decisions

<p><b>Case title</b></p>	<p>Referral of basketball player R .Randle of AEL for assault and/or anti-athletic and/or inappropriate behaviour against fans of the opponent club in the semi-final playoffs of the championship in first division men’s match between ASPIS-APOEL-PROTEAS V. EKA AEL on 09.03.2008 (referral No. 57). Referral of APOEL for the conduct of its fans which involved the throwing of objects and/or anti-athletic and/or inappropriate behaviour in the semi-final playoffs of the championship in first division men’s match between ASPIS-APOEL-PROTEAS V. EKA AEL on 09.03.2008 (referral No. 54)</p>
<p><b>Decision date</b></p>	<p>17.03.2008</p>
<p><b>Reference details</b> (type and title of court/body; in original language and English [official translation, if available])</p>	<p>Disciplinary committee/tribunal  Δικαστική Επιτροπή Κυπριακής Ομοσπονδίας Καλαθόσφαιρας  Tribunal of the Cyprus Basketball Federation</p>
<p><b>Key facts of the case</b> (max. 500 chars)</p>	<p>During warming up prior to a basketball match, a group of fans of the club (APOEL) were making sounds and gestures imitating monkeys and shouting racist remarks to a black basketball player of the opponent club (AEL). The player in question went up to them in the fans’ quarter and a fight of pushing and shoving started. The police who witnessed the incident told the fans to stop the abusive behaviour but made no arrests. The player was referred by the Cyprus Basket Federation for assault and/or anti-athletic and/or inappropriate behaviour against fans of the opponent club. The fans were not charged with racism related offences.</p>
<p><b>Main reasoning/argumentation</b> (max. 500 chars)</p>	<p>No reasoning was offered by the tribunal for this decision, as is the norm in these procedures. The player’s lawyer argued that the fans had demonstrated grossly racist behaviour and that fining him would amount to equating the victim with the assailant. The player’s</p>

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	lawyer also protested against the favourable treatment which the opponent club (APOEL) is receiving from the prosecution, stressing the racist nature of the incident.
<b>Key issues (concepts, interpretations) clarified by the case</b> (max. 500 chars)	No reasoning was offered, no concepts or interpretations were discussed. The tribunal's decision consisted only of imposing the fines.
<b>Results (sanctions) and key consequences or implications of the case</b> (max. 500 chars)	By majority, the committee decided that the player be fined with 450 euro plus 100 euro for costs. The descending view was that he should have been banned from playing in one game. APOEL was fined with 850 Euros. The descending view was that the club should have been banned from playing on home ground. Although the decision is not justified or supported with any reasoning, it is clear that the tribunal did not accept the defence lawyer's arguments, that the player was unjustly provoked, in their entirety and presumably based its decision on the premise that the player should not have involved himself in a fight despite having been provoked.

<b>Case title</b>	Report of the Anti-discrimination Authority regarding the manifestation of racist behaviour during football matches
<b>Decision date</b>	24.12.2004
<b>Reference details</b> (type and title of court/body; in original language and English [official translation, if available])	Equality body Αρχής κατά του Ρατσισμού και των Διακρίσεων Anti-discrimination Authority
<b>Key facts of the case</b> (max. 500 chars)	The club Enosis Neon Paraliminiou complained about the racist behaviour against an African footballer from fans of the club Anorthosis who were booing and imitating ape sounds, whilst there was no reaction either from the referee, or the Cyprus Football Association, or the stadium authorities or the police. The club also complained to FARE and the disciplinary committee of UEFA arguing that in 2003 the fans of Anorthosis demonstrated similar racist behaviour against black players of AEL, whilst fans of APOEL displayed racist behaviour in every match where there are African players playing in the opponent club. The reaction of the Cyprus Football Association to the allegations was that the incidents were sporadic and did not warrant the intervention of any of the sports institutions.

