

TIME RECEIVED	REMOTE CSID	DURATION	PAGES	STATUS
July 3, 2014 1:15:49 PM GMT+02:00	+41227910084	235	10	Received
03/07/2014 12:01	+41227910084	CYPRUS MISSION GVA		PAGE 01/10



**Permanent Mission of the Republic of Cyprus
Geneva**

Ref.: 24.11.001.004.001 (203/81/3)

The Permanent Mission of the Republic of Cyprus to the Office of the United Nations at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the United Nations High Commissioner for Human Rights and with reference to the latter's Note Verbale dated 5 May 2014, concerning the General Assembly Resolution A/RES/68/179 of 28 January 2014 entitled "Protection of migrants", has the honour to enclose herewith the relevant information as received from the competent Authorities of the Republic of Cyprus.

The Permanent Mission of the Republic of Cyprus to the Office of the United Nations at Geneva and other International Organizations in Switzerland avails itself of the opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.



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1. Legal Migration and Protection of the human rights of migrants

Protection of the rights of the migrants is closely related with the level of assistance provided to them by the state authorities in order to be integrated in the hosting society.

In concern to beneficiaries of international protection, the Cyprus Government, through the Ministry of Interior, has been steadily promoting and supporting the integration of beneficiaries, mainly through the annual programmes of the European Refugee Fund (ERF). Actions on integration included the provision of Greek Language programmes, vocational training and orientation programmes, as well as a series of campaigns on the provision of information and raising awareness of the public in Cyprus on the issue of beneficiaries of international protection.

Cyprus has in place an Action Plan on integration, first adopted by the Government in 2007, which has now been revised based on a strategic planning for the years 2014-2016, which provides the policy and operational orientation in this field. The targets of the action plan are being revised every three years.

At the moment, a new Action Plan has been approved by the Council of Ministers covering the years 2014-2016 and it includes the following main targets:

1. Maximise the benefits from legal migration by redefining the needs of the labour market based on a scientific study;
2. Promote the smoother integration of legal immigrants in the Cyprus society;
3. Manage situations where a form of ghetto has been established.

Several measures are being taken mainly within the framework of the European Solidarity Funds and within the abovesaid Action Plan for the Integration of Migrants of the Ministry of Interior. A new Action Plan for 2014-2016 is being currently processed. At the same time Cyprus national program for the new programming period of 2014-2020 of the Asylum, Migration and Integration Fund (AMIF) is prepared and at this point is pending for approval.

In regards to illegal migration, in the past ten years the main reasons for the migration flows that Cyprus had received were: a) the need of individuals for circumstances that would provide them a better quality of life, b) sound democratic conditions that prevail in Cyprus, c) the accession to the European Union on 01/05/2004 and the benefits stemming from this accession, such as mobility once a legal status is acquired. These same reasons that urge third country nationals to seek a better future away from their homelands in a legal way, drive them to do so by an illegal way as well.

Firstly, many of those who enter Cyprus legally choose to become illegal and overstay their residence permit. On the other hand, a big number of illegal immigrants are apprehended while trying to enter, either by land or by sea, into the areas controlled by the Government. It must be noted that the huge majority of these individuals reaches the areas controlled by the Government through the occupied by the Turkish army area.

The lack of control by Cyprus authorities with regards to illegal immigration in the occupied area of the Republic of Cyprus is the main source of illegal immigration in the areas controlled by the Government. It should be noted that Cyprus is primarily a destination country for the immigrating populations rather than a transit country.

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Currently, Cyprus is under a financial memorandum of understanding. The effect/s of the current economic restraints in Cyprus in regards to the migration flows is/are to be recorded and assessed in the future. However, it is generally accepted that Cyprus, due to its geographical position, will continue receiving migrants groups from all the neighboring area due to external factors (regional crisis etc).

Nevertheless, Cyprus is focusing on more sustainable policies in regards to illegal or prohibited migrants. For example Cyprus will be initiating a voluntary return program in order to ensure a more dignified return procedure for migrants and their family members.

