



Ministry of Civil Affairs

Broj: 09-33-1-694-ALĆ/19
Sarajevo, 22.03.2019. godine

РЕПУБЛИКА СРПСКА
МИНИСТАРСТВО ЗА НАУЧНОТЕХНОЛОШКИ РАЗВОЈ
ВИСОКО ОБРАЗОВАЊЕ И ИНФОРМАЦИОНО ДРУШТВО
ДАТУМ: 01. 04. 2019

BOSNA I HERCEGOVINA
FEDERACIJA BOSNE I HERCEGOVINE
Ministarstvo obrazovanja i nauke
Dr. Ante Starčevića bb
88 000 Mostar

BOSNA I HERCEGOVINA
REPUBLIKA SRPSKA
Ministarstvo za naučnotehnološki razvoj,
visoko obrazovanje i informaciono društvo
Trg Republike Srpske br.1
78 000 Banja Luka

BOSNA I HERCEGOVINA
BRČKO DISTRIKT BOSNE I HERCEGOVINE
Odjel za obrazovanje
Bulevar mira br.1
76 100 Brčko

BOSNA I HERCEGOVINA
Agencija za razvoj visokog obrazovanja
i osiguranje kvaliteta
Ul. akademika Jovana Surutke 13
78 000 Banja Luka

BOSNA I HERCEGOVINA
Centar za informisanje i priznavanje
dokumenata iz oblasti visokog obrazovanja
Kneza Višeslava bb,
88 000 Mostar

PREDMET: Obavještenje o funkcionisanju visokog obrazovanja na Kipru, *dostavlja se*

Poštovani,

Ambasada Republike Kipar u Budimpešti dostavila je, posredstvom Ministarstva vanjskih poslova Bosne i Hercegovine, notu u vezi funkcionisanja visokog obrazovanja na Kipru, koju prilažemo ovom aktu na znanje.

Moli se Federalno ministarstvo obrazovanja i nauke da predmetnu notu učini dostupnom ministarstvima obrazovanja deset kantona u Federaciji Bosne i Hercegovine.

S poštovanjem,



Prilog: kao u tekstu (15 str.)

Dostavljeno:

1. Naslovu;
2. a/a



NOTE VERBALE

Ref. No.3.13.101.03

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MINISTRY OF FOREIGN AFFAIRS
BUDAPEST
12 133-N 7312

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The Embassy of the Republic of Cyprus presents its compliments to the Ministry of Foreign Affairs of Bosnia and Herzegovina and has the honor to inform the following, as regards the functioning of university education in Cyprus:

- For the time being, eight (8) Universities exist, are legally registered and are fully operational in the Republic of Cyprus.
- They operate within the framework and the parameters set by the relevant Laws of the Republic, the European Union and other pertinent international guidelines, in regard to higher education issues, with special attention to matters of quality assurance.
- Other Private and Public Institutions of Higher Education exist in Cyprus as well.
- Within the Republic of Cyprus, two Institutions are responsible for the functioning and the overseeing of public and private Institutions of Tertiary Education and Universities. These are: first, The Cyprus Agency of Quality Assurance and Accreditation in Higher Education and second, the Council of Recognition of Higher Qualification.
- Since the Turkish invasion of Cyprus in 20th July 1974 and the military occupation of 37% of the Republic's territory ever since, a

number of illegally-operating "universities" of higher education have been established and operate in the occupied part of the Republic.

- The number of these so-called "universities" is fifteen(15).
- There are many problems and difficulties that emanate from the functioning of these so-called "universities," particularly in regard to their evaluation, accreditation and recognition:
 - The area where they operate has been illegally occupied since the Turkish invasion in 1974 and the military occupation ever since, thus making any operation and functioning on their part *ipso facto* illegal.
 - The United Nations Security Council in two Resolutions, 541 (1983) and 550 (1984) has called the so called "unilateral declaration of independence," which led to the establishment of the "trnc" legally invalid, while calling for its withdrawal. Moreover, the UNSC called upon all States "not to facilitate or in any way assist the aforesaid secessionist entity." Finally, nobody in the world recognizes the so-called "trnc," but Turkey, the country that invaded Cyprus and has been occupying 37% of the Republic's territory ever since.
- Needles to stress, there are a number of irregularities associated with the existence and the functioning of these so-called "universities, like, the illegality of the framework within which they operate, which is contrary and well outside the relevant laws and Regulations of the Republic of Cyprus on Higher Education.
- Specifically, these "universities" operate outside the legal and institutional framework of the Republic of Cyprus on Tertiary Education and Accreditation of Higher Education. Neither the so-