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<p><b>Main reasoning/argumentation</b> (max. 500 chars)</p>	<p>The Anti-discrimination Authority found the complaint to be well founded and concluded that the frequency of racist behaviour in the football field and the shouting of racist slogans are not isolated incidents but a phenomenon that is not confined to sports but widespread in society</p>
<p><b>Key issues (concepts, interpretations) clarified by the case</b> (max. 500 chars)</p>	<p>The report refers to “a new type of racism” which manifests itself in athletic grounds finding opportunities for expression within the anonymity of the crowd and is disguised in a manner that makes the individual racist actors difficult to detect.</p>
<p><b>Results (sanctions) and key consequences or implications of the case</b> (max. 500 chars)</p>	<p>[104]. No sanctions were imposed but the following recommendations were offered: (i). The Ministry of Education, the Cyprus Sports Authority, the Cyprus Football Federation, the football clubs and the police must play an active role in the education of the young and the public at large; (ii) The Cyprus Football Association must immediately proceed to the development of a “Ten Point Action Plan” along the lines recommended by UEFA; (iii) A common coordinating body must be set up for the combating of racism and xenophobia; (vi) Recommendation (2001)6 of the Council of Europe, which provides for the establishment of a special and separate legislative framework to combat racism in sport, must be adopted; (v) The Cyprus Football Association must monitor</p>

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	the situation closely and impose a progressively tougher regime of sanctions for reoffending clubs, whose fans have been accused of racist behaviour.
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<b>Case title</b>	Report of the Anti-discrimination Authority regarding the physical assault of a pupil of African origin and the handling of the incident by the Ministry of Education and the Police
<b>Decision date</b>	10.03.2008
<b>Reference details</b> (type and title of court/body; in original language and English [official translation, if available])	Equality body Αρχής κατά του Ρατσισμού και των Διακρίσεων Anti-discrimination Authority
<b>Key facts of the case</b> (max. 500 chars)	Following a volleyball match between two schools in December 2008, a Cypriot black pupil was attacked by a group of about 40 other Cypriot white pupils, shouting racist insults. The victim was severely injured and had to be taken to hospital. The police made no arrests and brought no charges against anyone three months after the incident. The schools' teachers rejected the allegations of racist motives and described the incident as the manifestation of youth delinquency. The only measure taken by the school was to permanently expel one pupil who initiated the attack against the victim but did not cite racist behaviour as one of the reasons for the expulsion. The Minister of Education described the incident as racist and committed himself to the setting up of a monitoring mechanism for the recording and analysis of violent incidents maintaining a special record for racist incidents.
<b>Main reasoning/argumentation</b> (max. 500 chars)	The report criticised the school authorities for (i) their refusal to attribute racist motive to the attack; (ii) their emphasis on the allegedly provocative behaviour of the victim, in an apparent effort to shift responsibility from the assailants to the victim; (iii) the decision of the school to permanently expel one of the assailants as lacking educational sensitivity. The report also criticised the attitude of the

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	police who failed to take an active stand against racism in spite of the victim's unequivocal position that she wanted the case to go to Court.
<b>Key issues (concepts, interpretations) clarified by the case</b> (max. 500 chars)	The report concludes that as long as educationalists do not take an active stand against racism and prefer the oversimplified interpretation of youth delinquency and as long as incidents are not addressed and handled and assailants go unpunished, the phenomenon of racist violence will be reproduced and multiplied. Particular emphasis was placed on the fact that children of migrants, and particular those born/raised in Cyprus are especially vulnerable and actions taken must be such to reinforce their sense of security and belonging.
<b>Results (sanctions) and key consequences or implications of the case</b> (max. 500 chars)	[105]. No sanctions were imposed. The report welcomes the measure promised by the Minister of Education for the setting up of a monitoring mechanism in order to record and handle violence in schools and particularly racist violence.

<b>Case title</b>	Report of the Anti-discrimination Authority regarding an incident of racial attack against foreigners in Ypsonas and its handling by the Police
<b>Decision date</b>	26.01.2009
<b>Reference details</b> (type and title of court/body; in original language and English [official translation, if available])	Equality body Αρχής κατά του Ρατσισμού και των Διακρίσεων Anti-discrimination Authority
<b>Key facts of the case</b> (max. 500 chars)	In June 2008 a group of Cypriot youth attacked a number of migrants and vandalised their homes in a rural area of Limassol, in retaliation to an alleged attack the previous night against a

