

# GreeSE Papers

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### **The Invisible Impact of Frozen Conflicts: A case study of foreign domestic workers in Cyprus**

**Nasia Hadjigeorgiou**

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# The Invisible Impact of Frozen Conflicts: A case study of foreign domestic workers in Cyprus

Nasia Hadjigeorgiou<sup>1</sup>

## ABSTRACT

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While foreign domestic workers (FDW) are vulnerable everywhere in the world, the frozen conflict has exacerbated their vulnerability in Cyprus. This is first, because it has deprioritised the feminist agenda, which has had a disproportionate negative impact on FDW, the vast majority of whom are women. Second, the conflict has fuelled nationalist speech and policies, directed not only against Turks and Turkish Cypriots, but also against others, who are perceived as sharing the out-group's characteristics. And third, it has skewed the public's understanding of human rights and cultivated a sense of victimhood among the Greek Cypriot majority. This has provided an excuse for why protecting the rights of the vulnerable, including FDW, is not considered a priority. These phenomena explain the paradox of why a group like FDW that is seemingly entirely disconnected from the frozen conflict, is nevertheless profoundly affected by it.

**Keywords:** foreign domestic workers, frozen conflict, Cyprus

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<sup>1</sup> Assistant Professor in Transitional Justice and Human Rights, UCLan Cyprus.  
Email: [AHadjigeorgiou@uclan.ac.uk](mailto:AHadjigeorgiou@uclan.ac.uk)

## 1. Introduction

Research conducted on frozen conflicts to date has mainly focused on questions relating to their extinguishment. Yet, frozen conflicts can drag on for decades and a failure to explore what happens within the societies that host them during this period, contributes to the mistaken belief that, as long as they remain non-violent, they do not have to be urgently resolved. An even greater knowledge gap exists when seeking to understand the costs of frozen conflicts to ‘outsiders’ living within these societies – those that do not identify with any of the previously warring parties and whose interests are, therefore, overshadowed by the more vocal demands of the dominant communities. I begin addressing this gap by using as a case study one such group of outsiders, namely foreign domestic workers (FDW) in the Republic of Cyprus (RoC or Republic).

A culmination of several factors makes FDW vulnerable everywhere in the world: among these, are their gender, their migrant status and the type of work they perform. At the same time however, the salience of the frozen conflict within the Cypriot society, provides an additional explanation for the substandard protection of their human rights. The article explores three consequences of the frozen conflict in Cyprus, which have contributed to FDW’s poor living and working conditions. The first is that it has deprioritised the feminist agenda, which in turn, has had a disproportionate negative impact on FDW, the vast majority of whom are women. The second is that the constant existential threat that the frozen conflict presupposes has fuelled nationalist speech and policies. These are primarily targeted at Turks and Turkish Cypriots, but their proliferation has also normalised hostility against others, who are perceived as sharing the out-group’s characteristics. Finally, the frozen conflict has skewed the public’s understanding of human rights and cultivated a sense of victimhood among the Greek Cypriot majority, which provides an excuse for why protecting the rights of the vulnerable, including FDW, is not considered a priority.

The article is divided in four parts. Section 2 provides brief background information about the living and working conditions of FDW in Cyprus. Section 3 engages in a literature review and identifies gaps in explaining the internal dynamics at play in

frozen conflict contexts. Section 4 starts addressing these gaps by highlighting three consequences of the frozen conflict on Cypriot society. Section 5 explains how the consequences of the frozen conflict identified in the previous section have exacerbated the vulnerability of FDW in the country.

## 2. The living and working conditions of FDW in Cyprus

The compounding effect of a range of factors makes FDW vulnerable everywhere, not just in the RoC (EU Agency for Fundamental Rights, 2017). FDW are regularly excluded from the scope of labour laws or are covered by less favourable legislation, reflected in the fact that internationally, they work for more hours and get paid less than the average worker (ILO, 2013). Factors that explain this vulnerability relate to the identity of FDW, and in particular that they are primarily women<sup>2</sup>, migrants and often face language barriers in their host country (EU Agency for Fundamental Rights, 2011, p. 16). This is further exacerbated by the fact that domestic work is underappreciated, invisible and unpaid in societies all over the world (Ombudsman, 2013, pp. 3-4). FDW often work and reside in their employers' private homes, outside the public's view, which makes it more difficult for the state to identify violations of their rights and respond to them (EU Agency for Fundamental Rights, 2011, p. 40). Moreover, they tend to do so alone – each in a separate home – which creates challenges in proving allegations of abuse and organising themselves collectively (Ombudsman, 2013, pp. 3-4). Finally, FDW have, in general, limited rights awareness, and even in cases where this is present, they rarely voice their complaints, due to concerns that it could cost them their job or working visa (EU Agency for Fundamental Rights, 2011, p. 42).

The presence of a well-developed legal framework that regulates the working conditions of FDW can, if implemented correctly, respond to at least some of the factors that accentuate their vulnerability. There are two international documents

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<sup>2</sup> 83% of domestic workers internationally are women (ILO, 2013, p. 19).

that can set the backbone for this – the International Convention on the Protection of Migrant Workers and Members of their Families (1990) and the ILO Convention Concerning Decent Working Conditions for Domestic Workers (2011). The Republic has not signed or ratified either of them. This is despite the fact that as of July 2019, in the RoC, there were just over 19,000 registered FDW, constituting about 50% of all third-country nationals in the country<sup>3</sup>.

