

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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CYPRUS: HALT THE DISSOLUTION OF LEADING ANTI-RACISM ORGANIZATION

As Cyprus human rights situation comes under scrutiny following the brutal repression of anti-corruption protesters in the past weeks, Amnesty International is further concerned that the right to freedom of association in the country is also under threat. Prominent organization KISA, an association with over 20 years of work against racism and in support of refugees and migrants, is facing the risk of being shut down.

In August 2020, Cyprus authorities amended the law on associations, introducing new rules regarding the de-registration and dissolution of associations and giving associations liable to be dissolved under the law only 2 months to rectify their situation. The Ministry of the Interior was given the power to start dissolution proceedings against organizations failing to comply with the requirements of the law. Once de-registered, it is illegal for associations to carry out any activities but those connected with their liquidation.

As a result of this changes, the Ministry of Interior removed KISA from the Registry of Associations in December 2020, after it considered that the organization failed to submit the required information to the government, and initiated proceedings for its dissolution. KISA's prior request for an extension to comply with the new requirements of the law, submitted in on 26 October 2020, was denied. Despite their compliance with the requirements around two months after the deadline, the government continued with the proceedings against the organization.

On 3 March 2021, the Cyprus Administrative Court is scheduled to hold a hearing in the appeal brought by KISA against the Ministry of the Interior's decision to cancel their registration as an association and proceed to their dissolution. At the time of writing, KISA's bank accounts have been blocked as a result of their de-registration.

International human rights law and standards establish that, while the right to freedom of association is not absolute, any restriction must meet the principles of legality, legitimacy, necessity and proportionality. In the context of registration requirements and sanctions for non-compliance, this entails, among other things, that associations should be given reasonable time to rectify any shortcomings.

Suspending or dissolving an association are among the severest restrictions on the right to freedom of association. Given the severity of these measures, they may only be used when there is a clear and imminent threat to national security, public safety, public health or morals, or to the protection of the rights of others. A decision to dissolve an association must always be the last resort and used only when less restrictive means would be insufficient to achieve one of the above-mentioned limited legitimate objectives, and shall never be used for minor infractions.

KISA risks being shut down for a slight delay in complying with new administrative requirements. These requirements were introduced in the midst of various restrictions imposed due to COVID-19 that severely disrupted the work of civil society organizations and despite a request for an extension.

Amnesty International therefore believes that the de-registration and the proceedings for the dissolution of KISA are an excessive and disproportionate interference with their right to freedom of association and raise serious concerns over the shrinking space for civil society in Cyprus.

The de-registration of KISA comes at a time when the country is implementing stricter asylum and migration policies, in some cases accompanied by reports of human rights violations against asylum seekers and migrants. Since mid-March 2020, the refugee reception center of Pournara has been operated as a closed center. KISA and other civil society groups also reported in March and September 2020 allegations of refugees and asylum-seekers being pushed back at sea.

KISA has reported being the target of previous attacks and harassment by the authorities. In June 2020, the association was convicted by the Nicosia District Court of "defamation" and fined with a penalty of €10,000 in a case related to action taken by KISA in 2010 against hate speech online.

KISA's Executive Director Doros Polykarpou told Amnesty International that the Ministry of the Interior's decision will have a serious impact on their work and said: "*We work to protect human rights in our country, under very difficult circumstances.*"

We expect democratic governments to respect our role and work. The closure of KISA would strike a blow at the fight for human rights in Cyprus and deprive migrants and refugees living in the country of a significant ally and supporter”.

Amnesty International calls on Cypriot authorities to immediately halt the dissolution proceedings against KISA, restore its registration and allow KISA and other civil society organizations to operate freely and safely. KISA's staff and volunteers fulfil a crucial role in the defense and promotion of human rights in Cyprus, providing vital support to migrants and refugees, that should be protected and recognized by the authorities.