



SOMEROL:

SOCIAL MEDIATION AND THE STRENGTHENING OF RULE OF LAW IN CYPRUS

Project Proceedings Report

Nicosia
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Executive Summary

This Report provides an overview of key activities and outputs delivered under the project **Social Mediation and the Strengthening of Rule of Law in Cyprus (SOMEROL)**, undertaken by the University of Central Lancashire in Cyprus (UCLan Cyprus), the Interdisciplinary Centre for Law Alternative and Innovative Methods (ICLAIM), and the Cyprus Peace and Dialogue Centre (CPDC). The project builds on previous Social Mediation projects that have taken place in Cyprus and online from 2018 to 2022¹. The aim of the project was to enhance the delivery of capacity building activities on Social Mediation, with a particular focus on strengthening the Rule of Law in Cyprus, on either side of the UN-administered Buffer Zone. The project employed previous findings, especially regarding divided societies, which raise challenging theoretical and practical questions in terms of conflict prevention, management, and resolution. In addition, by turning the focus on the Rule of Law principle, the SOMEROL project dealt with issues of transparency, corruption, media-freedom, and counter-information, as relevant, from policy, industry, civil society, and educational perspectives, in an inter-communal context. The SOMEROL project benefited from the expertise of the EU-funded Jean Monnet Centre of Excellence for the Rule of Law and European Values CRoLEV (2022-25) running at the School of Law of UCLan Cyprus. A Rule of Law expert of CRoLEV was present at all events, in the person of its Director, Prof. Stéphanie Laulhé Shaelou, Professor of European Law and Reform and Head of the School of Law at UCLan Cyprus². Prof. Laulhé Shaelou is also a Founding Director of ICLAIM.

The **key deliverables** of the project were: Two Training Workshops on Social Mediation and the Rule of Law; a Roundtable discussion; a Training Workshop on Deep Democracy, and a two-day Closing Conference, as presented here.

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¹ Social Mediation Project: <https://social-mediation.org/>; For previous Reports and Manuals see: <https://social-mediation.org/resources>

² CRoLEV Webiste: <https://crolev.eu/>

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Training 1: SOMEROL for policymakers

21 January 2023

Participants at this workshop were individuals from across the divide who play or have played an active role in local policy institutions. The training was designed in an interactive manner, to allow both the theory and the practical scope of Social Mediation and the Rule of Law to be presented. It encouraged participants to provide contemporary insights into how the Social Mediation dispute resolution methodology and the Rule of Law principle relate to the level of the rule of law in Cyprus, in daily life but also in the context of the Cyprus Question. The workshop featured an extended facilitated discussion among participants and gave the opportunity to share feedback and concerns from a variety of perspectives. Below are presented some of these comments in no particular order and in a non-identifiable form:

- Division exacerbates the impact of crises (2008 financial crisis, corruption, rise of populism) and suggests lower resilience for a society.
- Doctrine of necessity and state of emergency for Cyprus: overall weakening and erosion of public bodies and authorities, with room for more arbitrariness and lack of transparency.
- Weak Rule of Law incubates fear: in Cyprus, the level of violence was such that people imposed silence on themselves – so few people are vocal because the moment you say anything things are linked to the conflict.
- Due to the Doctrine of Necessity, many of the check and balances provided for in the Republic of Cyprus Constitution have been defunct since the 1960s, oftentimes leading to major irregularities in view of ensuring the Rule of Law. Populism remains a key risk.
- The length of uncertainty and the unresolved trauma are yet to be adequately addressed for the Cyprus conflict.
- Key peace barriers – power imbalance and comfortability.
- The UN's role in the Cyprus conflict: to bring anyone to the [negotiating] table, there needs to be a direct interest and benefit from reaching a settlement by either party. Each party in the case of Cyprus is trapped in their own narrative.
- Moving forward remains a challenge.
- The leaders have never listened to the grassroots, and consequently there is a lack of comprehensive understanding of the conflict at the leadership level.
- In the '60s, the level of literacy was low; the people of Cyprus did not engage in public dialogue, or civic affairs, and did not criticise political decisions.
- Until today, there has never been public consultations; people must be involved because otherwise solutions do not work.
- Perhaps not all regions have the same interest in a solution. In some regions, the interest is high and there is frequent intergroup contact. 10% of students go to mixed schools. It's quite a fragile environment. There are no quick solutions. We need everything at once.

