

**Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Independent Expert on human rights and international solidarity and the Special Rapporteur on the human rights of migrants**

Ref.: AL CYP 1/2024  
(Please use this reference in your reply)

14 February 2024

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Special Rapporteur on extrajudicial, summary or arbitrary executions; Independent Expert on human rights and international solidarity and Special Rapporteur on the human rights of migrants, pursuant to Human Rights Council resolutions 52/4, 53/4, 53/5 and 52/20.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received **concerning the bombing of the office of the human rights organization KISA and previous intimidation and attacks against the organization and its staff.**

**KISA - Action for Support, Equality and Antiracism** is a non-governmental organization established in 1998 to provide support to migrants, asylum-seekers, victims and potential victims of human trafficking in Cyprus, while also working to combat racial discrimination and xenophobia in the country.

KISA and its Executive Director, the human rights defender Mr. Doros Polykarpou, have been the subject of four previous communications sent by various Special Procedures mandate holders (CYP 1/2011, CYP 3/2014, CYP 2/2019 and CYP 1/2021). We thank your Excellency's Government for the responses received to these communications. However, we renew our concern in light of the disturbing information outlined below in relation to the recent attacks. Allegations of reprisals against Mr. Polykarpou were also included in the Secretary General's reprisals report (A/HRC/30/29 para. 19 and A/HRC/33/19 para. 40).

According to the information received:

On 5 January 2024, at 2.30 am, a bomb exploded at the offices of KISA in Nicosia, breaking the windows along the face of the office and seriously damaging equipment inside. None of the workers of the organization were present at the time of the explosion. A CCTV camera on the street in front of the office, which may otherwise have recorded the planting of the bomb, was subsequently found not to have been working for at least five hours before the explosion. In the aftermath of the bombing, there was no public reaction from the Government condemning the attack and no information note was issued by the police. One member of the organization's staff was interviewed by the police on the day of the bombing, and others in the following days. However, no measures have been put in place to ensure their safety.

The attack on the KISA offices was not an isolated act, with at least one member of the organization receiving direct threats connected to their work,

and the organization itself being targeted with smears by officials of the Republic of Cyprus and far-right groups, in particular since 2020.

On 24 February 2020, the then Minister of Interior of the Republic of Cyprus accused KISA of having links to the Muslim Brotherhood and of supporting Türkiye. This false accusation was then picked up by the media and far-right groups in Cyprus, who used the narrative created by the Republic of Cyprus to portray the human rights organization and its staff as enemies of the state, with physical attacks following.

On 24 July 2020, Mr. Polykarpou, the Executive Director of KISA, was attacked by a member of a far-right group during a demonstration organised by far-right activists against the opening of an accommodation centre for asylum-seekers in Aglantzia, a suburb of Nicosia. Despite the presence of police during the attack, they did not intervene to prevent it or to arrest the perpetrator. Although Mr. Polykarpou filed a complaint against the aggressor following the incident, court hearings in relation to his complaint have since been repeatedly postponed. Mr. Polykarpou has also received death threats, sent by far-right figures via direct messages over Facebook.

As detailed in the previous communication CYP 2/2019, in August 2019 Mr. Polykarpou was arrested and charged with obstruction of police work after peacefully intervening during the interrogation of an adolescent foreign national near KISA's office, by a police officer against whom the organization had previously submitted a complaint for discriminatory behaviour. On 21 December 2023, Mr. Polykarpou was found guilty on the basis of the testimony provided by the police officer in question. On 23 January 2024, he was sentenced, with the court imposing a fine of €750 and €200 for court expenses. Mr. Polykarpou submitted an appeal against the judgement on 23 January 2024.

Mr. Polykarpou is also accused in a second case, concerning a visit he made to the Pournara refugee camp on 12 March 2022 to verify reports of inhumane conditions for asylum-seekers hosted there. During the visit, Mr. Polykarpou was violently pushed, manhandled, tripped, and threatened with more serious physical violence by a uniformed guard from the camp. Mr. Polykarpou immediately lodged a complaint against the guard at a local police station, only to be called back there the next day – 13 March 2022 – and informed that he was being prosecuted for crimes including illegal entry, common attack, disturbance and public insult, in relation to his visit to the Pournara camp.

At the time of writing, KISA remains excluded from the Registry of Associations, with its appeal challenging the decision of the Ministry of Interior of the Republic of Cyprus to exclude it following the introduction of new rules in 2017 and 2022 currently pending (see CYP 1/2021).