called "universities" nor the "qualifications" they award are recognized by the Republic of Cyprus.

- Furthermore, Turkey has established "campuses" of its universities in the occupied part of the Republic, in clear violation of international law. One such University is the Middle East Technical University, which is based in Ankara. Turkey also uses its institutional framework of higher education in an effort to provide legitimacy to other education activities taking place in the "trnc."
- A great deal of these "universities" were illegally built on property that belongs to Greek Cypriots, who were forcibly evicted from their homes, as a result of the Turkish invasion in 1974.
- The legal owners of the property can bring legal action before the competent Courts of the Republic of Cyprus against trespassers to the property in the occupied part, claiming damages and other legal remedies available to them under civil law. It must be emphasized in this respect that judgments of civil courts of the Republic, even if they have to do with the occupied areas of the Republic, can be recognized and enforced against property/assets of the defendants in EU member/states.
- The European Court of Human Rights in its Judgment of 10th May 2001 (the 4th interstate case of Cyprus against Turkey) found that any interference in the property rights of the Greek Cypriot owners in the occupied part amounts to the violation of Article 1, Protocol 1 of the European Convention of Human Rights (because of the denial of access and enjoyment of one's property rights). Above all, the Court concluded that the Greek Cypriot owners of property in the occupied areas of the Republic remain the legal owners of such properties.

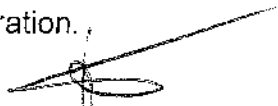
- Recent information from the BBC accounts for many irregularities in regard to the efforts by these "universities" to attract students, i.e., the economic survival of many of the students attending, the promises that have not been fulfilled, full exploitation, to name just a few.

Having the above mentioned facts and information in mind, the Embassy kindly requests the esteemed Ministry to convey them to all prospective Bosnia and Herzegovina students.

The Embassy should highly appreciate as well the Ministry's intervention to the citizens of Bosnia and Herzegovina, so that the latter become fully aware of all the parameters and the consequences involved from studying in any of the so-called "universities" in the occupied part of the Republic of Cyprus.

A copy of a Memorandum, which was prepared by the Ministry of Education and Culture of the Republic of Cyprus, along with other relevant information, is attached for easy reference.

The Embassy of the Republic of Cyprus avails itself of this opportunity to renew to the Ministry of Foreign Affairs of Bosnia and Herzegovina the assurances of its highest consideration.



To:

20 February 2019

The Ministry of Foreign Affairs

of Bosnia and Herzegovina

Sarajevo

ii. Recognition and Quality Assurance in the Republic of Cyprus

Universities and Institutions of Higher Education are all recognized by the Government of the Republic of Cyprus and, as a result, by the European Union (EU) as well as non EU countries.

Within the Republic of Cyprus, the operation of public and private Institutions of Tertiary Education and Universities is governed by the Laws of the following Bodies, which come under the Ministry of Education and Culture of the Republic.