Training 2: SOMEROL for other professionals

28 January 2023

Participants to the second training were educational stakeholders across the island. The second training was built on the same foundation as the first one. However, expectedly, the interactive discussion focused less on policy and more on education, in reference to intergroup dialogue, social mediation, and the Cyprus conflict. Key points raised as individual participant remarks included:

- Education is key and so is fostering the right skills in students and educators.
- Human rights are not absolute: some may be suspended in times of emergency.
- Needs: not necessarily linear. Someone can be happy but not feel safe, e.g., in Cyprus there is an insecurity of military action despite a high standard of living.
- Social mediation and contact hypothesis: process of creating and repairing social bonds.
- The idea is to deconstruct a socially constructed threat.
- How do we overcome the partiality of mediators? There are checks and balances, guidelines in place, but can this be evaluated? By whom?
- Achieving impartiality is subjective and it is up to the parties involved (perceived impartiality).
- Impartiality is never fully possible, so it is best to acknowledge partiality and embed that into the design of the process (multi-partiality, the ability to understand multiple perspectives).
- What happens if a side commits to a political process but then undermines it? Make it more transparent and inclusive. Let citizens enter the same process, they will also see the challenges and the other side's perspective.
- How does Social Mediation address imbalances? By enabling identity reprioritisation. Bring people together as equals, highlight common identities other than ethnicity, ie. Gender. It's about finding common goals.
- Transparency is key but absent in the Cyprus context. Things are said behind closed doors because of the principle "nothing is agreed until everything is agreed".
- During the Annan Plan process: there was a big campaign among the Turkish Cypriot community, but it was limited in the Greek Cypriot community. It was a dangerous thing to vote YES in the south and it was taboo. The Annan Plan period featured elements of securitisation – a leader's speech acts to declare and construct a threat – and of thick-versus-thin Rule of Law – the informal can have a direct impact on the formal procedure.
- You also need hope and trust to get people to the point of contact. Lack of communication is also an issue within the communities of Cyprus.
- Ignorance about the Cyprus problem among academics from Greece and Turkey.
- Negative contact can make it worse, so a pre-requisite is equal status. If that is not present in the process can the mediator intervene? Can the UN 'force' us to find a solution?
- Equal political status in a future settlement for Cyprus is the simplest thing. And this can be reflected on a civil society level as well.
- The role of preventive social mediation: another reason people might not interact is intergroup anxiety.
- It is really important to overcome language and class barriers.

The two training sessions enabled participants to exchange viewpoints in an environment that embraces social mediation and Rule of Law principles, with the aim of returning to key themes in the subsequent Roundtable and Closing Conference events.

Roundtable Discussion

11 February 2023

The Roundtable aimed at bringing together participants from both workshops and members of the Social Mediators Network under the umbrella of ICLAIM,³ to further discuss the role of the Rule of Law and Social Mediation along the above lines and identify more convergences. The two workshops had brought to the surface several recurring issues and key questions, which we then ensured to address during the roundtable discussion.