2. The Legal Framework

In Cyprus the main legal and procedural framework concerning migration is provided by:

- a. the Aliens and Immigration Law (Chapter 105) with the most recent amendment in 2013, which regulates the legal stay of third country nationals in Cyprus and
- b. the Refugee Law of 2000 which was recently amended in 2013. Based on the recast of the EU directives which establish the Common European Asylum System (CEAS), Cyprus is expected to further amend the basic legislation in order to harmonize its provisions with the EU directives and further promote the CEAS.

As far as the third country nationals who are family members of Union citizens the provisions of the Directive 2004/38/EC, which was transposed into national legal order by Law No. 8(I) of 2007, are fully respected by the relevant authorities in Cyprus.

3. Promoting human rights, integration and protection of migrants.**3.1. Asylum seekers**

The government of Cyprus has taken various measures to enable it to address the constantly rising numbers of asylum seekers, especially under programmes co-financed by the European Refugee Fund, which it joined in 2004. Measures have also been taken with the aim of integrating persons who have settled and are living permanently in Cyprus, such as refugees and persons under subsidiary protection.

As far as asylum procedures are concerned, measures have been taken to:

- Upgrade the Asylum Service's electronic database in order to enhance among others the production of statistical reports
- Apply an initial screening procedure on all new applications submitted before the Asylum Service in order to primarily identify manifestly unfounded applications and speed up the process as well as to identify persons who require a special approach during interview i.e. unaccompanied minors, single women etc.
- Train the staff of the Asylum Service examining applications for international protection
- Train the staff of the Immigration Police responsible for receiving applications
- Request support from the European Asylum Support Office on Age assessment

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As far as reception is concerned, action has been taken to:

- Sustain a permanent reception and accommodation centre for asylum seekers in the reception centre (national resources);
- Operate for a period of two years, two additional reception and accommodation places within main cities with a total capacity of 140 places (co-funded by the ERF)
- Provide basic Greek language tuition for asylum seekers (co-funded by the ERF);
- Provide legal advice to asylum seekers throughout the procedure (co-funded by the ERF). Legal aid before the Supreme Court is provided according to National Law;
- Provide social assistance and psychological support to asylum seekers (co-funded by the ERF).
- Request support from the European Asylum Support Office on identification and treatment of vulnerable groups and operation and management of large-scale reception/accommodation centers, including training of staff

Cyprus is currently operating one Reception and Accommodation Centre and the Cyprus Government is already in the process of building up infrastructure in order to increase the accommodation capacity of the Reception Centre from 70 persons to approximately 400 persons. This action is co-financed under the Emergency Measures of the European Refugee Fund, and is expected to be completed by the end of August 2014. Therefore, it is expected that in a short time the reception centre will host a much larger number of people than the current number of people residing there and it will be in a position to receive more asylum seekers and provide them with basic needs such as accommodation, meals, medical support, transportation needs, leisure activities etc.

Due to the current limited capacity of the Centre, the majority of asylum seekers find their own place to live in the private sector. These people are being sheltered under a special scheme provided by the Social Welfare Services (applied under the Refugee Law as of July 2013) and are provided aid in the form of coupons plus financial aid since they cannot be placed in the Reception Centre.

As far as medical and pharmaceutical treatment is concerned, asylum seekers are entitled to free medical and pharmaceutical care at all national health hospitals in case they do not have sufficient funds. All asylum seekers are referred for compulsory medical screening as soon as they file an application. It is necessary to present the report from the medical screening back to the Immigration Police in order to complete the application procedure and receive the Aliens Registration Certificate. The medical screening is carried out at public hospitals and is currently fully financed by the national budget.

With regards to applicants' access to the labour market, according to the Refugee Law, this is determined by a Decision of the Minister of Labour and Social Insurance, in agreement with the Minister of the Interior. Such a Decision was taken in 2008, stipulating that asylum seekers may access the job market six months after the date on which they submitted their asylum application. This access is limited to certain sectors of the economy.