The Republic allows entry to these individuals only through a FDW visa, which grants the visa-holder very limited and specific rights. A FDW's arrival to the RoC is sponsored by her future employer to whom she is bound for the duration of her stay; with few exceptions, if she loses her employment, she also loses the right to legally reside in the country (Ombudsman, 2019, pp. 20-21). Before commencing work, a FDW must sign a government-drafted contract of employment. This stipulates that she should work for 42 hours per week and that she is responsible for 'housework performed in the Employer's primary residence and/or secondary residence', but very little beyond that. The contract makes no reference to the type of work that the FDW should be expected to perform, breaks within the day or the payment of overtime<sup>4</sup>. In practice, even the few protections mentioned in the contract are not complied with. The RoC Ombudsman (2013; 2019) has published two damning reports warning that the living and working conditions experienced by FDW are in violation of human rights standards. These findings were confirmed in a 2020 empirical study of 150 FDW, in which participants reported that they work 40% more than what their contract provides (Ombudsman & Hadjigeorgiou, 2020). A third of the respondents are not always paid or are not always paid the full amount they are owed and, to a different question, a third are not always paid on time. Finally, 67% clean more than one house, while 33% work every day instead of six days per week.

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<sup>3</sup> Data provided by the RoC Civil Registry and Migration Department. The number does not include FDW residing in the Republic irregularly, who are estimated to be numerically close to those with a valid residence permit (Ombudsman, 2019, p. 26).

<sup>4</sup> Contract of Employment for Domestic Workers, available at [http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/F16DFEEA3AF1715FC2257D6D0042D6B6/\\$file/DW\\_CO NTRACT\\_07.05.2019.pdf](http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/F16DFEEA3AF1715FC2257D6D0042D6B6/$file/DW_CO NTRACT_07.05.2019.pdf), Article 1.A.

Although the EU Fundamental Rights Agency (2011; 2017) has compared the protection of FDW's rights in different countries, Cyprus is not one of the case studies it has examined. Nevertheless, a range of other sources lead to the conclusion that the vulnerability of this group of workers is particularly acute in Cyprus. The Migrant Integration Policy Index 2020 ranks the Republic 42nd out of the 52 countries that participated to the survey in terms of its integration policies, with a score that is well below that of the European average<sup>5</sup>. Further, the legal framework that regulates FDW's rights in Cyprus has been described as 'the paradigmatic regime which allows the employers of migrants to have additional means of control over labour' and compares unfavourably with that of other Mediterranean countries, such as Spain (Pavlou, 2016, p. 155). International human rights organisations have strongly criticised aspects of this framework, such as that a FDW's stay in the RoC is controlled by a single employer and that she is allowed to change a maximum of two employers and only after she has been in the country for six months (CERD, 2017, pp. 4-5; CEDAW, 2018, pp. 13-14; GRETA, 2020, p. 36). The Ombudsman (2019, p. 25) has warned that the inadequate protections of FDW have been internalised by the general public as something 'natural' and necessary. [T]he systematic violation of their labour rights, and many times their fundamental human rights, becomes acceptable – to the point of being invisible – even to those employers who have no such intention.

### 3. Understanding frozen conflicts

Existing literature on frozen conflicts is preoccupied with their elimination. Loizides (2015) focuses on strategies that can be adopted before and during negotiations, which can help produce an agreement and put an end to the status quo, while Pokalova (2014) explores the conditions that prevent the parties to a frozen conflict from reaching a comprehensive settlement. Smetana and Ludvik (2019) hypothesise

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<sup>5</sup> Migrant Integration Policy Index 2020, available at <https://www.mipex.eu/play/>

how frozen conflicts end, while others are concerned with what makes them hard to resolve. For instance, Kolstø (2006) argues that the existence of a de facto state is predicated on the presence of a patron state; Souleimanov (2013) points to elite discourse as an important explanation for the longevity of frozen conflicts and Hassner (2007) contends that the passage of time itself makes frozen conflicts relating to territorial disputes even more intractable. The emphasis on the 'ending phase' of frozen conflicts is unsurprising because conceptually these are temporary states of affairs. In Hugo Grotius (2005, p. 434)'s words, when a ceasefire is signed, even if it is a long-standing one, the legal state of war is 'not dead but sleeping'<sup>6</sup>. This has implications on the policy level, as legal mechanisms put in place to address societal needs stemming from the frozen conflict, are often explicitly temporary<sup>7</sup>. Nevertheless, exclusively focusing on the elimination of frozen conflicts is regrettable because from an empirical point of view, their temporary state of affairs is likely to continue for decades (Dembinksa & Campana, 2017): of the 42 frozen conflicts listed in the Frozen Conflicts Dataset, 32 are either ongoing or have lasted for more than 30 years<sup>8</sup>. In such instances, it is important to understand how the continuation (rather than the end) of the frozen conflict impacts the society in which it is situated and appreciate that, despite its non-violent status, it might still have high human and material costs.

The lack of focus on the consequences of frozen conflicts is also reflected in debates about their definition. Most proposed definitions have been underinclusive, leaving conflicts that could be characterised as 'frozen' outside of their scope. Further, existing definitions tend to describe how the conflict looks from the outside, which detracts attention from understanding its consequences for those experiencing it from within. For instance, Jolicoeur and Campana (2009) argue that frozen conflicts are the result of violent secessionist movements in the context of the dismemberment

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<sup>6</sup> For a more in-depth analysis of this idea, see Sosnowski (2020).

<sup>7</sup> See, e.g., the mechanism established to manage Turkish Cypriot properties found in the Republic-controlled part of the island, which shall remain in place until the end of the 'abnormal situation [...] created as a result of the Turkish invasion'. (The Law Concerning Turkish-Cypriot Properties (Administration and Other Matters) (Temporary Provisions) 139/1991, Section 2.) For more information on this, see Hadjigeorgiou (2013) and Hadjigeorgiou & Kyriakou (2020).

<sup>8</sup> Frozen Conflicts Dataset (<https://www.prcprague.cz/fcdataset>)

of a communist state. The secessionist movement must use violence against the rump state, the violence must be suspended by a ceasefire and in its aftermath, a de facto state not recognised by the international community should be created. Alternatively, Grant (2017) believes that a frozen conflict exists when there is an armed hostility between a state and separatists, which results in a change in effective control of territory. The separatists must be making a self-determination claim, must be divided from the rump state by stable lines of separation and the settlement process between the two must be sporadic and inconclusive. Key for Grant is the requirement that the separatist entity has been recognised by no one; after recognition by even one state the conflict is no longer frozen. Finally, Clancy and Nagle (2009) define frozen conflicts as violent ethnopolitical conflicts over secession, which result in the establishment of a de facto state that has been recognised by neither the international community, nor the state from which it has seceded.

