

Contents

**International and Regional Instruments** ..... 3

    1954 Convention ..... 3

    1961 Convention ..... 3

    Other conventions ..... 4

**Stateless Population Data** ..... 9

    Availability and sources ..... 9

    Stateless in detention data ..... 13

**Statelessness Determination and Status** ..... 15

    Definition of a stateless person ..... 15

    Existence of a dedicated SDP ..... 15

    Alternative administrative procedures through which statelessness can be identified ..... 16

    Access to procedures ..... 16

    Assessment ..... 18

    Procedural Protections ..... 19

    Stateless Status ..... 20

    Other routes to regularisation ..... 22

**Detention** ..... 23

    Detention screening ..... 23

    Alternatives to immigration detention ..... 27

    Procedural safeguards ..... 29

    Protections on release ..... 34

## ENS Statelessness Index Survey: Cyprus

Return & readmission agreements.....	36
<b>Prevention and Reduction .....</b>	<b>37</b>
Stateless born on territory.....	37
Foundlings.....	38
Adoption .....	39
Ius sanguinis and discrimination.....	40
Access to birth registration.....	42
Late Birth Registration .....	43
Reduction .....	44
Withdrawal of nationality.....	46
<b>Jurisprudence and Training.....</b>	<b>48</b>
Published judgements.....	48
Legal training.....	48
Pro Bono.....	49
Literature .....	49

## International and Regional Instruments

Cat	Q	Sub	Subtheme	Question	International Norms / Good Practice	Answer	Source
IOB	1	a	1954 Convention	Is your country party to the 1954 Statelessness Convention?	<a href="#">UN Convention Relating to the Status of Stateless Persons, 1954</a>	Cyprus is not party to the 1954 Convention. Cyprus introduced a legislative bill before Parliament in 2011 for accession to the 1954 Convention, but this is still pending.	UNHCR, States Party to the Statelessness Conventions as of 4th October 2018, 4 October 2018: <a href="https://www.refworld.org/docid/54576a754.html">https://www.refworld.org/docid/54576a754.html</a>  UN Treaty Collection: <a href="https://treaties.un.org/pages/ViewDetailsII.aspx?src=TREATY&amp;mtdsg_no=V-3&amp;chapter=5&amp;Temp=mtdsg2&amp;clang=en">https://treaties.un.org/pages/ViewDetailsII.aspx?src=TREATY&amp;mtdsg_no=V-3&amp;chapter=5&amp;Temp=mtdsg2&amp;clang=en</a>  European Commission, EMN Inform: Statelessness in the EU, Nov 2016: <a href="https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-informs/emn-informs-00_inform_statelessness_final.pdf">https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-informs/emn-informs-00_inform_statelessness_final.pdf</a>
IOB	1	b		If yes, when was ratification/ac cession?		N/A	
IOB	1	c		Are there reservations in place? Please list them.	Best practice is no reservations. If there are, they should have little or no effect on the rights of stateless persons.	N/A	
IOB	1	d		Does Convention have direct effect?	Best practice is that the Convention has direct effect, though this may depend on legal regime.	N/A	
IOB	2	a	1961 Convention	Is your country party to the 1961 Statelessness	<a href="#">UN Convention on the Reduction of Statelessness, 1961</a>	Cyprus is not party to the 1961 Convention. Contrary to the EMN report on statelessness in the EU, the 2011 legislative bill introduced	UN Treaty Collection: <a href="https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=V-4&amp;chapter=5&amp;clang=en">https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=V-4&amp;chapter=5&amp;clang=en</a>

International and Regional Instruments – February 2019

				Convention?		by Cyprus was only for accession to the 1954 Convention, and not the 1961 Convention.	European Commission, EMN Inform: Statelessness in the EU, Nov 2016: <a href="https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-informs/emn-informs-00_inform_statelessness_final.pdf">https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-informs/emn-informs-00_inform_statelessness_final.pdf</a>
IOB	2	b		If yes, when was ratification/ac cession?		N/A	
IOB	2	c		Are there reservations in place? Please list them.	As above	N/A	
IOB	2	d		Does Convention have direct effect?	As above	N/A	
IOB	3	a	Other conventions	State party to European Convention on Nationality 1997? Are there reservations in place? Please list them.	<a href="https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/166/signatures?p_auth=BI3cGrPG">European Convention on Nationality, 1997</a>	No.	Council of Europe, Chart of signatures and ratifications of Treaty 166, European Convention on Nationality: <a href="https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/166/signatures?p_auth=BI3cGrPG">https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/166/signatures?p_auth=BI3cGrPG</a>
IOB	3	b		State Party to European Convention on Human Rights 1950? Are there reservations in place? Please list them.	<a href="https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/005/signatures?p_auth=BI3cGrPG">European Convention on Human Rights, 1950</a>	Yes. There are no reservations in place.	Council of Europe, Chart of signatures and ratifications of Treaty 005, Convention for the Protection of Human Rights and Fundamental Freedoms: <a href="https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/005/signatures?p_auth=BI3cGrPG">https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/005/signatures?p_auth=BI3cGrPG</a>

IOB	3	c	State Party to Council of Europe Convention on the avoidance of statelessness in relation to State succession 2006? Are there reservations in place? Please list them.	<a href="#">Council of Europe Convention on the Avoidance of Statelessness in Relation to State Succession, 2006</a>	No.	Council of Europe, Chart of signatures and ratifications of Treaty 200, Council of Europe Convention on the avoidance of statelessness in relation to State succession: <a href="https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/200/signatures?p_auth=BI3cGrPG">https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/200/signatures?p_auth=BI3cGrPG</a>
IOB	3	d	Bound by Directive 2008/115/EC of the European Parliament and of the Council (EU Returns Directive). Are there reservations in place? Please list them.	<a href="#">Directive 2008/115/EC of the European Parliament and of the Council (EU Returns Directive)</a>	As a member of the European Union, Cyprus is bound by Directive 2008/115/EC of the European Parliament and of the Council (EU Returns Directive). There are no reservations in place.	EU Monitor, Common standards and procedures in Member States for returning illegally staying third-country nationals: <a href="https://www.eumonitor.eu/9353000/1/j9vvik7m1c3gyxp/vitgbgipeio9">https://www.eumonitor.eu/9353000/1/j9vvik7m1c3gyxp/vitgbgipeio9</a>
IOB	3	e	State Party to Convention on the Rights of the Child 1989? Are there reservations in place? Please	<a href="#">Convention on the Rights of the Child 1989</a>	Yes. There are no reservations in place.	UN Treaty Collection: <a href="https://treaties.un.org/pages/ViewDetails.aspx?src=IND&amp;mtdg_no=IV-11&amp;chapter=4&amp;lang=en">https://treaties.un.org/pages/ViewDetails.aspx?src=IND&amp;mtdg_no=IV-11&amp;chapter=4&amp;lang=en</a>

International and Regional Instruments – February 2019

				list them.			
IOB	3	f		State Party to International Covenant on Civil and Political Rights 1966? Are there reservations in place? Please list them.	<a href="#">International Covenant on Civil and Political Rights 1966</a>	Yes. There are no reservations in place.	UN Treaty Collection: <a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-4&amp;chapter=4&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-4&amp;chapter=4&amp;clang=_en</a>
IOB	3	g		State Party to International Covenant on Economic, Social and Cultural Rights 1966? Are there reservations in place? Please list them.	<a href="#">International Covenant on Economic, Social and Cultural Rights 1966</a>	Yes. There are no reservations in place.	UN Treaty Collection: <a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&amp;mtdsg_no=IV-3&amp;chapter=4&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&amp;mtdsg_no=IV-3&amp;chapter=4&amp;clang=_en</a>
IOB	3	h		State Party to Convention on the Elimination of all Forms of Discrimination Against Women 1979? Are there reservations in place? Please list them.	<a href="#">Convention on the Elimination of all Forms of Discrimination Against Women 1979</a> Gen. Rec. 32 <a href="#">on the gender-related dimensions of refugee status, asylum, nationality and statelessness.</a>	Yes. An initial reservation was entered to Art. 9(2) but this was later withdrawn.	UN Treaty Collection: <a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-8&amp;chapter=4&amp;lang=en#16">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-8&amp;chapter=4&amp;lang=en#16</a>

International and Regional Instruments – February 2019

IOB	3	i	State Party to Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984? Are there reservations in place? Please list them.	<a href="#">Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984</a>	Yes. There are no reservations in place.	UN Treaty Collection: <a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-9&amp;chapter=4&amp;lang=en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-9&amp;chapter=4&amp;lang=en</a>
IOB	3	j	State Party to International Convention on the Elimination of All Forms of Racial Discrimination 1966? Are there reservations in place? Please list them.	<a href="#">International Convention on the Elimination of All Forms of Racial Discrimination 1965</a>	Yes. There are no reservations in place.	UN Treaty Collection: <a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&amp;mtdsg_no=IV-2&amp;chapter=4&amp;clang=en">https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&amp;mtdsg_no=IV-2&amp;chapter=4&amp;clang=en</a>
IOB	3	k	State Party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of	<a href="#">International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families 1990</a>	No.	UN Treaty Collection: <a href="https://treaties.un.org/Pages/ViewDetails.aspx?chapter=4&amp;lang=en&amp;mtdsg_no=IV-13&amp;src=IND">https://treaties.un.org/Pages/ViewDetails.aspx?chapter=4&amp;lang=en&amp;mtdsg_no=IV-13&amp;src=IND</a>

International and Regional Instruments – February 2019

				their Families 1990? Are there reservations in place? Please list them.			
--	--	--	--	--	--	--	--