Workshop Recurring Issues	Key Issues for Roundtable
To fully understand the relevance of the Rule of Law principle, one needs to take it into account at three levels: National/ Supranational (EU)/ International.	Revisit the identification of relevant stakeholder in the Cyprus context
How do states of emergency and exception impact the Rule of Law on general.	How can we reach out to said stakeholders?
The role of the media is crucial in sustaining the Rule of Law.	What would be the vision for Social Mediation in the Cyprus context?
Social mediation can be used as a method to critically expose one side to the other.	What would constitute Rule of Law indicators in your field of expertise?
Challenges relevant to checkpoint crossing need to be addressed.	Can Social Mediation complement political mediation? If yes, how?
How do you agree politically who is impartial enough to be accepted as mediator? That touches on the parties' confidence.	What about the intra-communal dynamics of each community?
Considering the historical complexity of intra-communal dynamics, how did it become possible for the Turkish Cypriot community to present a more unified front in 2004?	

³ <https://www.icclaimcentre.org/projects/social-mediation>

Participants were divided in two groups, which aimed at equal representation of participation to each workshop, and they were instructed to discuss the following three questions and present key insights to the plenary:

- a. How do issues of securitisation and absence of Rule of Law impact civil action around the Cyprus problem?
- b. How do we ensure that a social/ political mediator can play a truly impartial role?
- c. Is there concrete action we can work towards collectively?

During the plenary discussions, participants emphasised the following points:

A: HOW DO ISSUES OF SECURITISATION AND ABSENCE OF RULE OF LAW IMPACT CIVIL ACTION AROUND THE CYPRUS PROBLEM?

Issues of securitisation prove a key obstacle to a solution, more so than the challenges posed to preserving the Rule of Law. This emphasis on securitisation is the result of the historical narratives which have evolved between each community (inter-communally) and within each community (intra-communally) for more than 50 years. The said narratives concern not only the inter-communal violence of 1963-64 and the armed conflict in 1974, but also the asymmetry in the international status of each community to date, and the strong emphasis on a narrative of victimisation, which is entangled in complex issues relating to Law, Politics and Justice. Though the issues within each community are similar, the implications and the impact differ across the divide.

Additionally, current constitutional dynamics for the Republic of Cyprus, the rise of extremist behaviours, and the isolation of information within the separate sphere of each community, along with the lack of political will to take a firm stance towards resolving the Cyprus question further exacerbate the phenomenon of securitisation and the weakening of the Rule of Law.

B: HOW DO WE ENSURE THAT A SOCIAL/ POLITICAL MEDIATOR CAN PLAY A TRULY IMPARTIAL ROLE?

The issue of ensuring the impartiality of the Mediator (social or political) is a recurring topic across all workshops since the first edition of the Social Mediation in Practice project back in 2018. Unsurprisingly, therefore, participants in the workshops repeated the same concerns. During the roundtable it was concluded that impartiality cannot be guaranteed on the many controversial issues arising from division in Cyprus. It was agreed, however that the impartiality of a person taking on the role needs to be accepted by both communities to build trust with the public and any progress to be achieved. Greater involvement from civil society and local experts from each side could contribute positively to such efforts.

C: IS THERE CONCRETE ACTION WE CAN WORK TOWARDS COLLECTIVELY?

Overall participants called for an 'out of the box' approach away from traditional mindsets, to enhance critical thinking. As far as the political negotiations are concerned, participants called for more transparency and frequent updates to the public, to overcome the lack of awareness regarding fundamental aspects of the negotiation process. In the same regard, all suggested solutions need to be clearly communicated to the public, including the actual willingness of political actors to move forward with a solution. One concrete suggestion was to appoint joint mediators for the process, one for each community; something which would indeed, overturn the traditional approach followed for more than 50 years.

Beyond the context of the political negotiations, participants recommended to use Social Mediation to facilitate dialogue with those members of the public that resist reconciliation and the potential solution. The same approach can be taken to facilitate public dialogue for highly controversial and divisive issues which are often avoided in public debate, such as the role of non-Cypriot residents of the island, in case of a resolution to the Cyprus question.

Moreover, jointly combating corruption, improving education and skills development, and strengthening efforts towards a stronger culture of active citizenship can enhance collaboration. Admittedly, the lack of a common language (apart from English, which is not spoken by all) has been a recurring issue throughout the discussion, but initiatives that aim to reduce the communication barriers observed could further contribute to all efforts above.