None of these definitions is broad enough to encapsulate conflicts that could reasonably be described as frozen. Jolicoer's and Compana's emphasis on the communist context arbitrarily excludes disputes such as those between Morocco and Western Sahara (Fregoso Chavez & Zivkovic, 2012; Fernandez-Molina, 2019), or India and Pakistan in relation to Kashmir (Bose, 2007). Grant's insistence that recognition of the separatist entity by even one state renders the conflict non-frozen, rejects classic examples of frozen conflicts such as Cyprus, Abkhazia and South Ossetia, which have been recognised by one or a handful of states. And while Clancy's and Nagle's definition is broader than the other two, it still dismisses contexts that have been understood as (developing) frozen conflicts, like Crimea, which has been annexed by Russia, rather than declaring itself an independent state (International Crisis Group, 2019). The greatest problem with all three definitions, however, is that they are concerned with how the conflicts look like to the outside observer, without acknowledging that the characteristics they have identified, first and foremost, impact those living within these societies. Stating that frozen conflicts were once violent, that they have not been subject to a comprehensive peace agreement, or that they involve a non-recognised entity making a self-determination claim, means little unless there

is an appreciation that these characteristics have research-worthy implications for the society itself.

One definition that responds to these criticisms is that provided by Smetana and Ludvik (2019) and Kosek et al. (2020), which identifies three characteristics of frozen conflicts. These are that (a) the parties attempted, but failed, to resolve their incompatibilities through war; (b) after the ceasefire, the core issue over which the war was fought remains salient and a potent instrument of mobilisation in domestic politics; and (c) the threat of violent re-escalation, is still present. The parties to the frozen conflict might both be recognised states (as in between Afghanistan and Pakistan over the Durand Line) or a recognised and a de facto state (as in between Israel and Palestine). These characteristics are sufficiently broad to encapsulate frozen conflicts that have been arbitrarily excluded by the other three definitions, but also specific enough to distinguish them from related concepts, such as ‘enduring rivalries’<sup>9</sup>, ‘strategic rivalries’<sup>10</sup> or ‘protracted conflicts’<sup>11</sup>. At the same time, the definition’s acknowledgement that the core issues of the conflict ‘continue to be salient in domestic discourses and are frequently referred to by the media, as well as by ordinary people, as commonplace topics’ (Smetana & Ludvik, 2019, p. 5), opens the door to discussions about the internal dynamics that operate in the frozen conflict society. It creates room to assess how the ongoing dispute impacts domestic decision-making and the extent of this impact on specific groups of individuals.

Under the proposed definition, Cyprus is a paradigm example of a frozen conflict society. Section 2 of the 1960 RoC Constitution declares that its citizenry consists of individuals who belong either to the ‘Greek’ or the ‘Turkish’ community. Disagreements between the two groups led to the eruption of inter-communal violence in 1963 and a military invasion by Turkey in 1974, satisfying the first limb of the three-part definition. As a result of the invasion, Greek Cypriots fled to the south, which remained under the effective control of the RoC, and Turkish Cypriots trekked

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<sup>9</sup> An ‘enduring rivalry’ is ‘a competition between states that involves six or more militarised disputes between the same two states over a period of 20 years’ (Hensel et al., 2000, p. 1177).

<sup>10</sup> ‘Strategic rivalries’ are comprised of two states which must regard each other as competitors and actual or latent threats that pose some possibility of becoming militarised (Thompson, 2001).

<sup>11</sup> ‘Protracted conflicts’ consist of at least sporadic violent outbreaks over long periods of time, which are the result of high stake and highly salient disagreements between the parties (Azar, 1985).

to the north, which has since been under the effective control of Turkey, with the two communities remaining largely segregated until today<sup>12</sup>. In 2004, the two sides came close to, but ultimately failed to reach a comprehensive peace settlement. Since then, they have continued engaging in a staccato of negotiations, with the conflict remaining unresolved and the incompatibilities of positions between them being as salient and domestically mobilising today as they were in the 1960s and 1970s<sup>13</sup>. Finally, in accordance with the definition's third criterion, due to the absence of a peace agreement, there is a continuing (albeit small) possibility of violence.

The costs of frozen conflicts to the parties that directly participate to them have been subject to some academic discussion: the intractability of such disputes is 'exhausting, demanding, stressful' and for societies to be able to cope with them, they must adopt 'major psychological infra-structure' (Bar-Tal & Bennink, 2004, p. 23). This infrastructure encourages frozen conflict participants to internalise societal beliefs, such as that the in-group is the victim, its security is constantly under threat and that the out-group lacks legitimacy. These beliefs result in what Galtung (1990) called 'cultural violence', which must be managed in order to build a sustainably peaceful society (Lederach, 1995). Conversely, there has been very little analysis of the costs of frozen conflicts on those who are members of the society, but do not identify as parties to the conflict as such and are therefore, seemingly disconnected from it<sup>14</sup>. Perhaps the most insightful analysis of the rights of 'outsiders' living in frozen conflict contexts has been delivered by Demetriou (2018) through her concept of 'minor losses'. Demetriou argues that the frozen conflict in Cyprus has given rise to, but at the same time hidden, several minor losses that are being treated as insignificant when compared to the more traditional concerns of the two communities. These minor losses 'have not been incidental to the conflict – they have been shaped by it' (Demetriou, 2018, p. 2). They exist because the architecture of the conflict relies on a series of idealised categories of people – citizens, Greek Cypriots, Turkish Cypriots, refugees – and therefore excludes, thus creating losses for, those who are not wholly

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<sup>12</sup> Cyprus v. Turkey App no 25781/94 (ECtHR, 10 May 2001).

<sup>13</sup> These concern how political power will be divided between Greek and Turkish Cypriots. For a summary of each side's position, see UN Secretary-General (16 April 2004).