## Stateless Population Data

Cat	Q	Sub	Subtheme	Question	International Norms / Good Practice	Answer	Source
POP	1	a	Availability and sources	Does the Govt have a discrete category for statelessness in its data collection system (e.g. in the census)? If so, what are the Govt figures for the total stateless population on the territory? Is the data disaggregated? If so, how?	<p><a href="#">Gen. Rec. 32 of CEDAW</a> (para. 39): States parties should... gather, analyse and make available sex-disaggregated statistical data and trends...</p> <p><a href="#">European Council, Conclusions of the Council and the Representatives of the Governments of the Member States on Statelessness</a>: Recognise the importance of exchanging good practices...concerning the collection of reliable data on stateless persons...</p> <p><a href="#">UNHCR Global Action Plan to End Statelessness 2014-2024 (Action 10)</a>: Improve quantitative and qualitative data on stateless populations...</p> <p><a href="#">Institute on Statelessness and Inclusion (The World's Stateless) pg.11</a>: States should adopt and/or strengthen measures to count stateless persons on their territory...</p>	Cyprus does not maintain statistical data on stateless persons and there is no statelessness determination procedure or other formal process to determine the status of stateless persons. Furthermore, there is no available information as regards the presence of stateless persons in the areas in which the Government of the Republic of Cyprus does not exercise effective control, in the northern part of Cyprus. The asylum statistics contain a relevant field to reflect statistics on asylum applications submitted by stateless persons and/or persons without effective nationality. However, the applications submitted by stateless persons are not consistently registered as such and are rather reflected under the country of their habitual residence (e.g. stateless Kurds ex Syria).	Statistical Service of Cyprus (CYSTAT): <a href="http://www.mof.gov.cy/mof/cystat/statistics.nsf/index_en/index_en?OpenDocument">http://www.mof.gov.cy/mof/cystat/statistics.nsf/index_en/index_en?OpenDocument</a>
POP	1	b		Do Govt authorities define categories of persons who may overlap with stateless (e.g. unknown nationality, unspecified nationality, other)? Are statistics on	As above	Cyprus includes both the categories 'stateless' as well as 'unknown' in its asylum statistics regarding the nationalities of asylum applicants. However stateless persons are in most cases registered under the country of their habitual residence (e.g. stateless Kurds from Syria).	Statistical Service of Cyprus (CYSTAT): <a href="http://www.mof.gov.cy/mof/cystat/statistics.nsf/index_en/index_en?OpenDocument">http://www.mof.gov.cy/mof/cystat/statistics.nsf/index_en/index_en?OpenDocument</a>

Stateless Population Data – February 2019

				these available? If, yes, please indicate categories and statistics.			
POP	1	c		What is the UNHCR estimate for the population of stateless persons and/or those at risk of statelessness on the territory? What is UNHCR's source for this information?	As above	UNHCR does have an estimate for the number of stateless persons and those at risk of statelessness in Cyprus. As regards the areas under the effective control of the Republic of Cyprus, the authorities do not maintain statistical data or do not consistently register third-country nationals residing in Cyprus who are stateless, including stateless refugees and asylum seekers. It is considered that a significant number of stateless Syrian Kurds and members of other ethnic groups who are stateless, as well as Palestinians, citizens of the former Soviet Union and others at risk of statelessness are residing in Cyprus. In addition, refugee children born in Cyprus remain at risk of statelessness due to the lack of a legal framework to facilitate their acquisition of a nationality where they would otherwise be stateless. No data is maintained by the Asylum Service on children born in Cyprus to refugees to allow for an estimation of the numbers affected.	UNHCR, Protecting Refugees, Cyprus, December 2017: <a href="http://www.unhcr.org/cy/wp-content/uploads/sites/41/2018/05/UNHCR_Brochure_EN.pdf">http://www.unhcr.org/cy/wp-content/uploads/sites/41/2018/05/UNHCR_Brochure_EN.pdf</a>  UNHCR, The Republic of Cyprus Factsheet, September 2017: <a href="http://www.unhcr.org/cy/wp-content/uploads/sites/41/2018/05/CyprusFactSheetSeptember2017_updated_latest.pdf">http://www.unhcr.org/cy/wp-content/uploads/sites/41/2018/05/CyprusFactSheetSeptember2017_updated_latest.pdf</a>
POP	1	d		Are there indirect (proxy) sources of statistics on stateless persons? E.g. categories of	As above	There are indirect sources of statistics on stateless persons that can provide some indication as to the numbers in Cyprus (for areas in which the Government of the Republic has effective control). Asylum statistics indicate the presence of people who are likely to be stateless or have nationality problems, such as Syrian Kurds, Palestinians and citizens of the	Statistics provided to Cyprus Refugee Council by the Cyprus Asylum Service. Figures published online are not as detailed: <a href="http://www.moi.gov.cy/moi/asylum/asylum_service.nsf/asylumservice18_gr/asylumservice18_gr?OpenDocument">http://www.moi.gov.cy/moi/asylum/asylum_service.nsf/asylumservice18_gr/asylumservice18_gr?OpenDocument</a> (EL/EN)

				persons for which statistics are available where stateless persons may be more highly represented (e.g. relevant country of origin or profiles (e.g. Palestinians or Syrian Kurds)? Please provide explanation and figures.		former Soviet Union. In most cases, people were registered under their country of habitual residence, without any distinction made between nationals and stateless people residing in these countries. For example, Kurds and Palestinians from Syria make up a considerable percentage of those registered by the Asylum Service and the Reviewing Authority as Syrian asylum seekers and nationals of Jordan, Iraq and Lebanon, respectively. Asylum applications submitted by Palestinian refugees were until September 2014 registered under their country of habitual residence, along with nationals of those countries. Countries of residence included Iraq, Jordan and Lebanon. Persons originating from the West Bank and Gaza would be registered without any indication of UNRWA registration, under Occupied Palestinian Territories. Between September 2014 and September 2015, UNRWA registered Palestinians were registered in Cyprus as “stateless”, while those holding Palestinian Authority documents would be registered under ‘Occupied Palestinian Territories’. However, not all registered under “stateless” were UNRWA registered Palestinians, and some were from different stateless backgrounds. As of September 2015, further to a decision on standardisation of the registration of Palestinian refugees, all Palestinians are registered under ‘Occupied Palestinian Territories’.	
POP	1	e		Have there been surveys or mapping studies done to estimate	<a href="#">UNHCR Global Action Plan to End Statelessness 2014-2024: Action 10</a>	There have been no surveys or mapping studies in Cyprus to estimate the population of stateless persons in the country.	UNHCR Cyprus

Stateless Population Data – February 2019

				the population of stateless persons in the country?			
POP	1	f		Are there other sources of estimates for the population of stateless persons (not covered by the above)? If so, list sources and figures.	As above	There are no other sources of estimates for the population of stateless persons in Cyprus.	
POP	1	g		Are there issues with reliability of stateless data? If yes, please describe why.	As above	Data on stateless persons in Cyprus is not reliable as there are no policies or procedures regarding statelessness and no collection of data specifically for this purpose. The above-mentioned data from the asylum procedures is also unreliable as it does not include all those who are stateless or of undetermined nationality. Stateless persons are not consistently registered as such by the authorities. Those who arrive in Cyprus legally, with a travel document issued by their country of habitual residence, are registered in the same way as nationals of those countries without any distinction. Those stateless people who enter or stay without documentation and seek asylum are not consistently registered and/or identified as stateless and have mostly been registered under their country of habitual residence alongside the nationals of those countries, without any distinction.	Information provided by the Cyprus Refugee Council from review of annual statistics.

Stateless Population Data – February 2019

POP	1	h		Are there indications that the stateless population is either over or under reported? Please describe.	As above	For the reasons explained above, as well as the lack of a legal framework and a procedure for the determination of the status and the protection of stateless persons, it is considered that the number of stateless persons is underreported.	
POP	1	i		Please provide any available figures on stateless refugees or asylum seekers (if there is data, please clarify whether Govt also counts stateless refugees and asylum seekers in the stateless population to avoid under/over reporting).	As above	4 asylum seekers were registered in 2014 as stateless persons, 70 in 2015, and 0 in 2016 – 2018.	Information provided by the Cyprus Refugee Council from review of annual statistics.
POP	2	a	Stateless in detention data	Number of stateless persons in immigration detention	As above and see also norms in Detention section.	There is no official information on the number of stateless people in detention in Cyprus. The Global Detention Project reports that there were no stateless people held in detention in Cyprus in 2016, but due to the lack of official data this may not be accurate. A number of	Global Detention Project, Immigration Detention in Cyprus: <a href="https://www.globaldetentionproject.org/countries/europe/cyprus">https://www.globaldetentionproject.org/countries/europe/cyprus</a>  Bi-monthly monitoring visits carried out by

Stateless Population Data – February 2019

						stateless people have been identified over the years during monitoring visits by the Cyprus Refugee Council and others to detention centres, including Syrian Kurds and individuals from the former Soviet Union.	Cyprus Refugee Council. UNHCR Cyprus
POP	2	b		Are there statistics on individuals released from immigration detention who were unremovable, their country of origin and length of detention? If yes, please provide.	As above	There are no statistics available on individuals released from immigration detention due to being un-removable. In addition to the individuals indicated above, a number of nationals of Iran have been identified as un-removable and released from detention for this reason.	Bi-monthly monitoring visits carried out by Cyprus Refugee Council. UNHCR Cyprus

Statelessness Determination and Status

Cat	Q	Sub	Subtheme	Question	International Norms / Good Practice	Answer	Source
IDP	1	a	Definition of a stateless person	Is there a definition of a stateless person in national law? Do the definition and exclusion provisions align with the 1954 Convention? Please provide details.	<a href="#">UN Convention Relating to the Status of Stateless Persons, 1954</a> : Article 1(1) and 1(2).	There is no definition of a stateless person in the national law of Cyprus, although there are references to stateless persons in the Refugee Law, the Aliens and Immigration Law, and the Civil Registry Law.	<p>The Cyprus Refugee Laws 2000-2016 (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)):  <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)</p> <p>Aliens and Immigration Law (Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ.105)):  <a href="http://www.cylaw.org/nomoi/enop/non-ind/O_105/index.html">http://www.cylaw.org/nomoi/enop/non-ind/O_105/index.html</a> (EL)</p> <p>Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)):  <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)</p>
IDP	1	b	Existence of a dedicated SDP	<p>Which of the following best describes the situation in your country? <b>Choose only one and then proceed to question indicated.</b></p> <p><b>2.</b> There is no dedicated SDP but there are other administrative procedures through which statelessness can be identified</p>	<p><a href="#">UNHCR (2014), Handbook on Protection of Stateless Persons</a>: ... it is implicit in the 1954 Convention that States must identify stateless persons within their jurisdictions so as to provide them appropriate treatment in order to comply with their Convention commitments.</p> <p><a href="#">UNHCR (Good Practices Paper 6)</a>: Establishing a statelessness determination procedure is the most efficient means for States Parties to the 1954 Convention to identify the beneficiaries of</p>	The situation in Cyprus is best described by #2 - there is no dedicated SDP but there are other administrative procedures through which statelessness can be identified, such as refugee status determination procedures and procedures for renewal of temporary residence permits.	