Concluding points agreed

- There is a need for more future-oriented initiatives involving individuals from across the divide.
- Youth is a key actor in all efforts for peace and reconciliation.
- Highlighting and communicating the positive aspects of collaboration is key.
- There is a need for joint media outlets to equally represent and engage with both communities.

Deep Democracy Training

17 March 2023

Following the training and discussion series on Social Mediation and the Rule of Law, the project participants were invited to join a training workshop on Deep Democracy by experts joining us from the Netherlands, which refers to a methodology for interactive communication that complements the principles and practice of Social Mediation. The Deep Democracy training included discussions on the structure and philosophy behind deep democracy and simulations of deep democracy dialogue.

A key principle in Deep Democracy is that it reaches beyond the surface to identify values and unconscious wisdom/potential. One main technique used, the soft shoe shuffle, is utilized to unveil this unconscious wisdom on a collective level, through an open exchange of concise statements, and highlight that no one has monopoly over the truth.

The Deep Democracy training enabled participants to build on their discussions on the Cyprus peace process and reflect further on Social Mediation and the Rule of Law.

Closing Conference

27-28 April 2023



The Closing Conference was launched on 27th April by keynote speakers Ms Androulla Vassiliou and Ms Meral Akıncı, followed by questions and comments by the convenors Prof. Stéphanie Laulhé Shaelou and Dr. Meltem Onurkan Samani followed by the audience. On 28th April, the Conference involved various initiatives and contributors, whose presentations and networking were used as the basis to continue the ongoing discussion, and further distillate and streamline the suggestions collected in the previous events. Unlike the workshops and the roundtable, the Conference was open to the public.

The opening discussion on the first day of the Conference called for the establishment of a mechanism, such as a Truth Commission, that will help not only restore the distorted historical record but would also allow the public to express their feelings, be that sadness, anger, or frustration. For many, family has been the only alternative environment to discuss and reflect on Cypriot history, away from the politically ridden environment of the school and the media. A call for more languages in primary and secondary education, particularly the two official languages of the Republic of Cyprus, was also made.

The presentations and the discussions on the second day did not explicitly revisit the long-discussed topics of historical memory, transitional justice, and reconciliation. Instead, discussions were future-oriented, specifically the 'Cyprus Future' scenarios and the suggestion on the utility of the Deep Democracy methodology for a critical reflection on the Cyprus Question.

Two presentations that also indicated a focus on the future by highlighting the role of youth were the ones on the bi-communal work of the Cyprus Youth Council and the Cypology initiative, which illustrated the strong potential held by the youth of Cyprus, but also the many difficulties they still need to overcome, both logistic and political, before progress is achieved. As shown through the EU-funded PRESERVE project presentation, anti-discrimination and 'respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities'⁴, are fundamental for ensuring the Rule of Law in a democratic society; an objective also shared by the EU-funded Jean Monnet Centre of Excellence for the Rule of Law and European Values CRoLEV which presented thematic analysis on social mediation and the Rule of Law, and the new EU-funded project on 'EMBRACE: Rights for Reconciliation' to be run jointly by the CPDC and ICLAIM.⁵

⁴ Treaty of the European Union, art 2.

⁵ Conference Press Release: <https://www.udancyprus.ac.cy/somerol-project-closing-conference/>; Conference Video: https://www.youtube.com/watch?v=w_pBtjEpqiA

Concluding remarks

The discussions held throughout the SOMEROL project helped crystallise the overarching challenges to the current deadlock faced in any efforts towards the resolution of the Cyprus Question and identified ways that could potentially move things forward in the short to medium term.