<sup>14</sup> For exceptions, see Rajjman et al. (2003); Georgheagan (2008).

defined by these categories. Such losses materialise when an individual does not conform with societal expectations about how s/he should behave<sup>15</sup>, or does not neatly fall within a strict legal definition of a specific category of people<sup>16</sup>. In other instances, minor losses are accrued by those whose (ethnic) identity is not one of the main antagonistic identities to the conflict and who are therefore, unable to seek protection of their interests through their community<sup>17</sup>. Yet, while Demetriou's argument about the existence of minor losses is compelling, she does not seek to explain why these are so common in Cyprus. It is to this that the following section now turns.

#### 4. Three consequences of the Cypriot frozen conflict

The RoC, with its existential threat looming over it, is in a constant securitized state (Adamides, 2018). Securitization is the process through which a threat is presented as being so acute and a response to it is so urgent, that an extraordinary measure to address it, that would not normally be considered acceptable, is now justified (Buzan et al., 1998). Due to the intensity of the core issue over which the war was fought and the absence of a comprehensive peace settlement, the threat by the out-group is perceived as always being present and securitization, rather than being an ad hoc event, is consistently 'on' (Adamides, 2020). This constant securitization has had at least three consequences: it has deprioritised women rights from policy makers' agendas; it has normalised nationalist narratives; and it has cultivated within the Greek Cypriot majority, a skewed understanding of human rights, thus excusing the lack of protection of the most vulnerable within the society.

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<sup>15</sup> E.g., Greek Cypriot refugees who have negotiated compensation for their lost properties with Turkey without waiting for a remedy to be provided as part of a comprehensive peace agreement (Hadjigeorgiou, 2016, p. 159).

<sup>16</sup> E.g., those few Turkish Cypriots who, in 1974, refused to leave their houses in the areas under the effective control of the RoC. (Hadjigeorgiou, 2020, pp. 83-86)

<sup>17</sup> E.g., religious minorities (Constantinou, 2009) or asylum seekers in Cyprus (Yakinthou & Polili, 2010).

It has been well-documented in the literature that over the last decades, the national issue has taken priority over feminist demands for greater empowerment (Demetriou & Hadjipavlou, 2020; Vassiliadou, 2002). The relative marginalisation of women in Cypriot society is reflected in the fact that the Republic ranks 21st out of the 27 EU Member States in the Gender Equality Index, scoring 56.9 out of 100 points, 11 points lower than the European average<sup>18</sup>. This is especially so in the domain of power, in which Cyprus has scored only 29.8 percentage points and was ranked 24th. The problem though, does not only lie in the fact that women are grossly underrepresented in both public and private decision-making bodies (M. Angeli, 2020) as well as the media (M. Angeli, 2015). It also has to do with the roles adopted by those women who have peaked through the glass ceiling and the way they have opted to utilise this power. Most women organisations in the Republic are branches of mainstream political parties that are headed and exclusively controlled by men and whose main concern is to take a stance on the national issue. Often, to the women branches of these parties, feminist considerations are an afterthought, with women becoming “objectified” as numbers to be tackled and “improved”, and [being] irrelevant to debates on the parties’ political line.’ (Vassiliadou, 2002, p. 464)

Even women who are not affiliated with specific political parties have tended to mobilise around the national cause and ignored feminist concerns that deviate from their respective objectives with regards the Cyprus issue (Agathangelou, 2003). Most women involved in politics or civil society, therefore, have used their power to address issues that relate to the frozen conflict, rather than promote a more feminist agenda. As one activist put it almost 20 years ago, ‘[i]n the case of Cyprus, there is, in fact, a distinct lack of feminist activism or mobilization of women concerning issues other than the ethnic conflict’ (Vassiliadou, 2002, p. 463). Not much has changed since then, as ‘[f]eminism is still a dirty word here. [...] One becomes quaint talking about women’s involvement because the response will be “let’s sort out the Greek-Cypriot-Turkish-Cypriot thing first, and then we’ll sort out the gender thing”’ (Kamenou, 2019, p. 360). This was perhaps most aptly illustrated in a UN-supported event, intended to

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<sup>18</sup> European Equality Index, available at <https://eige.europa.eu/gender-equality-index/2020/compare-countries>

empower the women of the island. After a long list of Greek and Turkish Cypriot women were given the floor, the co-founder of Obreras Empowered, an association that promotes the rights of FDW in Cyprus, also had an opportunity to speak. This was the moment many feminists chose to leave the room, as the topic of discussion stopped being one they were interested in (Papastavrou-Faustmann, 2019). Hence the frozen conflict has undercut feminist efforts in three interrelated ways: it has deprioritised women's issues as a whole; it has empowered only a sub-category of women who come from specific socio-political and ideological backgrounds; who, in turn, have tended to overlook those whose identity and interests are not aligned with the national narrative they have adopted.

The Cypriot dispute has also fed on and perpetuated a nationalist sentiment. Frozen conflicts can only be sustained if a series of societal beliefs are accepted and normalised by the general population (Bar-Tal, 1998). Among these beliefs, are the justness of one's own goals, the in-group's victimization, a positive self-image, the need for unity and the delegitimization of the out-group, which combined, create fertile ground for a sense of nationalism. If this is equated to patriotism, defined as thinking highly of one's culture, it is a harmless and even beneficial characteristic of the individual and the society s/he is a member of (de Figueiredo & Elkins, 2003). Conversely, those who describe themselves as nationalists and by that they mean that their culture or identity is superior to others', are more likely to exhibit negative behaviour (de Figueiredo & Elkins, 2003; Anthias, 1992). Considering that the driving force behind the frozen conflict is an antagonism between different communities, manifesting in beliefs that the in-group deserves to be victorious over the out-group, it is the latter and more dangerous definition of nationalism that prevails. Because 'the coming together of the ideologies of nationalism and racism provides a socially convincing way of camouflaging racist attitudes in the name of the nation' (Spyrou, 2009, p. 160), in contexts where nationalism is a value espoused by a sizable segment of the population, racist statements, policies or laws do not attract the criticism they should. Empirical work conducted by Stevens et al (2014) in RoC schools confirms these theoretical insights: students who consider their ethnicity as central to their

identity and believe that their group is culturally superior to the rest, are more likely to show negative perceptions towards ethnic and racial out-groups.