Identification and Protection – February 2019

				(e.g. citizenship, residence permit, refugee status determination, ad hoc procedures)	that Convention.		
IDP	10	a	Alternative administrative procedures through which statelessness can be identified	<b>If there is no dedicated SDP in your country</b> , are there other administrative procedures through which statelessness can be identified (e.g. through citizenship, residence, and international protection procedures or ex-officio)?	<a href="#">ENS (2013), Statelessness Determination and the Protection of Stateless Persons: a summary guide of good practices</a> : For SDPs to be effective, the determination must be a specific objective of the mechanism in question, though not necessarily the only one.	In Cyprus there is no dedicated SDP, but statelessness may be identified through refugee status determination procedures or in the process of renewal of temporary residence permits by those with a valid travel document from a country of former residence.	Office of the Commissioner of Administration (Ombudsperson), Opinion of the Independent National Human Rights Authority with regards to the regulation of the legal status and the rights of stateless persons 4/2014, 9 May 2014: <a href="http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/ALL/CD7118ADB0597527C2257E7C00293001/\$file/%CE%94%CF%81%CE%AC%CF%83%CE%B74_2014_09052014.doc?OpenElement">http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/ALL/CD7118ADB0597527C2257E7C00293001/\$file/%CE%94%CF%81%CE%AC%CF%83%CE%B74_2014_09052014.doc?OpenElement</a> (EL)
IDP	11	a	Access to procedures	How is statelessness identified through other procedures?	<a href="#">UNHCR (Good Practices Paper 6)</a> : Efficient referral mechanisms should be established, while officials who may be in contact with stateless persons need to be trained to identify potential applicants for statelessness status and refer them to appropriate channels.	In the refugee status determination process, an asylum application may be submitted by a stateless person who has fled their country of former habitual residence due to fear of persecution. If they meet the Refugee definition, they may be granted refugee status. In cases where stateless applicants also lack documentation and are unable to return to their country of habitual residence, they may be routed into the refugee status determination process and be granted refugee status where the refusal of the country of habitual residence to allow re-entry is related to a Convention ground. Statelessness may also be identified during an application for renewal of a temporary residence permit where a person has arrived with a passport or travel document from their country of former habitual residence or former nationality. In such cases, when the travel document has expired and cannot be renewed, someone may be denied renewal of their temporary residence	The Cyprus Refugee Laws 2000-2016 (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)), Article 3: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)  Cyprus Refugee Council



Identification and Protection – February 2019

						<p>permit and thus considered an irregular migrant and subject to removal and detention procedures. In this case, the migration authorities may issue a short-term residence permit on humanitarian grounds. However, there is no specific provision or procedure to ensure that stateless people are aware of this possibility or are consistently identified and afforded this status. Stateless people unable to renew their residence permits and rendered at risk of removal and detention may seek to regularise their status through the asylum process.</p>	
IDP	11	b		Are there obligations in law on authorities to consider a claim for statelessness made within another procedure?	See norm above at question IDP 2e.	No. The Refugee Law provides that an application for asylum may be submitted by a stateless person in relation to fear of persecution in their country of former habitual residence.	The Cyprus Refugee Laws (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)), Article 3: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)
IDP	11	c		Are there clear instructions on how to make a claim for statelessness within the particular administrative procedure?	See norm above at question IDP 2b.	No.	
IDP	11	d		Is the examination of statelessness conducted by a centralised or localised body?	See norm above at question IDP 2j.	Refugee status determination is carried out by the Asylum Service. Applications for the renewal of residence permits are examined by the Migration Department of the Ministry of Interior.	Republic of Cyprus Asylum Service: <a href="http://www.moi.gov.cy/moi/asylum/asylumservice.nsf/index_en/index_en?OpenDocument">http://www.moi.gov.cy/moi/asylum/asylumservice.nsf/index_en/index_en?OpenDocument</a>  Republic of Cyprus Civil Registry and Migration Department: <a href="http://www.moi.gov.cy/moi/crmd/crmd.nsf/index_en/index_en?OpenDocument">http://www.moi.gov.cy/moi/crmd/crmd.nsf/index_en/index_en?OpenDocument</a>
IDP	11	e		Is there training to inform different government bodies about statelessness and determination	See norm above at question IDP 2k.	UNHCR in Cyprus delivered training on the protection needs of stateless people in October 2015 as part of its ongoing advocacy and awareness-raising activities towards the adoption of a legal framework for the protection of stateless people in Cyprus. Additionally,	UNHCR Cyprus

Identification and Protection – February 2019

				procedures? Is there training of public officials in identifying statelessness? If yes, please provide details (i.e. who provides the training to whom and how often?)		UNHCR regularly organises training seminars and workshops on refugee status determination to eligibility officers of the Asylum Service and Reviewing Authority, which incorporate issues relating to the protection needs of stateless refugees. On the job training and legal and technical advice is also provided to eligibility officers in the framework of UNHCR's supervisory role monitoring the refugee status determination procedure, and at the request of the authorities. Trainings may also be open to other stakeholders and service providers.	
IDP	11	f		Is there cooperation between agencies that may have contact with stateless people? If so, how are cases referred to the appropriate authority for determination?	See norm above at question IDP 2l.	There is no cooperation between agencies that may have contact with stateless people. The absence of a specific legal framework for the protection of stateless people in Cyprus impacts negatively on effective coordination between government authorities who may have contact with stateless people, as there is no clarity about how to address their protection needs. The Asylum Service may refer people to the Migration Department to consider granting short-term residence status on humanitarian grounds if applicants are identified as stateless during the asylum procedure but do not have a valid asylum claim. However, this is not done consistently.	UNHCR Cyprus
IDP	12	a	Assessment	What is the burden of proof when identifying an individual's statelessness status?	See norm above at question IDP 4a.	In the framework of the refugee status determination process, the burden of proof is shared.	The Cyprus Refugee Laws (Ο περί Προσφύγων Νόμος του 2000 (6(Ι)/2000)) Article 18(5): <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)
IDP	12	b		What is the standard of proof? Is it the same as in asylum applications?	See norm above at question IDP 4b.	In the framework of the refugee status determination process, the standard of proof is on the balance of probabilities.	The Cyprus Refugee Laws (Ο περί Προσφύγων Νόμος του 2000 (6(Ι)/2000)) Article 18: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)
IDP	12	c		Are decision makers presented with clear guidance on how to determine	<a href="#">ENS (2013), Statelessness Determination and the Protection of Stateless Persons: a summary guide of good</a>	Decision makers are not presented with clear guidance on how to determine statelessness.	UNHCR Cyprus

Identification and Protection – February 2019

				statelessness, including sources of evidence and procedures for evidence gathering to establish statelessness? Please provide details.	<a href="#">practices</a> : determining authorities can benefit significantly from any concrete guidance that sets clear benchmarks and pathways for the establishment of material facts and circumstances.		
IDP	13	a	Procedural Protections	Is there legal aid available during the application?	<a href="#">UNHCR (2014), Handbook on Protection of Stateless Persons</a> : applicants are to have access to legal counsel; where free legal assistance is available, it is to be offered to applicants without financial means. <a href="#">ENS (2013), Statelessness Determination and the Protection of Stateless Persons: a summary guide of good practices</a> : If state funded legal aid is available in the country it should be provided to stateless claimants. If there is no state funded legal aid... but asylum claimants can access legal aid free of charge, then the same level of access should be provided to stateless claimants.	In the absence of a statelessness determination procedure, the Legal Aid Law does not provide for legal aid to be afforded to stateless people per se. In the framework of the refugee status determination process, legal aid is not available at first instance in the administrative procedure conducted by the Asylum Service and the Reviewing Authority, but only at judicial review stage. Legal aid is subject to a means and merit test, which asylum seekers are rarely able to argue before a legal aid judge without assistance (e.g. legal advice and representation, translation and interpreting). The state legal counsel acts as opponent in the process and submits reasons why legal aid should not be provided, which leads to an extremely unequal process.	Legal Aid Law (Ο Περί Νομικής Αρωγής Νόμος του 2002 (165(I)/2002)), Art. 6b(2): <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_165/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_165/full.html</a> (EL)  AIDA, Country Report: Cyprus, December 2017: <a href="http://www.asylumineurope.org/reports/country/cyprus">http://www.asylumineurope.org/reports/country/cyprus</a>
IDP	13	b		Is an interview always offered (unless granting without interview)?	<a href="#">UNHCR (2014), Handbook on Protection of Stateless Persons</a> : The right to an individual interview, and necessary assistance with translation/interpretation throughout the process, are essential...	In the framework of refugee status determination, an interview is always offered, unless it is in the best interests of an applicant to proceed without an interview (e.g. in well-founded cases or where applicants have additional needs). In the framework of renewal of a residence permit, the procedure is based on a file review, but an interview may be conducted if the examining officer deems it necessary.	The Cyprus Refugee Laws (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)), Article 13: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)