Blocking points/ Challenges

- Securitisation
- Weak Rule of Law & Institutions
- Outdated/Non-critical narratives
- Ongoing polarising narratives in the media
- Challenging intra-communal dynamics

Starting points

- Focus on future; Turn to the youth
- Show the positive impact of collaboration
- More joint activities
- Appointment of joint Mediators to resolve challenges in inter-communal relations
- Politically-neutral media coverage

The SOMEROL project made clear that the logistical difficulties behind inter-communal collaboration are many. At the same time, the apparent lack of political will in the present standstill, contrasts sharply with the strong will expressed by those involved in initiatives at the grass roots level. Despite the progress achieved in inter-communal relations in Cyprus since the opening of the checkpoints in 2003, there is still a need to break through the usual demographic of persons involved in new initiatives - primarily youth activists and a variety of groups located in Nicosia.

The Conference concluded with a common understanding that at this stage there is an urgent need for new directions on how to initiate and achieve progress, overcoming the lack of follow up with activities that would regenerate and boost the many existing successful efforts towards a unified Cyprus. This can be supported by the Social Mediators' Network which newly trained social mediators via the SOMEROL project will be joining following the successful completion of the project, benefiting from the Network's enhance tools and network in Cyprus and across three continents.

Annex I: Presentations Overview

PRESERVE Project

Dr Katerina Kalaitzaki

PRESERVE (Preventing Racism and Discrimination – Enabling the Effective Implementation of the EU Anti-Racist Legal Framework) is concerned with fighting intolerance, racism, xenophobia, and discrimination against vulnerable ethnic and racial groups and Roma, Jews, Muslims and people of African descent. Starting from the premise that any system tasked with protecting the vulnerable from discrimination must rely on an effective legal framework, the project implements activities concerned with the better enforcement of the law. In the first stage of the project, partners produced an e-book containing one comparative and six National Reports on the implementation of the relevant anti-discrimination EU legal framework.⁶

Deep Democracy

Dr Yonca Özdemir & Dr Haris Shekeris

The presentation framed the Cyprus Issue as a ‘wicked problem’; a problem essentially unique, lacking a well-defined definition, with no correct solution. It argued that the political discourse on both sides of the dividing line, ignores this framing as several features of wicked problems contradict the agenda of various political actors. It proposed a “Future Design” approach, substituting the existing narratives, with a future orientation, encouraging the audience to ponder common problems, how the Cyprus Issue complicates the tackling of such problems, and how its resolution may help reach a better future. Deep Democracy could boost the legitimacy, sustainability and essential ‘goodness’ of the resolution of our ‘wicked problem’.⁸

Cyprus Futures Transformative Scenarios

Dr İpek Borman & Sylvia Protopapa

The Cyprus Futures scenarios were written, following a transformative scenarios process, by 36 individual Cypriots from both communities, with a wide diversity of perspectives, across sectors, professions, generations, beliefs and political views. The scenarios are stories about what could happen in the future in Cyprus, considering the period 2022 to 2035 in and around Cyprus. The assignment of the Scenario Team was to create stories of the future of Cyprus that would be plausible, relevant, challenging, and clear. The result is a collective set of four scenarios named **No Way, My Way, Their Way and Our Way**⁷. The aim is for the scenarios to contribute towards a wide and inclusive strategic conversation addressing the challenges facing the island.

The bi-communal work of the Cyprus Youth Council

Andreas Kyprianides

This presentation elaborated on the mission and responsibilities of the Cyprus Youth Council, including the bi-communal activities of the organisation and its role in youth policy-making. The CYC is as an umbrella organisation representing youth organizations in Cyprus, as well as projects and available opportunities for youth participation run by the Cyprus Youth Council.⁹

⁶ PRESERVE National Reports and E-book: <https://independent.academia.edu/PreservereEUproject>