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Interpretation services are provided free of charge throughout the examination of the asylum claim, and especially before the Asylum Service and the Refugee Reviewing Authority. Interpretation services are also provided at the Reception Centre, however not at all times as it is mainly on an ad hoc basis. Applications for international protection are submitted in a number of different languages spoken by the applicants, in order to better facilitate the procedure.

3.2. Persons entitled to international protection

As regards the legal aspect, the Refugee Law provides that refugees have almost the same rights as citizens of the Republic, immediately after their recognition. Persons living in Cyprus under subsidiary protection status acquire full rights, as refugees, one year after the date of the decision granting them subsidiary protection status.

The following actions has been taken in connection with the integration of persons entitled to international protection:

- Campaigns to raise the awareness of and inform the public in Cyprus about issues relating to refugees and persons under subsidiary protection (co-funded by the ERF);
- Greek language tuition programmes for refugees and persons under subsidiary protection (co-funded by the ERF);
- Vocational training programmes for refugees and persons under subsidiary protection (co-funded by the ERF);

Orientation programme to help refugees and persons under subsidiary protection understand life in Cyprus and their statutory rights (co-funded by the ERF).

3.3. Migrants (third country nationals who are legally residing in the Republic apart from beneficiaries of international protection, asylum seekers as well as illegal and prohibited immigrants and European citizens)

Integration measures as well as measures which raise awareness, getting the local communities to be practically involved in migration issues and promoting respect of human rights are mainly implemented via the Solidarity Funds and, specifically, the European Integration Fund (EIF) for third country nationals (TCN's). The main actions implemented during the programming period 2007-2013 of the EIF are the following:

- Organisation of multilevel and intensive Greek language programmes for TCN's
- Informational guide regarding the educational system of Cyprus in five languages
- Training of teachers for Greek as a second language;
- Production and publication of informational material regarding Cyprus in various languages of third country national's (eg. hindi, tamil) which served as a pre-departure measure as this material was distributed both in the consular offices abroad as well as at the points of residence permits issuance;

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- Integration programmes by local communities which mainly included: civic orientation, language lessons, skills acquisition (eg computer, first aid, cooking lessons), multicultural festivals;
- Research studies on various topics regarding integration issues including the perceptions of both local and TCN's communities regarding integration in Cyprus, media reception, level of integration in regards to various public authorities, factors that influence integration in Cyprus as well as issues concerned with vulnerable groups;
- Activities encouraging mutual interaction and cultural exchange, such as multicultural festivals, art and sport competitions;
- Increase of TCN's awareness of the road traffic rules in Cyprus through theory and practice lessons (bicycle, motorcycles and cars);
- Establishment of a multilateral network with Mediterranean countries which focused on exchange of information and good practices, meetings with various organizations from various countries, including third countries;
- Organisation of conferences regarding integration issues with participants from the public sector/local society and social partners;
- Training seminars for journalists, non-governmental organizations, public officials.

In addition to the above actions, other, new actions will be launched, within the Action Plan 2014-2016 and some of them will be co-financed by the European Asylum, Migration and Integration Fund as part of the Cyprus national program. These actions will include:

- Raising awareness in the receiving society. This may include amongst others, special awareness training courses for journalists, public awareness and information campaigns on issues related to legal immigrants and beneficiaries of international protection
- Integration measures by local communities/ NGO's. These measures may include, amongst others, civic orientation courses, language courses, advice and assistance in areas such as housing, administrative and legal guidance on rights and obligations, child care, psychological and social care, multicultural events, mixed ethnicities tournaments/competitions. These may be provided by local communities and/or non-governmental organisations
- Vocational training. This will mainly include actions related to the facilitation of access to the labour market, in complementarily with the European Structural and Investment Funds. This may include amongst others training in specific skills, skill evaluations, assessment of possible labour opportunities.
- Upgrade of the capacity of the Civil Registry and Migration Department.
- Training of civil servants/ social partners/employers/ other relevant partners who are dealing with various aspects of the immigration procedures/services/systems etc. This may include amongst other: lectures, special workshops targeting behavior/ psychology/ perceptions etc.