Without wishing to prejudge the accuracy of the aforementioned allegations, we express grave concern regarding the attack on the offices of KISA, which we fear to have been carried out in direct retaliation for their human rights work and in particular their work in support of migrants, refugees and asylum-seekers in Cyprus. We express our serious concern for the safety of KISA's staff and underline our worry and dismay at the alleged failure of the authorities to speak out in support of the

human rights defenders in the aftermath of the attack. We underline our fear that this attack appears to be the culmination of mounting intimidation and threats against KISA and its staff, in the context of the creation of a hostile environment for their work to see that the rights of migrants, refugees and asylum-seekers are upheld in Cyprus.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information as to the steps taken to ensure a prompt, impartial, transparent, effective and exhaustive investigation into the bombing of the KISA offices in Nicosia.
3. Please provide information as to any measures taken to protect the lives, physical and psychological integrity of the organization's staff since the attack. If no such measures have been put in place, please explain the reason and how this complies with obligations of the Republic of Cyprus under international human rights law, most notably articles 6 and 9 of the International Covenant on Civil and Political Rights, as outlined in the below annex.
4. Please provide information as to any public statements by State bodies or representatives condemning the attack on KISA's office. If no such statements have been made, please explain why.

We would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of our highest consideration.

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

Cecilia M. Bailliet  
Independent Expert on human rights and international solidarity

Morris Tidball-Binz  
Special Rapporteur on extrajudicial, summary or arbitrary executions

Gehad Madi  
Special Rapporteur on the human rights of migrants

## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would like to refer to Cyprus's obligations under international human rights law, in particular articles 6, 9 and 22 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Cyprus on 2 April 1969, which protect the right to life, the right to liberty and security of person, and the right to freedom of association.

We recall that the right to life is a supreme *jus cogens* norm, applicable to all persons at all times and that cannot be derogated under any circumstance under international law. As the Human Rights Committee has emphasized, in order to guarantee the right to life guaranteed in article 6(1) of the ICCPR, States must exercise due diligence to protect life from deprivations caused by persons or entities whose conduct is not attributable to the State.<sup>1</sup> State parties' obligation to respect and ensure the right to life extends to reasonably foreseeable threats and situations of danger to life that may result in death. States parties may be in violation of article 6, even if such threats and situations do not result in loss of life,<sup>2</sup> and the duty to protect the right to life requires State parties to take special measures of protection for persons in situations of vulnerability whose lives are at particular risk due to specific threats or pre-existing patterns of violence. Such persons include human rights defenders.

The right to security of person refers to protection against physical or psychological injury, or attacks on physical and moral integrity, and obliges States parties to take appropriate measures to protect individuals from foreseeable threats to their life or physical integrity from any State or non-State actor. As the Human Rights Committee has underlined, States parties should respond appropriately to patterns of violence against certain categories of victims, such as intimidation of human rights defenders, and should take appropriate measures to protect the victims of such violence.<sup>3</sup>

Furthermore, we would like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the Declaration which state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms.

We would also like to bring to the attention of your Excellency's Government article 5(b) of the UN Declaration on Human Rights Defenders, which provides that everyone has the right, individually and in association with others, at the national and international levels to form, join and participate in non-governmental organizations,

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<sup>1</sup> CCPR/C/GC/36, paras 7, 13, 15 and 17

<sup>2</sup> Ibid., para 7

<sup>3</sup> CCPR/C/GC/35, para 9

associations or groups, as well as to article 12(2), which provides that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the Declaration.

In this connection, we would also like to refer your Excellency's Government to the report of the Special Rapporteur on the situation of human rights defenders 'Refusing to turn away: human rights defenders working on the rights of refugees, migrants and asylum-seekers', presented at the General Assembly in 2022.<sup>4</sup> In particular, we would like to draw the attention of your Excellency's Government to the conclusions and recommendations of the report,<sup>5</sup> including her recommendation that States:

- a) Take all measures necessary to ensure that human rights defenders are protected from violence, retaliation, threats, discrimination and other kinds of pressure or arbitrary action by State and non-State actors as a consequence of their work;
- b) Condemn publicly all instances of violence, discrimination, intimidation or reprisals against them and emphasize that such practices can never be justified;
- c) Investigate and prosecute any attacks by State and non-State actors against human rights defenders, their families, associates or legal representatives; and
- d) Recognize publicly the important role played by these defenders and the legitimacy of their work.

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<sup>4</sup> A/77/178

<sup>5</sup> Ibid., paras 114 - 117