Identification and Protection – February 2019

IDP	13	c		Is an interpreter provided? Free of charge?	<a href="#">ENS (2013), Statelessness Determination and the Protection of Stateless Persons: a summary guide of good practices</a> : assistance should be available for translation and interpretation in respect of written applications and interviews (good practice is free of charge).	In the framework of the refugee status determination an interpreter is always provided, unless the applicant requests an interview without an interpreter. However, interpretation is not always in the native language of the applicant but may be in another language the applicant speaks/understands.	The Cyprus Refugee Laws (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)) Article 11(8)(a): <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)
IDP	13	d		Are decisions given with reasons? In writing?	<a href="#">UNHCR (2014), Handbook on Protection of Stateless Persons</a> : States are encouraged... to incorporate the following safeguards: [...] decisions are made in writing with reasons.	In the framework of refugee status determination, decisions are always provided in writing. At first instance, decisions are only given in English or Greek and in summary (full reasons in English or Greek can only be accessed and reviewed at the offices of the Asylum Service). At the Reviewing Authority level, an interview is not normally conducted but may be if deemed necessary, and the full reasoning of the decision is provided to the applicant, but only in Greek.	The Cyprus Refugee Laws (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)) Article 18(7): <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)
IDP	14	a	Stateless Status	Does identification of a person as stateless result in permission to stay/legal status or any other benefit to the individual? Please describe what status is provided and what benefits attach to it.	<a href="#">UNHCR (2014), Handbook on Protection of Stateless Persons</a> : The 1954 Convention ...[grants] stateless persons a core set of rights. Its provisions, along with applicable standards of international human rights law, establish the minimum rights and the obligations of stateless persons in States party to the 1954 Convention. The status granted to a stateless person in a State Party... must reflect these international standards...	If a person is identified as stateless in the framework of the refugee status determination procedure and granted refugee or subsidiary protection status, they will be granted the same rights as other beneficiaries of international protection in Cyprus. In the case of Palestinians, prior to December 2014, the Asylum Service applied Article 1a(2) of the 1951 Refugee Convention to Palestinians, regardless of whether or not they were registered (or eligible to be registered) with UNRWA. Following the arrival of UNRWA-registered Palestinian refugees from Syria in late 2014, the Asylum Service began, upon UNHCR advocacy, to apply Article 1d of the 1951 Refugee Convention to confer refugee status. Following the change of policy, Article 1d has been applied by the Asylum Service for Palestinian refugees from other UNRWA areas of operation (Lebanon). The Refugee Reviewing Authority (second tier administrative body) had granted on one occasion in 2011 refugee status	AIDA, Country Report: Cyprus, December 2017: <a href="http://www.asylumineurope.org/reports/country/cyprus">http://www.asylumineurope.org/reports/country/cyprus</a>

Identification and Protection – February 2019

						<p>on the basis of Article 1d, but the policy was not pursued. Palestinians from Gaza who are not UNRWA-registered and not granted refugee status have been granted subsidiary protection status. A small number of Palestinians from the West Bank have not been granted any form of international protection. Such individuals have either returned or had their claims reconsidered on second instance and been granted subsidiary protection status. There is no information on forced returns to the West Bank. There is also no information on forced returns of Palestinians from Iraq who had their status ceased in 2011. All cases were appealed and remained pending on second instance. The second instance body overturned the cessation decision two years after the cessation process commenced. Due to the uncertainty and delay in second instance decisions, a number of people withdrew their appeals to have their travel documents returned to them (retained by the authorities during the asylum process). Many then secured visas to Indonesia and attempted to reach Australia irregularly and several were reported missing at sea.</p>	
--	--	--	--	--	--	---	--

Identification and Protection – February 2019

IDP	16	a	Other routes to regularisation	<p>If none of the above questions can be answered, are there other possibilities by which stateless persons can regularise their stay without their statelessness being determined? For each such status please explain the rights during the procedure. For each such status explain the rights granted to beneficiaries.</p>	As above	<p>Prior to 2014, a number of stateless people were granted humanitarian status under the Refugee Law if their applications were considered outside the scope of the refugee definition, but they could not return to their countries of former habitual residence. Humanitarian Status afforded rights like those of asylum seekers. However, it was abolished from the Refugee Law in 2014. The only other status that may be afforded to stateless people is a short-term residence permit, issued for humanitarian reasons by the Director of the Migration Department. If a stateless person's asylum claim is rejected, they can be referred to the Migration Department to consider the granting of a short-term residence permit on humanitarian grounds. People with this status have similar rights to visitors and are not permitted to access social assistance, the labour market or state provided healthcare. In specific cases, stateless people have been afforded access to the labour market at the discretion of the Director of the Migration Department. The procedure of referral of people refused asylum who are in need of humanitarian assistance to the Migration Department is not enshrined in law and is not standardised or consistently applied.</p>	<p>The Cyprus Refugee Laws 2000-2016 (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)):  <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)</p>
-----	----	---	--------------------------------	--	----------	---	---

Detention

Cat	Q	Sub	Subtheme	Question	International Norms / Good Practice	Answer	Source
DET	1	a	Detention screening	Are immigration detention powers provided for in law?	<ul style="list-style-type: none"> <li>• <a href="#">ICCPR</a> Art 9 (1): Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.</li> <li>• <a href="#">ECHR</a> Art 5 (1): Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law: ...(f) the lawful arrest or detention of a person to prevent his effecting an unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition.</li> </ul>	Yes. In Cyprus, immigration detention powers are provided for under the Aliens and Immigration Law and the Refugee Law.	<p>Aliens and Immigration Law (Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ.105)): <a href="http://www.cylaw.org/nomoi/enop/non-ind/O_105/index.html">http://www.cylaw.org/nomoi/enop/non-ind/O_105/index.html</a> (EL)</p> <p>The Cyprus Refugee Laws 2000-2016 (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)): <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)</p>
DET	1	b		Does domestic law allow immigration detention for purposes other than those allowed under ECHR 5(1)(f)?	<a href="#">ECHR</a> Art 5 (1)(f)	Domestic law allows immigration detention for purposes other than those allowed under ECHR 5(1)(f). Under the Refugee Law, the detention of asylum seekers is permitted in specific circumstances that reflect those in the EU Reception Conditions Directive: In addition, in 2018, the Refugee Law was amended to include provisions regulating the detention of asylum seekers under the Dublin Regulation procedures, and in particular specifying when it is considered that a significant risk of absconding is present, in which case the detention of an asylum seeker may be ordered.	<p>The Cyprus Refugee Laws 2000-2016 (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)), Article 9ΣΤ: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)</p> <p>Aliens and Immigration Law (Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ.105)), Articles 18ΟΓ to 18ΠΘ: <a href="http://www.cylaw.org/nomoi/enop/non-ind/O_105/index.html">http://www.cylaw.org/nomoi/enop/non-ind/O_105/index.html</a> (EL)</p>

DET	1	c	Does a proposed country of removal need to be identified before a person is detained for the purpose of removal? Please describe the situation in law and in practice.	<p><a href="#">ICCPR Art 7</a>: Repeated attempts to expel a person ... to a country that is refusing to admit the individual in question could amount to inhuman or degrading treatment.</p> <p><a href="#">ECHR Art 5 (1)(f)</a></p> <p><a href="#">Auad v Bulgaria [2011] Application no 46390/10 (ECtHR)</a>: ...the only issue is whether or not the authorities were sufficiently diligent in their efforts to deport the applicant.</p> <p><a href="#">EU Returns Directive</a>: Any detention shall be for as short a period as possible and only maintained as long as removal arrangements are in progress and executed with due diligence.</p> <p><a href="#">ECRE, Point of No Return: The Futile Detention of Unreturnable Migrants, 2014</a>: Once un-returnability is established, migrants should not be detained.</p>	<p>A proposed country of removal does not need to be identified before a person is detained for the purpose of removal. This often leads to detention of people for whom there is no prospect of return or return will be significantly delayed.</p>	<p>Bi-monthly monitoring visits carried out by the Cyprus Refugee Council.</p> <p>AIDA, Country Report: Cyprus, December 2017:  <a href="http://www.asylumineurope.org/reports/country/cyprus">http://www.asylumineurope.org/reports/country/cyprus</a></p>
DET	1	d	Is statelessness a juridically relevant fact in any decision to detain (in practice and in law)? If so, at what point(s) is a risk of statelessness identified? Is referral to an SDP possible within the	<p><a href="#">Auad v Bulgaria [2011] Application no 46390/10 (ECtHR)</a>: as above.</p> <p><a href="#">Mikolenko v. Estonia, Application no. 10664/05, 8 October 2009 (ECtHR)</a>: Detention is justified as long as “deportation proceedings are being conducted” and these proceedings must be carried out with due diligence...</p> <p><a href="#">UNHCR (2014), Handbook on Protection of Stateless Persons</a>: Routine detention of individuals seeking protection on the grounds of statelessness is arbitrary... the absence of status determination procedures to verify identity or nationality can lead to prolonged or indefinite detention. SDPs are therefore an important mechanism to reduce the risk of prolonged and/or arbitrary</p>	<p>Statelessness is not routinely considered juridically relevant in decisions to detain. However, Cyprus is bound by the EU Returns Directive, so that when there is no reasonable prospect of removal, detention ceases to be justified and the person should be released immediately.</p> <p>Statelessness may impede a person’s return and thus should be examined as a relevant factor in the consideration of ability to return and justification for continued detention.</p>	<p>Aliens and Immigration Law (Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ.105)), Article 18ΠΣΤ (6):  <a href="http://www.cylaw.org/nomoi/enop/non-ind/O_105/index.html">http://www.cylaw.org/nomoi/enop/non-ind/O_105/index.html</a> (EL)</p>