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	<p>Cypriot by two Polish men. The migrants fled the scene without reporting the incident to the police. The incident was reported to the police by a number of British persons who rushed to the rescue of the migrants and who were attacked themselves by the youth, whose number had meanwhile grown and who equipped themselves with stones and iron bars, causing considerable damage to homes of migrants and of the British people, shouting racial remarks and injuring several of them. The perpetrators were charged with offences related to common assault, malicious damage to property and riot, which do not involve racial motive.</p>
<p><b>Main reasoning/argumentation</b> (max. 500 chars)</p>	<p>The report criticises the police in general and particularly the Police Department for the Combating of Discrimination (PDCD) whose mandate had been extended following the Cyprus Anti-discrimination Authority's recommendation, to cover and record not only racial <i>offences</i> but also racial <i>incidents</i> (as defined inter alia by the victim), does not have any mechanism in place to record racial <i>incidents</i>; only a small number of racial <i>offences</i> were recorded<sup>142</sup> none of which led to any conviction. No special training is offered to police officers on the identification and recording of racial motive. The Head of the PDCD informed the Cyprus Anti-discrimination Authority that in the particular case under investigation there did not seem to be a prima facie case of racist offence in violation of the anti-discrimination legislation, a view which was criticised in the report.</p>
<p><b>Key issues (concepts, interpretations) clarified by the case</b> (max. 500 chars)</p>	<p>The report found that the incident was not an isolated one and that there is an increase in the number and intensity of racial incidents. It notes that previous investigations have also shown the failure of the police to prosecute racial incidents, and that even though the</p>

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<sup>142</sup> Two incidents were recorded in 2005, eighteen in 2006 and three in 2007.

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	<p>legislative framework appears to be adequate, the authorities stubbornly refuse to prosecute racial incidents. The report notes with concern the fact the migrants attacked did not file a complaint with the police, which indicates that vulnerable groups feel discouraged from reporting racial incidents for fear of deportation or for lack of trust in the police.</p>
<b>Results (sanctions) and key consequences or implications of the case</b> (max. 500 chars)	<p>No sanctions were imposed. The report recommends the following measures: the precise and credible recording of racial incidents; the provision of assistance and protection to victims and their encouragement to report incidents; the upgrading of the PDCD and its adequate staffing; the training of police officers on the identification and handling of racial incidents. Although this is not the first time that the Anti-discrimination Authority finds that the police has failed to address and prosecute racist crime, the report does not identify this practice as discriminatory in itself and restricts its criticism in the area of lack of efficiency. Also, the failure of the Attorney General and the Legal Service to take a more active role in the prosecution of racial incidents is not addressed.</p>

5.

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## 7. Annex 5 Positive initiatives (PI)

<b>Title (original language)</b>	Μαθητικοί Όμιλοι Αθλημάτων & Φοιτητικοί Όμιλοι Αθλημάτων
<b>Title (EN)</b>	Pupil Athletic Associations and Student Athletic Associations
<b>Organisation (original language)</b>	Κυπριακός Οργανισμός Αθλητισμού
<b>Organisation (EN)</b>	Cyprus Sports Association
<b>Government / Sports Organisation / Civil society</b>	Sports Organisation
<b>Internet link</b>	<a href="http://www.cyprussports.org">http://www.cyprussports.org</a>
<b>Addressed problem</b> <sup>143</sup>	Under-representation of minorities
<b>Type of initiative</b> <sup>144</sup>	awards, grants community cohesion – social integration
<b>Area of project</b> <sup>145</sup>	youth sport
<b>Main target group</b> <sup>146</sup>	youth (children, young people, students) ethnic minorities
<b>Brief description (max. 1000 chars)</b>	Setting up of voluntary associations and initiatives whenever there is an interest by 20 or more pupils or students, who have all selected a

<sup>143</sup> Please select one or more from the list of categories below.

<sup>144</sup> Please select one or more from the list of categories below.

<sup>145</sup> Please select one or more from the list of categories below.

<sup>146</sup> Please select one or more from the list of categories below.

