

Press release – 10/01/2019
Landmark conviction against racism in social media

On 7 January, the District Court of Nicosia convicted for the first time a citizen for racist comments on social media. In particular, responding to a parent, Ms A.M. called him “stupid” because he had adopted children from Asia, which are “idiots”, as she claimed.

KISA considers that this decision undoubtedly constitutes an important and positive development in the efforts for the elimination and combating of xenophobia, racist discourse, hate speech and hate crime. Phenomena completely unacceptable and dangerous but which have taken uncontrollable proportions, especially on social media. Both the Police and the Attorney-General responded positively to the report of the Commissioner for Children’s Rights, following a complaint by a citizen.

We applaud the decisive intervention of the Commissioner for Children’s Rights, which obviously influenced the reaction of the prosecuting authorities. Once again, it is confirmed that this is one of the top institutions for the protection and promotion of human rights in Cyprus.

At the same time, KISA expresses its concerns regarding the fact that this approach based on the current legal framework was not observed in other similar cases and complaints of similar nature, submitted by KISA or other victims. KISA is of the opinion that the determination shown by the administration of justice agencies in this case is not irrelevant to the fact that the parents of the targeted children are Cypriots, and that the case concerned children, a group particularly vulnerable to such situations and therefore warranting increased protection.

From KISA’s experience to date and the reports submitted for similar cases, we consider that the current upsurge of such phenomena, especially on the social media, would probably not be as intense if the administration of justice agencies, and particularly the Attorney General, reacted with the same determination in all cases of racist and xenophobic discourse and hate speech, regardless of the person that this action came from and regardless of the ethnic origin or other diversity of the victims.

We also note that, once more, the only extrajudicial institution, with a specific mandate to combat racism and discrimination, the Ombudsman and national human rights institution, was conspicuous by being absent. As reported by KISA on many occasions, the Ombudsman, repeatedly rejected the examination of serious cases submitted by our organisation as well as other NGOs, relating to discrimination and racist and xenophobic speech on the basis abstract justifications or her discretion not to examine complaints that she finds not worthy of examination. Unfortunately, the Ombudsman who was supposed to safeguard the rule of law and the human rights of the people, does not only fulfil its mandate but also undermines the achievements of predecessors, nullifying the institution.

On the basis of the above, KISA calls on all competent authorities, especially the prosecution authorities including the Attorney General, and the Ombudsman and National Human Rights Body, to proceed to the complete and effective Implementation of the legislation that criminalises racist and xenophobic discourse and hate speech and for the treatment of all reports and complaints about xenophobic and racist discourse, hate speech and crime with the same determination and sensitivity exhibited in this particular case.

Steering Committee, 10.01.2019