Detention – February 2019

				detention regime?	detention. <a href="#">Equal Rights Trust (ERT) (2012), Guidelines to Protect Stateless Persons from Arbitrary Detention</a> : Guideline 13 – states must identify stateless persons within their territory or subject to their jurisdiction as a first step towards ensuring the protection of their human rights. <a href="#">International Commission of Jurists, Migration and International Human Rights Law: a Practitioner’s Guide 2014</a> : the detention of stateless persons can never be justified when there is ‘no active or realistic progress towards transfer to another State’.		
DET	1	e		Are stateless people detained in practice? Please provide figures and source of information if available.	As above.	There have been instances of stateless people identified in detention, but no official data is available. The only available data is from NGOs monitoring detention centres. Additionally, stateless people may be registered under the country of their former residence so it may not be apparent that they are stateless from the list of detainees.	AIDA Country Report: Cyprus, December 2017: <a href="http://www.asylumineurope.org/reports/country/cyprus">http://www.asylumineurope.org/reports/country/cyprus</a>  Cyprus Refugee Council bi-monthly monitoring visits.
DET	1	f		Does law (and/or policy) provide that immigration detention should be used only as a last resort, after all alternatives to detention have been	<a href="#">UNHCR (2014), Handbook on Protection of Stateless Persons</a> : Detention is therefore a measure of last resort and can only be justified where other less invasive or coercive measures have been considered and found insufficient to safeguard the lawful governmental objective pursued by detention. <a href="#">EU Returns Directive</a> : Art 15(1) Unless other sufficient but less coercive measures can be applied effectively in a specific case, Member States may only keep in detention a third-country national who is the subject of return	The law provides that immigration detention should be used only as a last resort and when alternatives cannot be applied in the specific case. However, in practice, detention is usually ordered without a relative assessment of the necessity of detention or available alternatives.	Aliens and Immigration Law (Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ.105)), Article 18ΠΣΤ: <a href="http://www.cylaw.org/nomoi/enop/non-ind/0_105/index.html">http://www.cylaw.org/nomoi/enop/non-ind/0_105/index.html</a> (EL)  The Cyprus Refugee Laws 2000-2016 (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)), Article 9ΣΤ: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)  AIDA Country Report: Cyprus, December

				exhausted?	procedures in order to prepare the return and/or carry out the removal process.		2017: <a href="http://www.asylumineurope.org/reports/country/cyprus">http://www.asylumineurope.org/reports/country/cyprus</a>  Cyprus Refugee Council bi-monthly monitoring visits.
DET	1	g		Are individual vulnerability assessments carried out before a decision to detain (or shortly thereafter), and are stateless persons defined as a vulnerable group?	<p><a href="#">ENS (2015) Protecting Stateless Persons from Arbitrary Detention: a regional toolkit for practitioners</a>: Arbitrary and disproportionately lengthy detention can ensue when the particular vulnerabilities of stateless persons are not understood and addressed...</p> <p><a href="#">EU Returns Directive</a>: Art 16(3) Particular attention shall be paid to the situation of vulnerable persons...</p> <p><a href="#">Council of the European Union Guidelines to Promote and Protect the Enjoyment of All Human Rights by Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Persons 2013</a>: European entities should assess the situation of LGBTI persons in detention...</p>	Individual vulnerability assessments are not carried out before a decision to detain or shortly after, and generally vulnerability is not defined or identified. Individual vulnerability assessments appear not to be carried out before a decision to detain or shortly after. Several vulnerable individuals have been identified in detention during monitoring visits, including victims of trafficking and violence, including sexual violence and torture. Statelessness is not defined as a vulnerability factor.	<p>Future Worlds Centre, Αναζητώντας Εναλλακτικές Στην Κράτηση Υπηκόων Τρίτων Χωρών Στην Κύπρο (Alternatives to Immigration Detention in Cyprus), Nov 2016, pp. 44-45: <a href="http://www.asylumineurope.org/sites/default/files/resources/alternatives%20to%20detention_gr_final_version.pdf">http://www.asylumineurope.org/sites/default/files/resources/alternatives to detention_gr_final_version.pdf</a> (EL) Summary report in English: <a href="https://issuu.com/strengtheningasylum/docs/alternatives_to_detention_summary">https://issuu.com/strengtheningasylum/docs/alternatives to detention summary</a></p> <p>AIDA Country Report: Cyprus, December 2017: <a href="http://www.asylumineurope.org/reports/country/cyprus">http://www.asylumineurope.org/reports/country/cyprus</a></p>

DET	2	a	<p>Alternatives to immigration detention</p>	<p>Does the country have alternatives to detention which individuals are considered for prior to any decision to detain? Are alternatives to detention established in law? Are they subject to a statutory time limit and proportionality test?</p>	<p><a href="#">ICCPR Art 9</a>  <a href="#">FKAG v Australia (HRC)</a>: Any decision relating to detention must take into account less invasive means of achieving the same ends...  <a href="#">UN General Assembly Resolution on the protection of migrants 63/184 2009</a>: Calls upon all States ... to adopt, where applicable, alternative measures to detention.  <a href="#">UNHCR (2014), Handbook on Protection of Stateless Persons</a>: Detention...can only be justified where other less invasive or coercive measures have been considered and found insufficient...  <a href="#">UNHCR (2012), Guidelines on Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention</a> : alternatives to detention refers to any legislation, policy or practice that allows asylum-seekers to reside in the community subject to a number of conditions or restrictions on their freedom of movement and since they can involve restrictions on movement of liberty they are bound by human right standards.  <a href="#">Human Rights Council (HRC), Report of the Special Rapporteur on the human rights of migrants, François Crépeau (2012) A/HRC/20/24</a>: Alternatives to detention should not become alternatives to unconditional release [...] the obligation to always consider alternatives to detention (non-custodial measures) before resorting to detention should be established by law.  <a href="#">Council of Europe (2005), Twenty Guidelines of the Committee of Ministers of Europe on Forced Return</a>: After a careful examination</p>	<p>As of October 2016, alternatives to detention are established in Law. A non-exhaustive list of recommended alternatives is provided in the Refugee Law:</p> <ol style="list-style-type: none"> <li>Regular reporting to the authorities</li> <li>Deposit of a financial guarantee</li> <li>Obligation to stay at an assigned place, including a reception centre</li> <li>Probation</li> </ol> <p>These alternatives are not subject to a statutory time limit nor a proportionality test and there are no implementing regulations for their application. Although detention orders refer to an individualised assessment, it is not clear how alternatives are being considered prior to the decision to detain.</p>	<p>The Cyprus Refugee Laws 2000-2016 (Ο περί Προσφύγων Νόμος του 2000 (6(Ι)/2000)), Article 9ΣΤ:  <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)</p> <p>AIDA Country Report: Cyprus, December 2017:  <a href="http://www.asylumineurope.org/reports/country/cyprus">http://www.asylumineurope.org/reports/country/cyprus</a></p>
-----	---	---	--	---	---	---	--

				<p>of the necessity of deprivation of liberty in each individual case, the authorities...have concluded that compliance with the removal order cannot be ensured as effectively by resorting to non-custodial measures ...</p> <p><a href="#">EU Returns Directive</a>: Art 15(1) Unless other sufficient but less coercive measures can be applied effectively in a specific case, Member States may only keep in detention a third-country national who is the subject of return procedures in order to prepare the return and/or carry out the removal process.</p> <p><a href="#">Equal Rights Trust (ERT) (2012), Guidelines to Protect Stateless Persons from Arbitrary Detention</a>: (31) ...states have an obligation in the first instance to consider and apply appropriate and viable alternatives to immigration detention that are less coercive and intrusive...</p> <p><a href="#">International Detention Coalition (2015), There Are Alternatives: A handbook for preventing unnecessary immigration detention (revised edition)</a>: immigration detention should be used only as a last resort in exceptional cases after all other options have been shown to be inadequate in the individual case.</p>		
DET	2	b	Is there evidence that immigration detention is used in practice prior to all alternatives being	As above.	Yes. There is no evidence that alternatives are being examined and exhausted prior to ordering detention. It appears that asylum seekers already in detention for other immigration reasons also receive detention orders under the Refugee Law, without an assessment of the availability of other less coercive measures in each individual or of individual vulnerability factors.	Cyprus Refugee Council

				considered? Please cite relevant reports.			
DET	3	a	Procedural safeguards	<p>Is there a maximum time period for immigration detention set in law? What is it?</p>	<p><a href="#">UN Human Rights Council (HRC) (2010), Report of the UN Working Group on Arbitrary Detention to the Human Rights Council, 13th Session, A/HRC/13/30</a>: a maximum period of detention must be established by law and upon expiry ...the detainee must be automatically released.</p> <p><a href="#">UNHCR (2012), Guidelines on Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention</a> : to guard against arbitrariness, maximum periods of detention should be set in national law.</p> <p><a href="#">EU Returns Directive</a>:<a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:348:0098:0107:en:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:348:0098:0107:en:PDF</a> Art 15(5) Each Member State shall set a limited period of detention ...</p> <p><a href="#">ENS (2015) Protecting Stateless Persons from Arbitrary Detention: a regional toolkit for practitioners</a>: It is desirable that states clearly specify a reasonable maximum time limit.</p> <p><a href="#">Equal Rights Trust (ERT) (2012), Guidelines to Protect Stateless Persons from Arbitrary Detention</a>: Guideline 39: Detention should always be for the shortest time possible. There should be a reasonable maximum time-limit for detention...</p>	<p>Prior to October 2016, the detention of asylum seekers under the Refuge Law had to be authorised by the District Court and was limited to 8 days, renewable on automatic judicial review up to a maximum of 32 days. However, these safeguards were abolished in October 2016 and there is now no time limit on detention under the Refugee Law. Detention under the Aliens and Immigration Law provides for the detention of third country nationals under return procedures for a period of 8 days, renewable by the Court as deemed necessary and appropriate; but in practice people are never detained under this provision, but rather under Article 18ΠΣΤ(7), which states that detention for return purposes cannot exceed 6 months, extendable for a further 12 months if the person refuses to cooperate or if the issuance of documentation by a third country is delayed. In practice asylum seekers are detained for an average of 3-5 months depending on the capacity of the detention centre. Other third country nationals, including people who cannot be removed, which may include stateless people, are often detained for much longer periods.</p>	<p>The Cyprus Refugee Laws 2000-2016 (Ο περί Προσφύγων Νόμος του 2000 (6(Ι)/2000)), Article 9ΣΤ: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)</p> <p>Aliens and Immigration Law (Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ.105)), Article 13(2) &amp; Article 18ΠΣΤ(7): <a href="http://www.cylaw.org/nomoi/enop/non-ind/0_105/index.html">http://www.cylaw.org/nomoi/enop/non-ind/0_105/index.html</a> (EL)</p> <p>AIDA Country Report: Cyprus, December 2017. Available at: <a href="http://www.asylumineurope.org/reports/country/cyprus">http://www.asylumineurope.org/reports/country/cyprus</a></p> <p>Cyprus Refugee Council bi-monthly monitoring visits.</p>
DET	3	b		Does law/policy provide that	<p><a href="#">UN General Assembly (UNGA) (1988), Body of Principles for the Protection of All Persons under Any Form of Detention or</a></p>	<p>The law provides that individuals must be informed in writing of the reasons for immigration detention. However, the</p>	<p>The Cyprus Refugee Laws 2000-2016 (Ο περί Προσφύγων Νόμος του 2000 (6(Ι)/2000)), Article 9ΣΤ:</p>