⁷ Cyprus Futures (4 scenarios dedicated website): www.cyprusfutures.org

⁸ Materials referred to in the presentation: C. Dizdaroğlu, The Perceptions of Cypriot Youth Matter (2020) FES Briefing. Nicosia: FES Cyprus: <https://www.prio.org/publications/12528>; Joseph Raz, ‘The Morality of Freedom’ available at <https://academic.oup.com/book/9926>; HW Rittel, M M Webber, ‘Dilemmas in a general theory of planning’ (on the theory of ‘Wicked problems’): <https://link.springer.com/article/10.1007/BF01405730>

⁹ Cyprus Youth Council website: <https://cyc.org.cy/>

The work by Cypology,

Nikolas Soros & Polyvios Theodotou

Cypology is a youth-led platform that strives to provide accurate and evidence-based knowledge about the Cyprus problem and related sociopsychological issues. It aims to promote social cohesion and bi-communal dialogue by sharing insights from academic research conducted in Cyprus and worldwide. The goal of the initiative is to bridge the gap between academic research and the public sphere, while also amplifying the voices of women and youth in research. It recognises the complexity of the Cyprus problem and the persons behind the initiative hope that their work contributes to a more nuanced and informed understanding of the Cyprus Issue.¹⁰

Jean Monnet Centre for the Rule of Law and European Values (CRoLEV): Social Mediation and the Rule of Law,

Dr Alex M. Uibariu¹¹

The presentation introduced the findings of a focus group, conducted during a training session jointly organised by CRoLEV and ICLAIM entitled "Citizen Empowerment: Sustainable Rule of Law and European Values in Europe". The focus group sought to explore participants' perceptions and understanding on the topic. The findings, which emerged via thematic analysis, were presented in the context of five integrated themes: i. Uses of social mediation; ii. Pre-requisites for social mediation; iii. Enabling tools; iv. Benefits of social mediation; and v. Potential impediments to social mediation. The focus group found that social mediation, democracy, and the rule of law exist in a mutually reinforcing relationship: social mediation enables the rule of law and wider democratisation, whilst democracy and a basic presence of the rule of law encourage social mediation and proportionally increase its benefits.¹²

EMBRACE: Rights for Reconciliation'

Paraskevi Koumi

In April 2023, the Cyprus Peace and Dialogue Centre (CPDC) in partnership with the Inter-disciplinary centre for Law, Alternative and Innovative Methods (ICLAIM) launched a new 2-year EuropeAid project titled 'Addressing discriminatory human rights violations in Cyprus which arise as a result of the conflict as a vehicle for reconciliation'. The project will see the establishment of a bi-communal reporting mechanism under the guidance of a research consortium, with published findings and policy recommendations forming advocacy strategies at local and international levels. Beyond targeted legal aid for victims, the project will comprise of anti-racism training for civil servants at relevant services across the divide, a best practice sharing with other human rights NGOs in Cyprus, and public findings dissemination sessions with built-in confidence building workshops.

SOMEROL: What next?

Dr Nadia Kornioti

The SOMEROL project turned the spotlight on the broader scope of Rule of Law issues in Cyprus; problems deriving because of historical inter-communal rivalry, armed conflict and long-term division. The Roundtable discussion which took place on 18 February this year, revealed that the obstacle towards any progress in the long-term efforts for a solution is a complex matrix of issues of securitization, lack of clear objectives for the protection of the Rule of Law locally and internationally, the history of intra-communal violence and political polarity, combined with a long trail of narratives of injustice and victimisation, across the divide. All these elements lead to deep inter- and intra-communal divisions, which only a comprehensive strategy for social dialogue and measures for the defusion of tension could potentially resolve. Social Mediation could be central to such efforts.

¹⁰ The work of Cypology can be followed on the following platforms:

<https://m.facebook.com/people/Cypology-Cyprus/100078573693555/>; / https://www.instagram.com/cypology_cyprus/?hl=en

¹¹ For a full report on this presentation, please visit <https://crolev.eu/somerol-final-conference/>

¹² For more information on CRoLEV visit: <https://crolev.eu/>.

PROJECT PARTNERS

UCLan Cyprus: www.uclancyprus.ac.cy

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