➤ The Cyprus Agency of Quality Assurance and Accreditation in Higher Education

(<http://www.dipae.ac.cy/index.php/el/dipae/foreas>)

The Cyprus Agency of Quality Assurance and Accreditation in Higher Education is the competent Authority responsible for ensuring the quality of higher education in Cyprus, through the procedures provided by the Law on "Quality Assurance and Accreditation of Higher Education and the Establishment and Operation of an Agency on Related Matters", and for the processes for the continuous improvement and upgrading of higher education institutions and their programs of study. The relevant law provides a quality assurance framework for higher education in Cyprus within which, higher education institutions are driven to enhance quality and develop an internal quality culture. The Agency has, according to the Law, extended competencies amongst which are the following:

- Institutional, Departmental and Programmatic Evaluation and accreditation of higher education
- Quality Assurance in higher education on the basis of the European Standards
- The Evaluation and Accreditation of cross-border forms of education, offered by local institutions in member states or third countries
- Assessment of the conditions for the provision of cross-border education from foreign institutions in Cyprus
- Assessment of inter-institutional cooperation of higher education institutions
- The provision of information of Quality Assurance in higher education

The Agency operates in accordance to the standards and guidelines provided by the European Network for Quality Assurance (ENQA).

➤ **The Council of Recognition of Higher Qualification (<http://www.kysats.ac.cy/>)**

The Council of Recognition of Higher Qualification (KYSATS) is in accordance with the provisions of the Recognition of Higher Education Qualifications and the Provision of Relevant Information Laws, the competent authority of the Republic of Cyprus for the recognition of Higher and Tertiary Education qualifications, such as degrees, diplomas or qualifications obtained home and abroad, awarded by recognized Higher Education Institutions or from Institutions whose programs of study have been evaluated and accredited. KYSATS is an official member of the European Network of National Information Centers on academic recognition and mobility (ENIC) and the National Academic Recognition Information Centers (NARIC). Both these networks aim at improving academic recognition of diplomas and periods of study in the Member States of the European Union (EU) and in other countries.

Illegally operating universities of higher education in the occupied areas of the Republic of Cyprus

i. Overview

The "universities", operating in the area of the Republic of Cyprus, which remains under Turkish military occupation since 1974, are unlawfully operating bodies, since they had not been established nor have they been operating under the relevant Laws and Regulations of the Republic of Cyprus on Higher Education. In addition they operate under the purported "law" of the so called "Turkish Republic of Northern Cyprus" ("TRNC") which, according to International law including the relevant United Nations Security Council resolutions, is an illegal entity not recognized by the international community with the sole exception of Turkey. Therefore, they, as well as the "qualifications" they award, are not recognized by the Republic of Cyprus.

The fifteen "universities" currently operating in the occupied areas are:

- 1) "Eastern Mediterranean University" in the occupied city of Ammochostos (Famagusta),
- 2) the "Girne American University" situated in occupied Kerynia,
- 3) the "Cyprus International University" situated in the occupied part of Nicosia,

- 4) the "European University of Lefke" in occupied Lefka,
- 5) the "Near East University" situated in occupied Kioneli,
- 6) the "American University of Cyprus" situated in occupied part of Nicosia,
- 7) the "Mediterranean Karpasia University" situated in occupied part of Nicosia,
- 8) the "University of Kerynia" situated in occupied Kerynia,
- 9) the "Cyprus Health and Social Sciences University" situated in occupied Mórfoú,
- 10) the "Middle East Technical University Northern Cyprus Campus" situated in the occupied village of Kapouti in Mórfoú,
- 11) the "Istanbul Technical University" situated in occupied Agios Andronikos Karpasias village,
- 12) the "Scientific University of Cyprus" (former "British Nicosia University"),
- 13) the "Ataturk Pedagogical Academy" situated in occupied part of Nicosia,
- 14) the "Cyprus University of Social Sciences" situated in occupied Mía Milia,
- 15) the "Final International University" situated in Kazafani/Agios Epiktitos in Kyrenia

ii. Problems in the evaluation, accreditation and recognition of the illegal "universities"

- a. The "universities" in the occupied areas operate under the occupation regime of the illegal "TRNC", which according to international law is an illegal entity. United Nations Security Council resolutions 541(1983) and 550 (1984) state clearly that the purported declaration of the so called "TRNC" is legally invalid. The said resolution call for the immediate withdrawal of the declaration and call upon all States not to facilitate or in any way assist the aforesaid secessionist entity. The international community in its totality does not recognize the illegal secessionist entity in the occupied part of Cyprus, Turkey being the sole exception.