			<p>individuals must be informed in writing of the reasons for immigration detention? Are detainees provided with information on their rights, contact details of legal advice and support providers, and guidance on how to access an SDP?</p>	<p><a href="#">Imprisonment, Resolution A/RES/43/173</a>: Anyone who is arrested shall be informed at the time of his arrest of the reason for his arrest and shall be promptly informed of any charges against him.</p> <p><a href="#">EU Returns Directive</a>: Detention shall be ordered in writing with reasons being given in fact and in law.</p> <p><a href="#">Equal Rights Trust (ERT) (2012), Guidelines to Protect Stateless Persons from Arbitrary Detention</a>: Guideline 37: Stateless detainees shall receive their order of detention in writing and in a language they understand, and this must outline the reasons for their detention... Detainees must be informed of their rights...</p> <p><a href="#">International Commission of Jurists (ICJ) (2014), Migration and International Human Rights Law: a Practitioner’s Guide (updated edition)</a>: The authorities are required to ...ensure that sufficient information is available to detained persons in a language they understand, regarding the nature of their detention, the reasons for it, the process for reviewing or challenging the decision to detain.</p>	<p>decisions often refer to the article based on which the detention has been ordered, without details of the reasons it was considered applicable in the individual case. The order contains a reference to the right to challenge the legality of the decision under Article 146 of the Constitution but does not contain information on the right to challenge the order under Habeas Corpus procedures (Article 155.4 of the Constitution). It also includes a brief description of the right to challenge the order before the Administrative Court but not the right to submit a Habeas Corpus application to challenge the duration of detention. The administrative order is usually issued in English and/or in Greek, and it is never provided in a language the applicant is known to understand. A leaflet containing information on the rights of detainees (“Notice to Persons in Custody”), available in English, Arabic, Russian, Chinese and Turkish, is disseminated by the Police and provides information on rights to inform a relative, access a lawyer and doctor. However, this does not include information on the right to legal remedies or legal aid. From discussions with detainees, it is evident that they often do not know the reasons for their detention or the legal remedies available to them.</p>	<p><a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)</p> <p>AIDA Country Report: Cyprus, December 2017: <a href="http://www.asylumineurope.org/reports/country/cyprus">http://www.asylumineurope.org/reports/country/cyprus</a></p> <p>Cyprus Refugee Council casework and monitoring visits</p>
DET	3	c	<p>Are there regular periodic reviews of the necessity for</p>	<p><a href="#">EU Returns Directive</a>: Any detention shall ... only be maintained as long as removal arrangements are in progress and executed with due diligence.</p> <p><a href="#">Auid v Bulgaria [2011] Application no</a></p>	<p>Prior to October 2016, the Refugee Law provided that the detention of asylum seekers be authorised by the District Court and automatic judicial review should take place every eight days, but these provisions</p>	<p>The Cyprus Refugee Laws 2000-2016 (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)), Article 9ΣΤ: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)</p>

				<p>the continuation of detention before a court or an independent body? If yes, are detainees released when it becomes evident that their removal will not be possible within a reasonable time?</p> <p><a href="#">46390/10 (ECtHR)</a>: ...the only issue is whether or not the authorities were sufficiently diligent in their efforts to deport the applicant... the length of the detention should not exceed that reasonably required for the purpose pursued.</p> <p><a href="#">Kim v Russia [2014] Application no 44260/13 (ECtHR)</a>: The purpose of Art 5(4) ECHR is to guarantee to persons who are arrested and detained the right to judicial supervision of the lawfulness of the measure...</p> <p><a href="#">A. v. Australia, CCPR/C/59/D/560/1993, (HRC)</a>: Decisions to detain should be open to review periodically...</p> <p><a href="#">Saïd Shamilovich Kadzoev v Direktsia Migratsia' pri Ministerstvo na vatreshniteraboti [2009] Case C-357/09 (ECJ)</a>: There must, at the time of the national Court's review of the lawfulness of detention, be a real prospect that the removal can be carried out successfully.</p> <p><a href="#">Council of Europe (2005), Twenty Guidelines of the Committee of Ministers of Europe on Forced Return</a>: Detention pending removal shall be justified only for as long as removal arrangements are in progress.</p> <p><a href="#">Equal Rights Trust (ERT) (2012), Guidelines to Protect Stateless Persons from Arbitrary Detention</a>: Guideline 41: To avoid arbitrariness, detention should be subject to automatic, regular and periodic review throughout the period of detention, before a judicial body independent of the detaining authorities.</p>	<p>were abolished and there is no longer any automatic judicial review of detention. The Aliens and Immigration Law provides for periodic reviews of the lawfulness of detention (every two months by the Minister of Interior) or review upon the detainee's request, but this does not take place in practice. Instead, the initial motivation is repeated, usually stating a lack of cooperation by the detainee for the issuance of travel documents, regardless of whether the detainee is an asylum seeker and without stating any reasoning or facts to support the claim of lack of cooperation. Even when the applicant or their legal representative requests a review, in most cases the administration does not even respond to the request. Detainees are not always released when it becomes evident that their removal will not be possible within a reasonable time.</p>	<p>Aliens and Immigration Law (Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ.105)), Article 13(2) &amp; Article 18ΠΣΤ(7): <a href="http://www.cylaw.org/nomoi/enop/non-ind/O_105/index.html">http://www.cylaw.org/nomoi/enop/non-ind/O_105/index.html</a> (EL)</p> <p>AIDA Country Report: Cyprus, December 2017: <a href="http://www.asylumineurope.org/reports/country/cyprus">http://www.asylumineurope.org/reports/country/cyprus</a></p> <p>Cyprus Refugee Council casework and monitoring visits</p>
--	--	--	--	--	--	---

DET	3	d		<p>What remedies are available to an individual to challenge detention? How often can these be invoked? Are there any obstacles in practice?</p>	<p><a href="#">ICCPR</a> Art 9(4): Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court...  <a href="#">ECHR</a>: Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court....  <a href="#">Kim v Russia [2014] Application no 44260/13 (ECtHR)</a>: the purpose of Art 5(4) ECHR is to guarantee to persons who are arrested and detained the right to judicial supervision of the lawfulness of the measure...</p>	<p>There are two legal remedies available to challenge detention for immigration purposes: a recourse before the Administrative Court to challenge the lawfulness of the detention order; and a Habeas Corpus before the Supreme Court to challenge the lawfulness of detention (on grounds relating to the length of detention). While there is no time limit on detention following a criminal sanction as a “prohibited immigrant”, a Habeas Corpus application can be submitted if it is possible to establish that the length of detention is excessive. However, in most cases detainees are not able to effectively exercise this remedy due the expense of this procedure (court fees, lawyers’ fees). The Legal Aid law provides for legal aid to challenge return and removal decisions and decisions imposing an entry ban. Deportation decisions and decisions ordering detention for deportation purposes are not covered so access to a legal remedy is seriously impeded. Where available, legal aid is subject to a means and merits test that requires detainees to argue before a legal aid judge without legal advice or translation, that their case has a good chance of success. NGOs are not permitted to appear before the Court and pro bono legal work by lawyers is prohibited. In exceptional cases, NGOs may collaborate with lawyers to bring cases before the Court, but capacity to do this is extremely limited. Legal aid is available to challenge the detention of an asylum seeker under the Refugee Law</p>	<p>Constitution of the Republic of Cyprus (Το Σύνταγμα της Κυπριακής Δημοκρατίας (ΣΥΝΤΑΓΜΑ)), Articles 146 &amp; 155(4):  <a href="http://www.cylaw.org/nomoi/enop/non-ind/syntagma/full.html">http://www.cylaw.org/nomoi/enop/non-ind/syntagma/full.html</a> (EL)</p> <p>Legal Aid Law (Ο Περί Νομικής Αρωγής Νόμος του 2002 (165(I)/2002)), Art. 6b(7):  <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_165/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_165/full.html</a> (EL)</p> <p>The Cyprus Refugee Laws 2000-2016 (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)), Article 9ΣΤ:  <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)</p> <p>Aliens and Immigration Law (Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ.105)):  <a href="http://www.cylaw.org/nomoi/enop/non-ind/O_105/index.html">http://www.cylaw.org/nomoi/enop/non-ind/O_105/index.html</a> (EL)</p> <p>AIDA Country Report: Cyprus, December 2017:  <a href="http://www.asylumineurope.org/reports/country/cyprus">http://www.asylumineurope.org/reports/country/cyprus</a></p> <p>Cyprus Refugee Council casework and monitoring visits</p>
-----	---	---	--	--	---	---	--



						without being subject to the merits limb of the test, so is more accessible, but the number of applications and the success rate of challenges remain very low.	
DET	3	e		<p>Are there rules/guidance in place that govern the process of re-documentation and/or ascertaining entitlement to nationality for the purpose of removal? Do these articulate the respective roles that state and individual are expected to play? Are there time limits clearly set out? Are the outcomes considered relevant for subsequent determination of statelessness?</p>	<p><a href="#">Auad v Bulgaria [2011] Application no 46390/10 (ECtHR)</a>: The only issue is whether or not the authorities were sufficiently diligent in their efforts to deport the applicant.</p> <p><a href="#">Equal Rights Trust (ERT) (2012), Guidelines to Protect Stateless Persons from Arbitrary Detention</a>: The inability of a stateless person to cooperate with removal proceedings should not be treated as non-cooperation.</p> <p><a href="#">ENS (2015) Protecting Stateless Persons from Arbitrary Detention: a regional toolkit for practitioners</a>: The detaining state should have rules in place that govern the process of re-documentation and/ or ascertaining entitlement to nationality...</p> <p><a href="#">ECRE, Point of No Return: The Futile Detention of Unreturnable Migrants, 2014</a>: Once un-returnability is established, migrants should not be detained.</p>	<p>There is a Circular on issuance of travel documents to undocumented detainees under deportation procedures. The Immigration Police and the detainee may apply to the relevant consular authorities. The Immigration Police may apply through the Ministry of Foreign Affairs and Cypriot Embassy in the country of origin in case there are no consular authorities in Cyprus. Increasingly, embassies require the individual to consent to return and refuse to issue documents if they object or do not submit the application themselves. There are no time limits set out in the Circular. The Police informs the Migration Department on a monthly basis of the progress of the procedure and suggests release from detention when it transpires that there is no prospect of return including in cases where people are stateless.</p>	Cyprus Refugee Council