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	<p>particular sport. Activities to take place beyond school time and will provide facilities (sporting places, equipment, training material and guides) and support for the enhancement of the activity such the provision of trainers in certain instances. In cases of ethnic and migrant communities residing in deprived neighbourhoods there will be additional provisions sporting facilities and the building of sports premises. This is a project that may alleviate some structural and systemic issues of racial discrimination and as such it is a welcome plan. It will involve the participation of the ethnic and migrant communities in choosing a sport of the common liking and would allow for a national development of sport for all classes and strata.</p>
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## Cyprus Report on Combating Racism in Sport

<b>Title (original language)</b>	Εκστρατεία ενάντια στο Ρατσισμό
<b>Title (EN)</b>	Campaign against racism
<b>Organisation (original language)</b>	ΑΠΟΛΛΩΝ
<b>Organisation (EN)</b>	APOLLON
<b>Government / Sports Organisation / Civil society</b>	Sports Organisation / Civil society
<b>Internet link</b>	<a href="http://www.cyprussports.org">http://www.cyprussports.org</a>
<b>Addressed problem</b> <sup>147</sup>	Racism and xenophobia
<b>Type of initiative</b> <sup>148</sup>	training, education awareness raising intercultural dialogue
<b>Area of project</b> <sup>149</sup>	professional sport
<b>Main target group</b> <sup>150</sup>	Media, general public Youth (children, young people, students), victims of racist violence Teachers, public authorities
<b>Brief description (max. 1000 chars)</b>	The campaign was high profile and it involved regular educational seminars on history and anti-racism that showed that racism and Nazism had no place in the history of the club and the modern day life. The club officials, footballers of different ethnic backgrounds made tens of visits to various schools of Limassol aiming to put the anti-racist message across to teenagers from the ages of

<sup>147</sup> Please select one or more from the list of categories below.

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	ten onwards. Banners were carried in the football matches and the club officials appeared regularly on televisions and the radio to issues strong condemnations of racism.
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**Cyprus Report on Combating Racism in Sport**

<b>Title (original language)</b>	Διαπολιτισμικός διάλογος
<b>Title (EN)</b>	Intercultural dialogue
<b>Organisation (original language)</b>	Οργανισμός Προώθησης Ευρωπαϊκών Θεμάτων (ΟΠΕΙ)
<b>Organisation (EN)</b>	Organization for the Promotion of European Issues (OPEI)
<b>Government / Sports Organisation / Civil society</b>	Civil society
<b>Internet link</b>	<a href="http://www.european-issues.info">http://www.european-issues.info</a>
<b>Addressed problem</b> <sup>151</sup>	Racism and xenophobia
<b>Type of initiative</b> <sup>152</sup>	training, education awareness raising intercultural dialogue
<b>Area of project</b> <sup>153</sup>	organised amateur sport
<b>Main target group</b> <sup>154</sup>	Media, general public Youth (children, young people, students), victims of racist violence Teachers, public authorities
<b>Brief description (max. 1000 chars)</b>	Together with Anagennisi-Elpida football club a number of activities were organised such as an intercultural evening with players and fans from Anagennisi-Elpida football club and the partner organisation members on 18.10.08; a seminar that brought members from the organisations and young people from different local minorities, mostly from Eastern European countries was organised on 22.10.2008; from the first two activities would be inspired and get ideas for a poster and a leaflet that would introduce

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	at the start of a game of Anagennisi-Elpida FC; a website to be designed based on our activities and our ideas, by the participating organisations; an article will be published in a local newspaper regarding the action and its purpose.
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**Positive Initiatives (PI) – Issue**

**Racism and xenophobia**  
**Anti-Semitism**  
**Islamophobia**  
**Anti-Gypsyism**  
**Other intolerance**  
**Under-representation of minorities**

**Positive Initiatives (PI) – Type of initiative**

**training, education**  
**awareness raising**  
**Holocaust education**  
**support, advice to immigrants/minorities**  
**legal advocacy**  
**cultural activity**  
**media and media training**  
**awards, grants**  
**community cohesion – social integration**  
**intercultural dialogue**  
**diversity management**  
**codes of ethics, code of conduct**  
**improving employment skills**  
**encouraging political participation**

**Positive Initiatives (PI) – Area of project**

**organised amateur sport**  
**non-organised amateur sport (e.g. new sports, street-sports)**  
**professional sport**  
**youth sport**  
**women's sport**  
**grassroots participation**

**Positive Initiatives (PI) Target groups**

Target group are considered those that are directly addressed

**police / security staff**

**administrative staff sport club**

**administrative staff sport federation**

**coaches**

**players / athletes**

**referees**

**fans**

**media**

**general public**

**youth (children, young people, students)**

**women**

**elderly**

**ethnic minorities**

**Roma and Travellers**

**migrants**

**asylum seekers, refugees**

**religious minorities**

**victims of racist violence**

**teachers**

**public authorities**