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Furthermore, the Ministry of Education and Culture of Cyprus has also been implementing actions through the European Social Fund, European Refugee Fund and national resources:

- Training and support of teachers for Greek as a second language
- Training of educational officials and teachers regarding multicultural education
- Participation in the European network SIRIUS
- Research programme regarding the integration of Refugees
- Revision and upgrade of the curricula in order to include all students irrespective of origin (practices, content, educational material etc).

At the same time a number of European directives promoting the respect of the rights of long-term migrants were transferred in the national legislation such as the long term residence permit according to Directive 2003/109/EC and the family reunification permit according to Directive 2003/86/EC.

In addition Cyprus will put into force a new procedure for the issue of electronic residence cards according to Regulation 1030/2002 laying down a uniform format for residence permits for third country nationals. Simultaneously, the transposition of Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State is at the final stage and will soon be put into force.

3.3. Minors

In Cyprus the office of the Commissioner for Children's Rights was established according to the Commissioner for the Protection of Children's Rights Law, 2007 (Law 74(I)/2007) which came into force on 22/6/2007.

The Commissioner for Children's Rights is an independent institution which deals exclusively with the rights of the child and whose competences and obligations are prescribed by law. The Commissioner is appointed by the Council of Ministers pursuant to the above law.

More specifically, the Commissioner has competence and responsibility, inter alia,:

- to represent children and their interests at all levels
- to promote public awareness and sensitivity so that the society will be mobilized and safeguard in practice children's rights in the family, the school, the community where they live and the society in general.
- to have contacts with the children of Cyprus in order to identify and promote their views where they themselves cannot be heard.
- to supervise and monitor the implementation of the provisions of the UN Convention and of other Conventions
- to follow up and monitor the legislation and practices in Cyprus concerning children and to submit proposals aiming at their harmonization with the Convention.
- to carry out public awareness and change of attitude campaigns with regard to the situation of children in our society
- to conduct studies on the situation of children in Cyprus
- to make recommendations and proposals to all competent bodies engaged with children so as

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to promote the interests of children and to give publicity to them whenever she deems it appropriate

- to organise seminars and educational programs relevant to children's rights.
- to represent children and their interests in procedures affecting them and to be appointed by the court as their representative
- in general, to take any action as she may deem necessary for the protection and promotion of the rights and interests of the children of Cyprus.

For carrying out her competences the Commissioner:

- meets and talks with children in schools, child care institutions, youth centres, etc.
- Gives information on the rights of the child through her webpage, publications, seminars, etc.
- Gives interviews and participates in media programmes
- Cooperates with public bodies, NGOs, international bodies engaged with the protection and promotion of the rights of the child or providing services to children.
- Follows the course of the investigation of complains by other authorities and evaluates their outcome concerning violations of children's rights
- Cooperates with equivalent bodies and authorities of other states with regard to issues relating to the exercise of her competences

The Commissioner studies individual complaints with the aim of evaluating the existing legislation, policies, procedures and practices and deciding whether these violate the rights of the child. In such cases she proceeds with an intervention where she deems appropriate.

In case of Unaccompanied Minors, the legal guardian in Cyprus is the Head of the Social Welfare Services, who takes the minor under its auspices as soon as the minor is detected to be present in the Republic. The same public entity also acts as the representative of the minor during the whole asylum procedure.

Accommodation is provided at youth shelters operated by the Social Welfare Services or in foster families or close relatives (if any). However, Cyprus is recognising the need to further enhance the accommodation infrastructure for this specific group by increasing the hosting capacity. There is an initiative through the ERF (European Refugee Fund) to establish one more accommodation centre for unaccompanied minors. This will be launched via the 2013 Annual Programme of the Fund which will be further supported under the AMIF.