- b. Their evaluation, accreditation and recognition is provided by the "Higher Education, Planning, Evaluation, Accreditation and Coordination Council (YODAK)" of the illegal "TRNC". Due to the illegality of the framework, within which they operate any direct or indirect recognition of the "universities" or of the "qualifications" they award is contrary to the conditions and goals of the European initiatives on Higher Education, since prerequisites of these initiatives is cooperation on a national level, and the existence of a national recognized international framework.
- c. The illegal "universities" in the occupied areas operate outside the legal and institutional framework of the Republic of Cyprus on Tertiary Education and Accreditation of Higher Education. The "institutions" have not applied to be registered in the Universities Registry kept by the Ministry of Education and Culture, nor have they been issued a license for operation, in accordance with any relevant Laws of the Republic of Cyprus. In addition, they have not been evaluated, neither have their "programs of study" been approved by the competent authorities of the Republic of Cyprus. Therefore, these "universities", as well as the "qualifications" they award, are not recognized by the Republic of Cyprus.
- d. The illegal "Eastern Mediterranean University", apart from functioning under the "law" of the secessionist entity, has the status of the "state university" of the "TRNC", as it has become a "state-trust university" in 1985. It is, therefore, directly linked to and dependent on the illegal regime. Furthermore, its funding derives entirely from the "government" budget and the members of its "administration board" are appointed by the "ministerial council" of the "TRNC".
- e. Under international law, Turkey is in no way legitimized to establish "campuses" of its universities in the occupied areas, or use its institutional framework of higher education in an effort to provide legitimacy to higher education activities taking place in the "TRNC". The control it exercises in the occupied areas of Republic of Cyprus stems from its illegal military occupation of those areas.

iii. **Human Rights violations - The usurpation of Greek Cypriot properties by the illegal "universities" in the occupied areas.**

1. Many of the "universities" were built on property belonging to Greek Cypriot displaced persons who were forced to flee their homes because of the Turkish invasion in 1974 and the subsequent military occupation of 36,2% of the territory of the Republic of Cyprus. It is important to note that, under Cyprus' Criminal Code, Cap 154, any person who, with intent to defraud, deals in immovable property belonging to another is guilty of a felony and is liable to imprisonment for up to seven years.

2. Greek Cypriot property owners may bring legal action before the competent Courts of the Republic against trespassers to their properties in the Turkish-occupied area, claiming damages and other legal remedies available to them under civil law. Judgments of civil courts of the Republic, even if having to do with the occupied areas of the Republic, can be recognized and enforced against property/assets of the defendants in EU member state, under the provision of EC Regulation No. 44/2001, as ruled by the European Court of Justice, in its Judgment of the Case Meletis Apostolides v. David Charles Orams and Linda Elisabeth Orams(28 April 2009, case C-420/07).

3. The European Court of Human Rights (ECHR), in its Judgment on the 4th interstate case Cyprus against Turkey of 10 May 2001 and of cases brought before it by individual Cypriots against Turkey, has found that interference in the property rights of the Greek Cypriot owners of property in the occupied areas, due to the denial of access and enjoyment of one's own property, constitutes a continuous violation of article 1 of Protocol 1 of the European Convention on Human Rights. It furthermore concluded that the Greek Cypriot property owners in the occupied areas of Republic of Cyprus remain the legal owners of such properties. It is noted that Turkey has been found responsible by the European Court of Human Rights for violations of the property rights of Greek Cypriots owners of land and property in the occupied area of Cyprus.