While nationalist or racist feelings in the RoC are mostly directed towards Turks or Turkish Cypriots, the wide acceptance and normalisation of such beliefs has implications for other groups as well. If individuals are perceived as having characteristics of the out-group, even if they are not members of that group as such, they are considered threatening by default. Similarly, if their characteristics are different from those of both the in-group and the out-group, they are again unwelcome because, in the antagonistic identity environment that the frozen conflict cultivates, it is almost impossible to make space for 'surplus identities' (Constantinou, 2009). Put simply, in such zero-sum identity contexts, whoever is not with us, is necessarily against us; and if they are against us, they do not deserve to be protected in the same way we are. In the words of the first Attorney-General of the Republic, Cypriot nationals who do not identify as Greek or Turkish, and therefore do not have a community to protect them, are 'second-class citizens' (cited in Constantinou, 2009, p. 366). Extrapolating, the status of non-citizens, such as FDW who are in the RoC only temporarily and to do the work that first-class citizens refuse to, is likely to be even lower.

The third implication of the frozen conflict is that it has cultivated a sense of victimhood among Greek Cypriots, which provides an excuse for why further action is not being taken to protect vulnerable and marginalised groups within the population. While in theory, human rights in the Republic are described as universal principles, the impact of the conflict has given a nationalist flavour to how they are being used. In particular, in an attempt to attract international support, which is expected to translate in additional sway when negotiating a future peace settlement, Greek Cypriots have been presenting themselves – domestically and internationally – exclusively as the victims of human rights violations (Demetriou & Gürel, 2011). In turn, this has had two implications. It has encouraged the belief that since Greek Cypriots suffered such gross human rights violations in their past, they are in a special category of their own in terms of the support they deserve from the state. Others might also be victims of (past or present) human rights violations, but their

experiences are less horrific than those suffered by the Greek Cypriot community as a whole. It is this that explains the dissonance between the refugeehood experience of Greek Cypriots (often presented as doubly victimising because of their status as ‘refugees in their own country’<sup>19</sup>) and the experiences of asylum seekers and refugees from abroad<sup>20</sup>. The second implication is that human rights have mostly been viewed as something that is exclusively given or taken by third parties, rather than their protection being the product of local initiatives and public pressure (Yakinthou & Polili, 2010, p. 29; Vural & Peristianis, 2008). As a result, bottom-up attempts to safeguard the rights of vulnerable groups have remained isolated in the fringes of Greek Cypriot society and have not attracted the support of a critical mass of the population.

## 5. The impact of the frozen conflict on FDW in Cyprus

This section provides evidence of two claims: that there is a profound lack of attention on the part of the state towards FDW and that this is partly due to the frozen conflict, which has deprioritised the feminist agenda, normalised nationalist narratives and skewed Greek Cypriots’ understanding of human rights. It shows, therefore, that the frozen conflict has an indirect, but nevertheless real, impact on the rights of a group of individuals that, at a first glance, are not connected to it in any way at all.

Admittedly, these three factors are not only present in frozen conflict societies. For instance, the rights of FDW have been fairly low on the feminist agenda elsewhere as well. One explanation for this is that the work done by FDW today, has historically been unregulated and unpaid, as it was the responsibility of the woman in each household (Cox, 2012). When FDW took over, the incentives for starting to treat domestic work like any other profession were simply not there. When local women joined the workforce, neither patriarchal expectations that women are responsible for

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<sup>19</sup> Despite this being an incorrect use of the term ‘refugee’, it is how it has been used in the RoC. The term is used to describe the experiences of Greek Cypriot internally displaced persons.

<sup>20</sup> See, e.g., the statements of the RoC Minister of Interior (2020) that ‘Cypriots experienced war and refugeehood in 1974 and know first-hand what it means to be a real refugee’ (my emphasis).

domestic tasks, nor professional expectations that the employee should not have additional responsibilities at home, were challenged (Gregoriou, 2008). This was especially true in societies that had no, or limited, institutionalised support structures for the provision of care, such as subsidised retirement homes or public nurseries. Eastern Mediterranean countries are a prime example of this (Bettio et al., 2006), with estimates that in Greek dual-earner households with a child less than three years old, the working mother is spending 10 times more time on caring responsibilities than the working father (Lyberaki, 2011, p. 117). In such contexts, if the woman also has a full-time job, outsourcing domestic tasks becomes almost a necessity. However, the person these tasks are outsourced to must be flexible enough to do this job to a similar level and cost as the woman of the house once did. In light of these considerations, society as a whole (among them the feminists who often come to rely on FDW's services) have no incentive to make FDW less vulnerable, and therefore less flexible or more expensive. As one employer from the UK starkly put it, disempowered FDW '[a]re so frightened of getting kicked out that they're not going to pull any stunts' (Anderson, 2007, p. 260)

The second and third factors mentioned above – that nationalist narratives and a skewed human rights culture affect the level of protection afforded to FDW – are also present in societies that are not experiencing frozen conflicts. For example, it has been acknowledged in the literature that while employment regimes afford different levels of protection to FDW in different jurisdictions, immigration rules are equally restrictive everywhere (Murphy, 2013). Such immigration rules, which are often connected to nationalist narratives, render illusory any employment law protections available to precarious migrant workers (Anderson, 2010). Similarly, the EU Agency for Fundamental Rights (2015, p. 53) warned of a problematic human rights culture towards FDW. Referring to the whole of Europe, it described the widespread exploitation of these workers, which has in turn, normalised the human rights violations they experience. Thus, the conditions which explain the poor treatment of FDW are present in many societies around the world. What makes frozen conflict societies different is the degree to which these factors are present, with the argument being that the frozen conflict itself exacerbates their effect.