In relation to the issue of undocumented persons claiming to be unaccompanied minors, the Asylum Service is also coordinating an effort with the help of the health services of Cyprus for the establishment of a formal age assessment procedure, within the existing framework. This need has become more evident in the past years as there seems to be an increase in the number of persons claiming to be minors without presenting the necessary documentation.

Unaccompanied minors and minor children of migrants have the right to free access to primary state education on the same terms as citizens of the Republic regardless of the legality of the status of their parents.

Unaccompanied minor asylum seekers and minor children of asylum seekers have also the right to free access to primary state education on the same terms as citizens of the Republic. After-school Greek language classes have been set up in some schools in order to assist these minors to be in a position to attend classes taught in Greek.

In addition, migrants who are legally residing in the Republic of Cyprus (if they have their habitual residence in Cyprus for the last three years) have access to the child benefit according to economic and assets criteria of the family.

4. Illegal Migration

Among others, the main nationalities of illegal immigrants who enter the Republic of Cyprus include Syrians, Pakistanis, Iranians and Georgians. The methods used for entering Cyprus soil are:

- a) From the areas not under the effective control of the Government of Cyprus –through the “green line”. The vast majority of illegal migrants is using the “green-line” to enter.
- b) From the sea (coastal areas);
- c) Entering Cyprus legally but overstaying without a visa.

Cyprus has only recently established a new detention centre regarding third country nationals. The Detention Centre for Prohibited Immigrants Awaiting Deportation in Menoyia is a detention centre for the categories of persons as defined in the Return Directive 2008/115/EC, including those who do not or no longer fulfill the conditions for entry and/or stay in the Republic of Cyprus. Its capacity amounts to 256 beds while the accommodation standards for third country nationals meet the CPT standards. The centre operates since 28/01/2013. The centre is divided into male and female wings. The centre will be further upgraded with provisions for and it provides migrants with a medical centre, psychological and social care for the residents.

As regards the voluntary return, Cyprus has only recently begun to implement actions towards voluntary returns, as this is a relatively new area of policy being addressed by the government. Actions have been implemented mostly through the European Return Fund with the aim to strengthen the informational background in the area of voluntary departures and reintegration in order to proceed to a more sustainable policy making while enabling the relevant authorities to gain better insight on how a voluntary return programme should be set up and what must be taken into account.

As mentioned above Cyprus is promoting the operation of a voluntary return program which will provide migrants, either legal or not, who wish to return to their country of origin/residence with a more dignified return procedure for them and their families. Within this framework Cyprus is currently co-financing an action implemented by IOM which will give practical suggestions towards building an integrated voluntary return scheme as well as suggestions towards the implementation of assisted re-integration measures in their country of origin/residence.

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So far the following actions have been implemented:

- Research study regarding best practices in the field of voluntary and forced return with emphasis on particular countries of origin and immigration groups (i.e. women, children and the elderly)
- Production and publication of a guide/brochure providing fundamental information regarding the current situation in the country of origin/residence for potential returnees
- Research on the factors that affect voluntary return –experiences across the EU
- Establishment of a multilateral network between countries on return issues

According to the conclusions reached from the implementation of the above actions, the government will further proceed to the establishment of the voluntary returns programme which will incorporate the help of non-governmental organisations and possibly other social partners that could contribute to such a programme. Both strands of the programme – governmental and non-governmental –may supplement each other in order to provide the best possible support for the returnees in accordance with the existing legislation and respect of human rights.

In regards to forced returns, on 4 December 2012, the Council of Ministers approved a proposal submitted by the Minister of Interior by which the Ombudsman is instructed to establish and operate an effective system for monitoring forced return. According to the said Decision, the Ombudsman submitted to the Council of Ministers a specific proposal for the operation of such a monitoring system. The Ombudsman, in cooperation with all competent authorities, concluded the Draft Proposal of the Plan of Cooperation for the Regulation and Operation of an effective forced-return monitoring system in accordance with Article 8(6) of the Directive 2008/115/EC. Relevant activities have already taken place on behalf of the Ombudsman.

CIVIL REGISTRY AND
MIGRATION DEPARTMENT