4. Part of the premises of the "Eastern Mediterranean University" is built on the usurped buildings and land of the Greek Cypriot, Mr Saveriades. The European Court of Human Rights in its Judgments of 22 September 2009 (Case 16160/90 Saveriades v. Turkey) found Turkey responsible for violations of the European Convention on Human Rights on account of the complete denial of Mr Saveriades' right to access to and control, use and enjoyment of his property.

iv. Ownership status of the illegal operating "universities", situated in the occupied areas of the Republic of Cyprus

1. "Eastern Mediterranean University" is situated in the occupied city of Aramochostos (Famagusta). Part of its premises comprise the usurped buildings and land of the Center of Higher Studies of Famagusta (Known as Saveriades K.A.S.A College).
2. "Girne American University" is situated in Kerynia and built on Greek Cypriot owned land. Its "Campus" situated in Karpasia peninsula, on land belonging to Greek Cypriots.
3. "Cyprus International University" is situated in the occupied part of Nicosia, built on land belonging to Greek Cypriots.
4. "European University of Lefke" is built on land owned by a Greek Cypriots.
5. "Middle East Technical University Northern Cyprus Campus" (branch of a Turkish university) is situated in the village of Kapouti in Morfou. It is built on land owned by the Government of the Republic of Cyprus and Greek Cypriot citizens.
6. "Near East University" is partly built on Greek Cypriot land.
7. "University of Mediterranean Karpasia". Located in Nicosia on land belonging to Greek Cypriots.

8. "Istanbul Technical university campus" (branch of a Turkish university). Its headquarters are located in Istanbul, Turkey. It is built on the land of the old Famagusta hospital and on land belonging to Greek Cypriots (Agios Andronikos Karpasias village).

9. "University of Kerynia". It's located in Kerynia. Part of it is built on land belonging to Greek Cypriots.

10. "American University of Cyprus". It is located in the occupied part of Nicosia on land belonging to Turkish Cypriots.

11. "Cyprus Health and Social Sciences University". Located in Morfou on land belonging to Greek Cypriots.

12. "Ataturk Paedagogical Academy". Located in Nicosia on land belonging to Greek Cypriots.

13. "Final International University". Located in Kazafani/Agios Epiktitos in Kyrenia on land belonging to Greek Cypriots.

14. "Cyprus Science University (KIU)". Located in Kazafanion land that is unregistered and in Dikomo on land belonging to Greek Cypriots.

15. "Cyprus University of Social Sciences (KISBU)". Located in Mia Milla (Nicosia district on land belonging to Greek Cypriots).

Where students' island dreams turn sour

By Ivana Davidovic BBC News, Nicosia



Image copyright Getty Images

Image caption Northern Cyprus has attracted a big student community but many who come feel let down

"It's the survival of the fittest on this island," says Lovli, a student in her twenties from Nigeria.

Fighting back tears, Lovli describes how she left home to build a better life, leaving behind a husband and two small children whom she has not seen in more than two years.

She is one of some 120,000 students in Turkish-controlled northern Cyprus, a self-declared republic recognised only by Turkey. That is a lot of students among a permanent population of not much more than 300,000.

Promise of cheap studies and work

Years of political and economic isolation have taken their toll, but a booming industry in higher education has lured students from developing countries with the promise of cheap tuition fees, palm-fringed beaches and a chance to work in Europe.

Before 2011 there were only six universities here. By the end of 2019 that figure is