Partly because of the frozen conflict, FDW are virtually invisible in the eyes of the RoC. Shortly after the drafting of the Convention of Domestic Workers 2011, the government identified, although did not make publicly available, the reasons why the Convention could not be ratified by the Republic (Savva, 2019). The question of ratification was briefly revisited in 2016, but discussions fizzled out again soon after (Savva, 2019). In 2019, a serial killer who had sexually abused and murdered five FDW and two of their daughters was arrested. In the public outcry that followed, the RoC committed to ratifying the Convention, but two years later, this has not yet happened<sup>21</sup>. The same lack of drive exists in the implementation of the government's own policy decisions. The recruitment of all immigrant workers involves the Ministry of Labour, yet FDW are, exceptionally, the concern of the Migration Department, under the Ministry of the Interior (Ombudsman, 2013, p. 9). In 2010, the Council of Ministers sought to address this anomaly and ordered the shifting of responsibility from the Migration Department to the Ministry of Labour. Implementation of this decision is still pending (Ombudsman, 2020, p. 32). A final example of the state's inattention towards FDW concerns the statements of the President of the Republic in the aftermath of the serial killing investigations. President Anastasiades announced the establishment of 'a special department within the Ombudsman Office, which would investigate every complaint relating to FDW's living conditions in Cyprus' (Eliade, 2019). He was seemingly unaware of the fact that the Ombudsman already has this exact mandate and that after each investigation, a report is sent to the Council of Ministers, which he presides over, for further reflection and discussion.

The practical implications of the RoC's inattention towards FDW become most obvious in the context of the government-drafted contract of employment. A standard contract for all migrant workers had been prepared by the Ministry of Labour in 1991. This was amended by the Migration Department to fit the specific context of domestic work but was never sent back to the Ministry of Labour for final approval (Ombudsman, 2013, p. 10). The document was used, essentially unamended, from 1991 until 2019<sup>22</sup>. Even when a revised draft was eventually adopted, this attracted

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<sup>21</sup> Personal communication with the Ombudsman (November 2020).

<sup>22</sup> So little attention has the revised employment contract attracted, that the old version of this is still (accidentally, one assumes) on the RoC Civil Registry and Migration Department website. The old

no heed from political actors, no media coverage and was not the subject of any public debate. Several months later, the Minister of Interior was asked why the new contract does not distinguish between FDW who are employed as cleaners and those who work as carers. He readily agreed that such a distinction was appropriate, concluding that '[t]his is a very simple legislative amendment, just three lines. By the end of the year [i.e. 2019], it should be voted on' (Press and Information Office, 2019). More than 18 months later, no steps appear to have been taken in this direction. Finally, the lack of thought that has gone in the implementation of the employment contract, which is itself illustrative of the inattention paid to FDW, has rendered some of its safeguards ineffective. For instance, Article 2.1.A stipulates that FDW should not work more than 42 hours per week and that '[t]he Employer shall be obliged to keep record of the working hours.' The contract does not explain what the employer is to do with these records, who s/he should disclose them to and for what purpose; in fact, no government department appears to have the mandate to collect, let alone act upon, such information.

Part of the state's inattention towards FDW is explained by the fact that the emphasis placed on the frozen conflict has deprioritised key feminist demands from public discussions; in turn, this has detrimentally affected FDW, most of whom are women<sup>23</sup>. So, for instance, FDW are paying social insurance contributions that theoretically make them eligible for free medical services, including a biannual pap test. When 150 FDW were asked in 2020 whether they regularly have a pap test, 32% replied that they do not and a further 46% answered that they do not know what a pap test is (Ombudsman & Hadjigeorgiou, 2020). In focus groups that followed, some FDW informed the rest about an event that was happening from time to time, where they could receive a free pap test, but no participant was aware of the fact that FDW, like all other female employees in Cyprus, were entitled to this service for free. Thus, while FDW are in principle eligible to benefit from the General Healthcare Scheme to which

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employment contract is available at [http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/5314ED0D3F68CA9EC2257D2C003A4DC2/\\$file/DOME%20STIC%20WORKER%20ContractOfEmploymentEN.pdf](http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/5314ED0D3F68CA9EC2257D2C003A4DC2/$file/DOME%20STIC%20WORKER%20ContractOfEmploymentEN.pdf)

<sup>23</sup> According to the most recent publicly available statistics, there were 16,800 FDW in the RoC, 16,500 of whom were women (ILO, 2013, p. 117).

they are contributing, their total disregard from the government and its failure to provide information about this right, renders it illusory.

Further, the employment contract refers to the possibility of launching a complaint against one's employer but provides no additional information about what this actually means. It transpires that while a FDW can indeed complain, as long as the complaint is being investigated, a process that can take several months, she is not allowed to work and is not eligible for receiving any state support<sup>24</sup>. Moreover, the authorities are, in theory, keeping records of abusive employers and stopping them from sponsoring the entry of FDW in the future, but no such list appears to exist. These lacunae in the law have a disproportionate impact on women, who are much more likely to be victims of violence. Thus, a FDW can complain against her employer, but lose all of her earnings, which would make her more likely to resort by necessity to other income-earning activities, such as survival sex. Unsurprisingly, few take this option, with 75% of FDW stating that they would not inform the authorities if they had been physically or sexually abused (Ombudsman & Hadjigeorgiou, 2020). This state of affairs leaves FDW with only unsatisfactory options: they can either stay with their abusive employer, or leave their employment and become irregular migrants, thus receiving even less protection from the law (EU Agency for Fundamental Rights, 2011). Despite its life and death implications, this issue is never the subject of public debates.