DET	3	f		<p>Is free legal aid available to challenge detention? Are there any barriers to accessing this in practice?</p>	<p><a href="#">UNHCR (2014), Handbook on Protection of Stateless Persons</a>: Judicial oversight of detention is always necessary and detained individuals need to have access to legal representation, including free counselling for those without means. <a href="#">EU Returns Directive</a>: Art 13(3) The third-country national concerned shall have the possibility to obtain legal advice, representation and, where necessary, linguistic assistance.</p>	<p>The Legal Aid law provides for legal aid to challenge return and removal decisions and decisions imposing an entry ban. Deportation decisions and decisions ordering detention for deportation purposes are not covered so access to a legal remedy is seriously impeded. Where available, legal aid is subject to a means and merits test that requires detainees to argue before a legal aid judge without legal advice or translation, that their case has a good chance of success. NGOs are not permitted to appear before the Court and pro bono legal work by lawyers is prohibited. In exceptional cases, NGOs may collaborate with lawyers to bring cases before the Court, but capacity to do this is extremely limited. Legal aid is available to challenge the detention of an asylum seeker under the Refugee Law without being subject to the merits limb of the test, so is more accessible, but the number of applications and the success rate of challenges remain very low.</p>	<p>Legal Aid Law (Ο Περί Νομικής Αρωγής Νόμος του 2002 (165(I)/2002)), Art. 6b(7): <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_165/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_165/full.html</a> (EL)</p> <p>The Cyprus Refugee Laws 2000-2016 (Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000)), Article 9ΣΤ: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2000_1_6/full.html</a> (EL)</p> <p>AIDA Country Report: Cyprus, December 2017: <a href="http://www.asylumineurope.org/reports/country/cyprus">http://www.asylumineurope.org/reports/country/cyprus</a></p>
DET	4	a	Protections on release	<p>Are those released from detention issued with any identification, including confirmation of their stateless status, and thus</p>	<p><a href="#">UN Convention Relating to the Status of Stateless Persons, 1954</a>: Art 27 <a href="#">UNHCR (2014), Handbook on Protection of Stateless Persons</a>: ...being undocumented or lacking the necessary immigration permits cannot be used as a general justification for detention... <a href="#">ENS (2015) Protecting Stateless Persons from Arbitrary Detention: a regional toolkit for practitioners</a>: ...state parties to the 1954 Convention have an obligation to provide stay rights to stateless persons who have</p>	<p>People released from detention who do not have legal status are not consistently issued with identification, meaning that they are at risk of re-detention and destitution. If a short-term residence permit on humanitarian grounds is to be issued, a letter from the Migration Department is provided on release, which states that the individual is entitled to stay and work in Cyprus and advises them to apply for the relevant permits. This status does not give entitlement to social security or legal aid. In</p>	<p>Cyprus Refugee Council casework and monitoring visits</p>

Detention – February 2019

				protected from arbitrary re-detention?	been released from detention. <a href="#">Equal Rights Trust (ERT) (2012), Guidelines to Protect Stateless Persons from Arbitrary Detention</a> : Guidelines 55 & 56: Released stateless detainees should be provided with appropriate documentation and stay rights suitable to their situation.	practice, there have been cases of stateless people being unable to access their rights under this status as they were required to submit a valid passport to acquire the permit.	
DET	4	b		If the purpose of detention cannot be fulfilled (e.g. removal) and the person is released, what legal status is provided to them by law? Can they access social security accommodation, education and healthcare? Do they have the right to work?	<a href="#">Saïd Shamilovich Kadzoev v Direktsia Migratsia' pri Ministerstvo na vateshnite raboti [2009] Case C-357/09 (ECJ)</a> : Article 15(4) and (6) of the Directive should be interpreted as requiring that after the maximum period of detention has expired, the person must be released immediately... the individual's lack of valid documentation, his/her inability to support him/herself or his/her "aggressive conduct" should not be a deterrent to his/her release. <a href="#">Equal Rights Trust (ERT) (2012), Guidelines to Protect Stateless Persons from Arbitrary Detention</a> : Guideline 55 as above.	There are no legal provisions that regulate the procedure or determine the status to be afforded to people who cannot be removed. In many cases people are released without any legal status or access to basic rights. In some cases, a short-term residence permit on humanitarian grounds may be issued. In this case, a letter from the Migration Department is provided on release, which states that the individual is entitled to stay and work in Cyprus and advises them to apply for the relevant permits. This status does not give entitlement to social security or legal aid. In practice, there have been cases of stateless people being unable to access their rights under this status as they were required to submit a valid passport to acquire the permit. Another condition may be to secure an employment contract stamped by the Labour Office, however, in most cases this proves impossible as the Labour Office requires a residence permit before it will stamp the employment contract.	Cyprus Refugee Council
DET	4	c		If re-detention does occur, is the cumulative time spent in	<a href="#">Equal Rights Trust (ERT) (2012), Guidelines to Protect Stateless Persons from Arbitrary Detention</a> : Guideline 40: When calculating the total time spent by an individual in detention, it is highly desirable that time	Cumulative time spent in detention does not count towards the maximum time limit.	Based on information from regular monitoring visits to the main detention centre and cases represented by Cyprus Refugee Council.

Detention – February 2019

				detention counted towards any maximum time limits?	spent in detention on previous occasions is taken into consideration.		
DET	5	a	Return & readmission agreements	Is statelessness considered a juridically relevant fact in any readmission and/or bilateral return agreements?	<a href="#">UNHCR (2014), Handbook on Protection of Stateless Persons</a> : Efforts to secure admission or readmission may be justified but these need to take place subsequent to a determination of statelessness.	Statelessness is not a juridical relevant fact in readmission and/or bilateral return agreements.	Based on review of cases by the Cyprus Refugee Council
DET	5	b		Are you aware of cases of cases of stateless people being returned under such agreements?		In the past, and prior to the Syrian conflict, stateless Kurds were returned to Syria, but it is not clear whether this was under a specific return/readmission agreement.	Cyprus Refugee Council

Cat	Q	Sub	Subtheme	Question	International Norms / Good Practice	Answer	Source
PRS	1	a	Stateless born on territory	Is there a provision in law for stateless children born on the territory to be granted nationality?	<p><a href="#">UN Convention on the Reduction of Statelessness, 1961</a>: A Contracting State shall grant its nationality to a person born in its territory who would otherwise be stateless...</p> <p><a href="#">European Convention on Nationality, 1997</a>: Each State Party shall provide in its internal law for its nationality to be acquired by children born on its territory who do not acquire at birth another nationality...</p> <p><a href="#">Convention on the Rights of the Child 1989</a>: The child shall have... the right to acquire a nationality... States Parties shall ensure the implementation of these rights...in particular where the child would otherwise be stateless... States Parties undertake to respect the right of the child to preserve his or her identity, including nationality...</p> <ul style="list-style-type: none"> <li>• <a href="#">Genovese v. Malta (ECtHR) Application No. 53124/09, 11 October 2011</a></li> </ul>	No, there is no provision in law for stateless children born on the territory to be granted nationality.	Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)): <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)
PRS	1	h		Are there specific provisions for the nationality of children born to beneficiaries of international protection?	<p><a href="#">UNHCR Guidelines on Statelessness #4 2012</a>: Some children are born to refugee parents who are themselves stateless or cannot acquire the nationality of their parents owing to restrictions on transmission of nationality to children born abroad. Where the nationality of the parents can be acquired through a registration or other procedure, this will be impossible owing to the very nature of</p>	No, there are no specific provisions for the nationality of children born to beneficiaries of international protection.	

					refugee status which precludes refugee parents from contacting their consular authorities.		
PRS	2	a	Foundlings	Are foundlings granted citizenship by law? If it's not automatic, is there an application procedure?	<p><a href="#">UN Convention on the Reduction of Statelessness, 1961</a>: A foundling found in the territory of a Contracting State shall, in the absence of proof to the contrary, be considered to have been born within that territory of parents possessing the nationality of that State.</p> <p><a href="#">European Convention on Nationality, 1997</a>: Each State Party shall provide in its internal law for its nationality to be acquired ex lege by the following persons: [...] b) foundlings found in its territory who would otherwise be stateless.</p>	The law provides for the registration of the birth of a foundling, but there are no provisions in law regarding the citizenship of foundlings.	Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)), Article 18: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)
PRS	2	b		If yes, is there an age limit (or status e.g. 'newborn') specified for foundlings to be granted citizenship? If not, when would a child usually qualify in practice?	<a href="#">UNHCR Guidelines on Statelessness #4 2012</a> : At a minimum, the safeguard ... is to apply to all young children who are not yet able to communicate accurately information pertaining to the identity of their parents or their place of birth...	There are no provisions in the law regarding the citizenship of foundlings. Adults can apply for citizenship after seven years of residence if they are residing in Cyprus exclusively for employment purposes, or five years if they are residing on any other status such as international protection, visitors, students, etc.	Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)), Article 111: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)
PRS	2	c		Can citizenship be withdrawn from foundlings if parents are identified even if this leads to	<a href="#">UNHCR Guidelines on Statelessness #4 2012</a> : Nationality acquired by foundlings... may only be lost if it is proven that the child concerned possesses another State's nationality.	There is no specific provision in the Civil Registry Law for the granting of citizenship to foundlings. However, provisions on the birth registration of foundlings provide that the registration may be cancelled (and a new one made) if the parents are identified to include the correct information on the	Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)), Article 18: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)