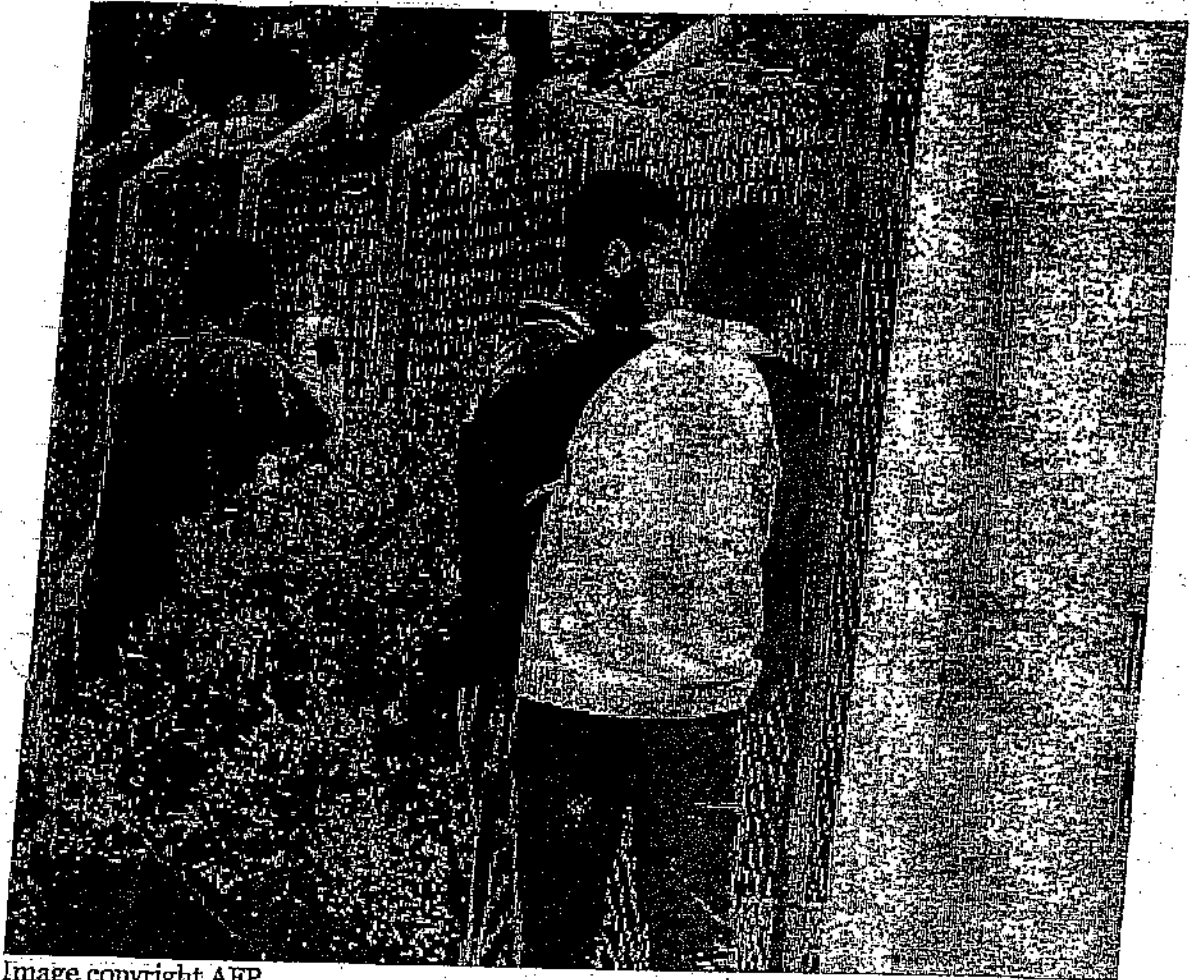


Image copyright AFP

Image caption The border fence: No settlement has been reached despite years of negotiations

Territory under embargo

Cyprus has been divided since 1974, when Turkish troops invaded the north, in response to a military coup backed by nationalists ruling Greece at the time.

Since declaring independence in 1983, the north has been under international embargo, so it is propped up by Turkey and its currency, the lira.

The only way African and Asian students can come and go is by plane via Turkey. They are forbidden from crossing the so-called green line into the Greek side.

Then there is the risk that their degrees are seen as worthless.

As northern Cyprus is not recognised internationally, a degree from here not only has to be accredited by local licensing body Yodak, but by Turkish authorities too, for it to have any global appeal.

While some students might find themselves at an unaccredited establishment, Yodak director Akile Buke believes "the number is small".

She says inspections began only recently and improvements were demanded from 11 universities. Ms Buke wants local laws changed to prevent so many universities opening with minimal regulation.

Universities with no international recognition

expected to top 30.

Lovli's life here has not lived up to the dream she was sold.