The second consequence of the frozen conflict is that it has normalised nationalist narratives. While these narratives are most vocally directed against Turks or Turkish Cypriots, '[t]he Turks, being an Eastern Other, in the Greek Cypriot nationalist imagination often lend their cultural negativity to other kinds of Easterners, such as Sri Lankans and Filipinos' (Spyrou, 2009, p. 160). In the words of a 10-year-old Greek Cypriot boy quoted by Spyrou (2006, p. 101), 'the Turks, being uncivilized as they are, have a mentality that is different: it would not bother them at all to kill, to loot a country. . . in general their mentality is very Asian'. The expansion of the threatening out-group to cover all Asians and not only Turks, has not happened accidentally in the Republic; rather, it is the result of frequently asserted connections between the (originally threatening) Turk and the (now also threatening Asian) migrant. Such links

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<sup>24</sup> Personal communication with president of the Housemaids Association of Cyprus (November 2020).

are often drawn when government officials declare that most migrants reach the RoC by getting to the 'Turkish Republic of Northern Cyprus' ('TRNC') and illegally crossing the UN buffer zone that divides it from the areas under the control of the Republic<sup>25</sup>. At the same time, the opposite allegation is also made, namely that FDW often come to the Republic legally, but leave their employers in order to seek better employment opportunities in the 'TRNC' (Hadjivasilis, 2020). No acknowledgement follows these allegations that all FDW that the Migration Department keeps records of and whose working conditions it regulates, have arrived in the RoC after being issued a visa by it. Further, no discussion ever takes place as to why someone in legal employment in the RoC would risk leaving her house and job for a much more uncertain future in a non-recognised state. Instead, what lingers is a sense that by crossing the buffer zone, FDW somehow undermine the legitimacy of the Republic<sup>26</sup>. The accuracy or not of the assertion that migrants, among them FDW, pose a threat to the RoC is irrelevant; its repetition is in itself sufficient to limit the protections afforded to those who do not look like the Greek Cypriot majority. Perhaps the starkest illustration of this was an admission by the police after the 2019 serial killing investigations that when an employer reports the disappearance of a FDW, this is not investigated at all because of an assumption that she has fled to the 'TRNC' (France24, 2020). The admission led to the resignation of the then Minister of Justice, yet allegedly, this remains the police's practice even today<sup>27</sup>.

Another strategy that portrays migrants as a threat to the RoC is their dubious association with Turkish settlers. Turkish settlers were brought, or encouraged to emigrate, to the areas not under the effective control of the Republic from mainland Turkey and are considered an anathema by most Greek Cypriots who view them as part of Turkey's plan to change the island's demographics (Mavrides & Cypriots Against Turkish War Crimes v. The Republic of Turkey, 2014). One of the most divisive issues in the negotiations for a comprehensive peace settlement is the number of

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<sup>25</sup> The Minister of Interior has stated that '[i]t is well known that 80% of irregular migrants arrive in [the Republic of] Cyprus from Turkey, through the occupied areas' (Vasiliou, 2020).

<sup>26</sup> See, e.g., the Minister of Interior stating that 'Of course, bringing migrants of different nationalities to Cyprus takes place in accordance to Turkish plans.' (Vasiliou, 2020).

<sup>27</sup> Personal communication with president of the Housemaids Association of Cyprus (November 2020).

Turkish settlers that will remain in Cyprus following the reunification of the island. In 2004, when the two sides came close to a settlement, they agreed that 45,000 Turkish settlers would be naturalised and allowed to remain in Cyprus<sup>28</sup>. Although this was never explicitly admitted, individuals involved in the negotiations have hinted that 45,000 reflects the number of third-country nationals, half of whom are FDW, that currently reside in the RoC (Demetriou, 2018, p. 159). Thus, although FDW are in no way Turkish in their identity, they are unwanted and dangerous by association: their presence in the RoC creates a future threat, to which Greek Cypriots must respond today. The ex-Minister of the Interior alluded to this when, referring to migrants and asylum seekers, he declared that ‘there is a danger that in Cyprus, a Muslim minority will be created [...] There are settlers in the free areas’. (Polydorou, 2019)

Concerns that high numbers of third-country nationals will have a detrimental effect on its negotiating power have arguably informed the government’s decision to classify FDW as ‘temporary workers’. The Ministry of Labour (2007, p. 7) explained that

the introduction of foreign workers [in the 1990s] was only acceptable as a temporary measure in limited numbers and occupations where their immediate cover by [Greek] Cypriots was not possible. At the same time, long-term measures would be adopted to address these gaps, with the number one priority being the repatriation of [Greek] Cypriots from abroad, which would serve, at the same time, the population policy.

While the statement does not mention the Cyprus problem as such, the reference to the ‘population policy’ would be understood by Greek Cypriots to imply exactly that. It stems from the Greek Cypriot position that their numerical superiority compared to that of Turkish Cypriots, should result in greater representation in federal institutions (UN Secretary-General, 27 May 2003, p. 5). A dilution of the Greek Cypriot majority through the permanent acceptance of third-country nationals in its ranks, in contravention to the ‘population policy’, would undermine this argument<sup>29</sup>.

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<sup>28</sup> (Draft) Comprehensive Settlement of the Cyprus Problem (Annan Plan, 31 March 2004), Appendix F.

<sup>29</sup> This is supported by statements of the Minister of Interior that ‘The cost of migrants is not just financial. It is, first and foremost, social and demographic’ (Vasiliou, 2020).

However, labelling FDW as ‘temporary’ allows the government to afford sub-standard rights protection to them. Two examples illustrate this. The first concerns their access to permanent residency, which is a right afforded to all third-country nationals who have been working in an EU Member State for five years or more<sup>30</sup>. FDW are issued a four-year visa, which they can renew twice for a period of 12 months, while many also fall within the exceptions that allow them to stay in the country for even longer (Ombudsman, 2019, p. 12). Although they are technically eligible for permanent residency, the Supreme Court has held that since FDW are told from the outset that their visa is granted on a temporary basis, they should not form legitimate expectations that they can remain in the Republic for longer<sup>31</sup>. In practice, their ineligibility for permanent residency means that FDW can never hope to be employed in a different sector, will always be experiencing insecurity as precarious migrants workers and, crucially for a group of women 79% of whom are mothers (Ombudsman & Hadjigeorgiou, 2020), will automatically be disqualified from applying for family reunification. The second effect of labelling FDW as ‘temporary’ is that this makes less pressing the need to integrate them in Cypriot society. Thus, the government’s ‘Strategy for the Occupation of the Foreign Working Force in Cyprus’ notes from the outset that FDW are in the country temporarily and places all of its focus on how many should be permitted to enter the Republic (Ministry of Labour and Social Insurance, 2007). The only obligation that employers have towards migrant workers more generally, is to adopt steps for their societal integration, but from this, private employers, including households, are exempted.