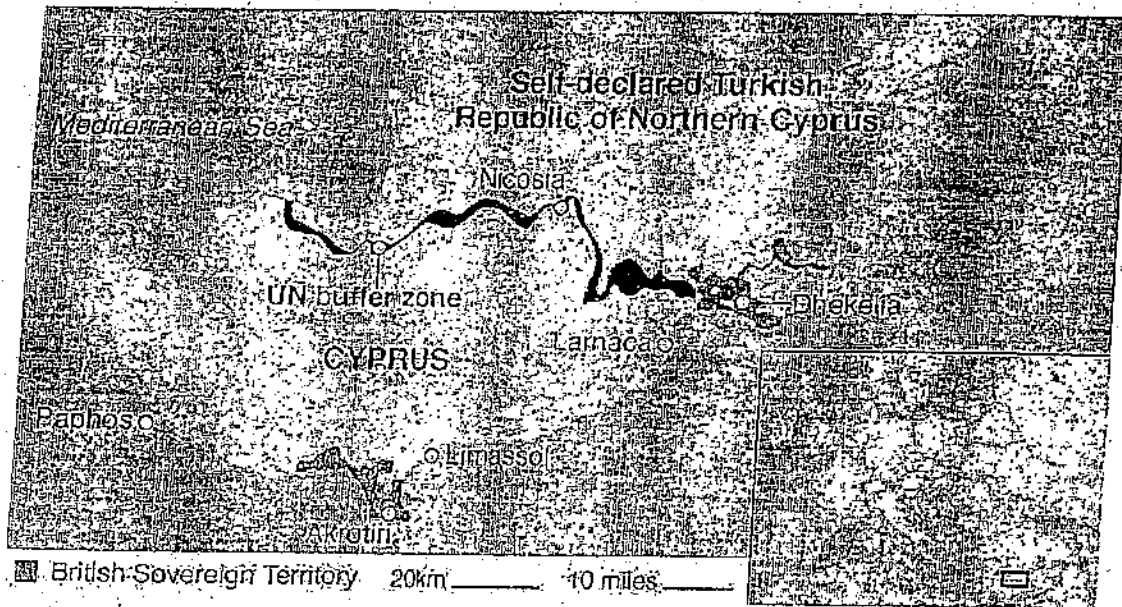
A Nigerian friend of her husband, working as an agent for universities in northern Cyprus, told her she could study here for only \$1,500 (£1,150; €1,300) a year as well as find a job to help her family back home.

When she arrived, the meagre savings she had, which she thought would pay for the full amount of her fees, only covered the first instalment.

She would now need to earn \$1,000 a month to cover all expenses including fees, but she can only get unregulated low-paid jobs like cleaning and cooking, and is working long hours seven days a week.

Absolutely nothing is left over to help her family back home, and she cannot afford a ticket back either.

For many people like her, Northern Cyprus was not really about education, but about a promise of a chance to work in Europe and forge a better life for her and her family. And that is not happening.



Loan sharks and prostitution

Lovli is not alone. There are many fellow Africans, and Asians too, who find themselves in dire straits.

A Zimbabwean pastor, who prefers to remain anonymous, says many of the students fall prey to loan sharks: When payback time comes, things "can get ugly... and police say they cannot intervene", he says.

A number of female students have told him they have been forced to pay back their debts "with sexual favours". He claims he saved one woman from a house where she had been kept for months and forced into prostitution.

"There were threats, shouting, verbal abuse. I think they expected me to run away but somehow I just stayed put and then I went in and took the girl out," the pastor said.

She is still on the island, as many students become "conditioned" to this kind of life, he says.

One of the universities that has lost its accreditation from Turkey is Akdeniz Karpaz, based in a high-rise glass building on the Turkish side of the divided capital, Nicosia.

It is part-owned by Turkish MP and businessman Ahmet Erbas, whose family also run a local hotel and casino and have a stake in northern Cyprus's only airport, Ercan.

He blames the loss of accreditation on the size of their campus rather than teaching quality, but says it has not affected the intake of foreign students who "don't care about it".

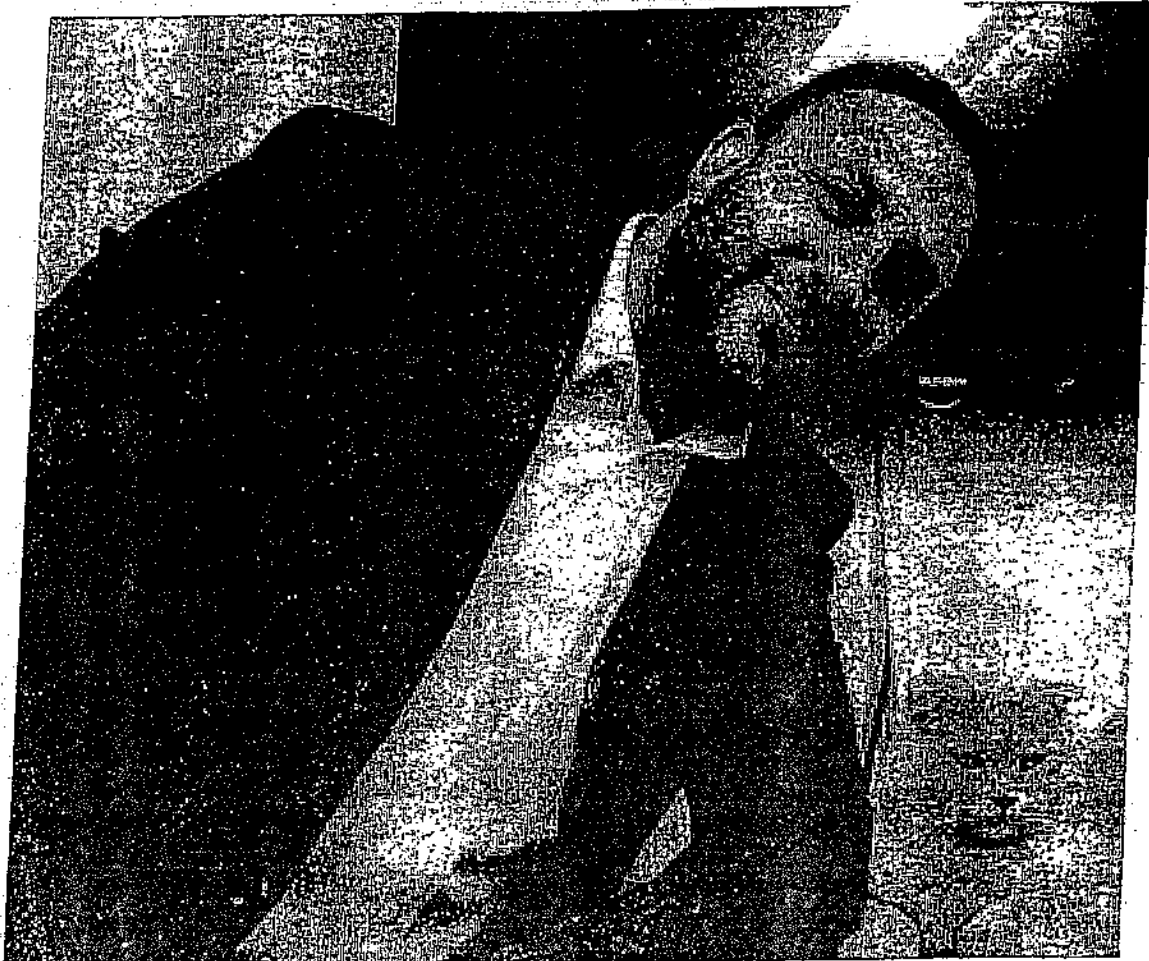


Image caption Turkish Cypriot minister Zeki Celer shares his office with a pet cat

Local labour minister Zeki Celer has launched a Facebook name-and-shame campaign targeting businesses that exploit foreign students and promises protection for those who report abuse.

But the changes are taking too long for the Zimbabwean pastor, who has a warning for any prospective student's family.

"If you're going to send your child here, make sure you have a solid financial plan. Don't send them thinking they're going to greener pastures."