The third consequence of the frozen conflict concerns the skewed understanding of human rights, which has most visibly taken root in the RoC educational system. While human rights occupy a prominent position in the syllabus of all year groups, they are often viewed through the prism of the conflict which presents Greek Cypriots as courageous but weak; powerless to redress injustices against themselves, let alone against others. This is a direct consequence of the war, in the aftermath of which, the school curriculum was developed to teach ‘loyalty to the Hellenic world, the Greek

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<sup>30</sup> EU Directive 2003/109/EC, Article 4(1).

<sup>31</sup> *Cresencia Cabotaje Motilla v. The Republic of Cyprus through the Minister of the Interior and the Chief Immigration Officer* (RoC Supreme Court, Case no. 673/2006, 21 Jan 2008).

language and Orthodoxy' (Karyolemou, 2003, p. 364). In this context, all references to human rights concern violations that Greek Cypriots had suffered – but never inflicted – in 1974 (encapsulated in the slogan 'I Don't Forget') (Zembylas et al., 2015). After a 2010 change to the curriculum, human rights started being presented in a more universalist light, alongside ideas, like equality, non-discrimination, democracy and human dignity (Zembylas et al., 2015). Yet, this change has not been accompanied by a parallel modernisation in the teachers' perceptions of human rights. In a series of studies with primary school teachers, participants adopted universalist conceptions of human rights when talking about them in the abstract but reverted to the familiar 'I Don't Forget' mindset when being asked to give practical examples of human rights violations. All teachers considered the 1974 Turkish invasion as the 'primary' starting point and relegated as less important, violations suffered by Turkish Cypriots, or other groups that are somehow 'other', such as LGBTQI+ or migrants (Zembylas & et al., 2016). Even those who were more critical of the narrative that presents Greek Cypriots as the only victims, were hesitant to say this in class. As one participant put it,

'We have also committed crimes, it's not just the Turkish-Cypriots, we have done bad things as well. [...] But all these are "taboos". If a teacher talks about them, then he is considered ... how shall I say it ... like a traitor?' (Charalambous et al., 2013)

Unsurprisingly, this emphasis on the war and the victimisation of the students' parents and grandparents by the foreign other cultivates nationalist or even racist feelings among them. Thus, one student was quoted as saying

I am a racist, I admit it. I just want migrants out of my country. I don't see anything wrong with that. If we want our country to remain Greek, migrants and Turks should leave. [...] I believe I have the right to be racist, when half of my country is occupied and the other half is about to lose its Greekness. (Zembylas & Lesta, 2011, pp. 488-489)

Another explained

If my duty to love and protect my country from the foreigners and the Turks is considered racism, then let it be so. [...]All foreigners threaten to contaminate our Greek identity, especially the Turk. (Zembylas & Lesta, 2011, pp. 488-489)

These quotes show that racism exists not just against the dominant other (i.e. Turks), but also all migrants, including FDW. The prevalence of such views has been confirmed by an independent study, which shows that students who identify as 'Greek', an identity understood as being more exclusive and nationalist than the 'Cypriot' one, are more likely to have negative perceptions of Turks and Asian migrants (Stevens et al., 2014). However, if children feel so free to express such racism, it means that their culture and surroundings allow or even encourage them to do so (Zembylas & Lesta, 2011, p. 492).

In addition to galvanising racism, the educational system's overemphasis on Greek Cypriot victimisation, has turned human rights into communication tools to describe historical injustices against the collective, rather than into mechanisms that empower vulnerable individuals. Thus, its modernization notwithstanding, the curriculum still does not make any reference to the rights of FDW, or immigrants and asylum seekers more broadly. Perhaps the starkest illustration of how the educational system views FDW is the recent decision of one school (and allegedly there were more), to include as a gift in its Christmas raffle, the payment of expenses to sponsor a FDW's entry to Cyprus (Associated Press, 2015). This incident took place during the year in which the Ministry of Education set 'Awareness raising of students against racism and intolerance' as its priority learning aim (Ombudsman, 2016). Despite criticism, the school insisted that its actions were not wrong, showing no appreciation that the gift did not meet any educational objectives or that it normalised perceptions of FDW as not deserving full respect (Ombudsman, 2016). The failure of the educational system to communicate that FDW have equal human rights, both reflects and contributes to how they are being treated by society as a whole.

## 6. Conclusion

Since frozen conflicts are generally long-term phenomena, emphasis should be placed, not only on understanding how they come to an end, but also on their consequences while they are still active. Among these are the 'minor losses' they give rise to: the idea that while they might be non-violent, they are also not cost-free, especially for those within the society that are not members of a dominant group. This article applied the idea of 'minor losses' to FDW in Cyprus. It acknowledged that FDW are vulnerable everywhere because their gender, migrant status and type of work they perform make them less visible to those in power. At the same time, it argued that the frozen conflict exacerbates their vulnerability because of the societal dynamics it gives rise to. Thus, in Cyprus, the deprioritisation of the feminist agenda has resulted in a lack of acknowledgement that almost all FDW are women, which has, in turn, prevented the development of laws and policies that cater to their specific needs. The normalisation of nationalist speech has portrayed not only Turks, but also migrants as 'other', and therefore threatening, to the dominant community, which has justified lower levels of protection by the state. And the skewed understanding of human rights, which has placed emphasis on the Greek Cypriot historical victim, has detracted attention from, and failed to empower, contemporary marginalised groups, such as FDW. Combined, these explain the paradox of why a group like FDW that is seemingly entirely disconnected from the frozen conflict, is nevertheless profoundly affected by it. What must now be done is assess whether this conclusion holds true in other frozen conflicts and in relation to different vulnerable groups as well.

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