				statelessness?		birth certificate. There is no provision to ensure that citizenship is not withdrawn from those who would be rendered stateless by such a decision.	
PRS	3	a	Adoption	Where a child national is adopted by foreign parent(s), does the child lose their original nationality before the new nationality is acquired?	<p><a href="#">UN Convention on the Reduction of Statelessness, 1961</a>: If the law of a Contracting State entails loss of nationality as a consequence of any change in the personal status of a person such as...adoption, such loss shall be conditional upon possession or acquisition of another nationality.</p> <p><a href="#">ENS (2015), No Child Should Be Stateless</a>: ...the “sending” state in a situation of inter-country adoption may be a non-European one, so even if Europe’s nationality laws were all in alignment with international standards, children may be exposed to a (temporary) risk of statelessness during the adoption process.</p>	There are no provisions in the law regulating the situation where a child national is adopted by foreign parent(s). However, according to the law, Cypriot nationality can only be withdrawn if the person acquired it by registration or application and not if was acquired by birth or descent. There are no restrictions on the number of nationalities a person can have.	Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)), Article 113: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)
PRS	3	b		Does a foreign child adopted by national parents acquire nationality? Is there a risk of statelessness during the adoption process? Are there any age limits?	<p><a href="#">European Convention on Nationality, 1997</a>: Each State Party shall facilitate in its internal law the acquisition of its nationality for the following persons: ...d) children adopted by one of its nationals...</p> <p><a href="#">Committee on the Rights of the Child, Concluding Observations: Switzerland, CRC/C/CHE/CO/2-04, 2015</a>: ...ensure that a child adopted from abroad is not stateless or discriminated against during the waiting period between...arrival...and formal adoption.</p>	A foreign child adopted by national parents acquires nationality upon the date of the adoption, which is the date the court order is issued. The child may be at risk of statelessness during the procedure. People over 18 who are adopted by nationals do not acquire nationality but must apply for naturalisation under standard procedures.	Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)), Article 114: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)

PRS	4	a	ius sanguinis and discrimination	<p>Can children born to nationals abroad acquire nationality by descent (<i>ius sanguinis</i>)? Are there any conditions? Are these conditions discriminatory? (see below if child would otherwise be stateless)</p>	<p><a href="#">UN Convention on the Reduction of Statelessness, 1961</a>: Art 4  <a href="#">UNHCR Guidelines on Statelessness #4 2012</a>: ...where a child who would otherwise be stateless is born in a Contracting State to parents of another Contracting State but does not acquire the nationality of the State of birth... responsibility falls to the Contracting State of the parents to grant its nationality to the child...  <a href="#">Genovese v. Malta (ECtHR) Application No. 53124/09, 11 October 2011</a>: the impact of denial of citizenship on the applicant’s social identity was such as to bring it within the general scope and ambit of Article 8... the state ... must ensure that the right is secured without discrimination...  <a href="#">Convention on the Elimination of all Forms of Discrimination Against Women, General recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, November 2014</a>  <a href="#">UNHCR Global Action Plan to End Statelessness 2014-24</a>: Action 4  <a href="#">Fighting statelessness and discriminatory nationality law in Europe, Laura van Waas, 2012</a></p>	<p>Children born abroad to at least one parent (born on or after 16 August 1960) with Cypriot nationality are Cypriot nationals. There are no conditions and registration of the birth at a consulate is a formality and not a condition to acquire nationality. However, in cases of children born in Cyprus where one parent is Cypriot and the other is non-Cypriot and entered or remained in Cyprus irregularly, the child does not acquire nationality unless the Ministerial Council orders otherwise. This condition is considered to be discriminatory and applies, for example, to Cypriot nationals of Turkish ethnic origin who reside in the occupied northern part of Cyprus and are married and/or have children with Turkish nationals who have settled in Cyprus after the 1974 war, and whose entry and residence in Cyprus is considered to be illegal. There are also cases of children of Cypriot nationals of Greek ethnic origin who are married to third country nationals who may have entered or stayed irregularly and who are denied Cypriot citizenship. The procedure for the examination of applications by the Council of Ministers to enable the registration of such children as Cypriot nationals is very lengthy and decisions often remain pending for years.</p>	<p>Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)), Article 58 &amp; 109(2): <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)</p>
PRS	4	b		<p>Can children born to nationals outside the country access nationality by</p>	<p><a href="#">UNHCR Guidelines on Statelessness #4 2012</a>: ... where children of a national of a Contracting State who would otherwise be stateless are born in a non-Contracting State... the Contracting State of the parents [is required] to grant its</p>	<p>See above.</p>	



Prevention and Reduction – February 2019

				<p>descent (<i>ius sanguinis</i>) if they would otherwise be stateless? Are there any conditions? Are these conditions discriminatory?</p>	<p>nationality to the child (or children) of its nationals born abroad...</p>		
--	--	--	--	--	---	--	--

PRS	5	a	Access to birth registration	Does the law provide that all children are registered immediately upon birth? Can children be registered if parents are undocumented and/or not legally residing in the country (by law)?	<p><a href="#">Convention on the Rights of the Child 1989</a>: The child shall be registered immediately after birth and shall have the right from birth to a name [and] the right to acquire a nationality...</p> <p><a href="#">International Covenant on Civil and Political Rights 1966</a>: Art 24(2)</p> <p><a href="#">Council of Europe, Recommendation CM/Rec (2009) 13 of the Committee of Ministers to member states on the nationality of children</a></p> <p><a href="#">UNHCR Guidelines on Statelessness #4 2012</a>: ... registration of the birth provides proof of descent and of place of birth and therefore underpins implementation of the 1961 Convention...Article 7 CRC ...applies irrespective of the nationality, statelessness or residence status of the parents.</p> <p><a href="#">UNHCR Global Action Plan to End Statelessness 2014-24</a>: Action 7</p> <p><a href="#">UN Sustainable Development Goal 16</a></p> <p><a href="#">UN Human Rights Council, Resolution A/HRC/RES/20/4</a>: ... ensure free birth registration, including free or low-fee late birth registration, for every child...irrespective of his or her immigration status and that of his or her parents or family members...</p>	All births must be registered at the respective District Administration Office within 15 days of the date of birth regardless of the legal status of the parents in Cyprus. The birth must be recorded within three months of the date of birth. There is a fee of 5 EUR to register a birth.	Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)), Article 14: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)
PRS	5	b		Are there credible reports to suggest that children are prevented from registering in practice	As above	Undocumented parents, including stateless persons, may face difficulties in registering the birth of their children, as on instances they were asked to present passports before registration was made. In addition, undocumented parents may not register their children due to fear of being detected as irregular residents. A number of complaints have	Commissioner for Children’s Rights – Cyprus, Θέση της Επιτρόπου, αναφορικά με τη νομοθεσία και τις διαδικασίες/διοικητικές πρακτικές που διέπουν την εγγραφή και έκδοση πιστοποιητικού γεννήσεως: Αποτέλεσμα διερεύνησης παραπόνων, συναντήσεων

				because of parents' status?		been submitted to the Child Commissioner in this regard.	με την Υπουργό Εσωτερικών και λειτουργούς αρμοδίων Τμημάτων, Ιούνιος 2015: <a href="http://www.childcom.org.cy/ccr/ccr.nsf/All/E319805FEBD84E43C22582D3003A7EA7?OpenDocument">http://www.childcom.org.cy/ccr/ccr.nsf/All/E319805FEBD84E43C22582D3003A7EA7?OpenDocument</a> (EL)
PRS	5	c		Are there mandatory reporting requirements for authorities which would deter undocumented parents coming forward to register their children (e.g. health authorities required to report undocumented migrants)?	<a href="#">UNICEF, Access to Civil, Economic and Social Rights for Children in the Context of Irregular Migration, 2012</a> : While there is generally a separation between civil registries and immigration enforcement, undocumented parents may also fear detection, particularly in countries where civil servants have a duty to report undocumented migrants... <a href="#">PICUM, Rights of Accompanied Children in an Irregular Situation, 2011</a> : Certain barriers that prevent access to basic rights for children in an irregular migration situation arise across the registry, health, education and housing sectors. National legislation is often...contradicted by other rules and practices, such as the duty to denounce ...	There are no mandatory reporting requirements for authorities that would deter undocumented parents from coming forward to register their children. However, cases have arisen where undocumented parents are afraid to appear before the authorities, although there is no information indicating that anyone has faced arrest or other consequences.	Commissioner for Children's Rights – Cyprus, Θέση της Επιτρόπου, αναφορικά με τη νομοθεσία και τις διαδικασίες/διοικητικές πρακτικές που διέπουν την εγγραφή και έκδοση πιστοποιητικού γεννήσεως: Αποτέλεσμα διερεύνησης παραπόνων, συναντήσεων με την Υπουργό Εσωτερικών και λειτουργούς αρμοδίων Τμημάτων, Ιούνιος 2015: <a href="http://www.childcom.org.cy/ccr/ccr.nsf/All/E319805FEBD84E43C22582D3003A7EA7?OpenDocument">http://www.childcom.org.cy/ccr/ccr.nsf/All/E319805FEBD84E43C22582D3003A7EA7?OpenDocument</a> (EL)
PRS	6	a	Late Birth Registration	Is there a statutory deadline before which birth registration should be completed? If yes, what is it? Is late birth registration possible by law?	<a href="#">UNHCR Global Action Plan to End Statelessness 2014-24</a> : Low levels of birth registration can be difficult to correct subsequently because procedures for late birth registration have not been established or are lengthy, costly and complex and therefore inaccessible ... <a href="#">UN Human Rights Council, Resolution A/HRC/RES/20/4</a> <a href="#">Council of Europe, Recommendation CM/Rec (2009) 13 of the Committee of Ministers to member states on the</a>	The deadline for the completion of birth registration is 15 days after the child's birth. Late registration is possible by law but subject to late registration fees. In cases where three months have elapsed, registration is possible upon submission of an affidavit and approval of the Registrar, but this is subject to an increased fee.	Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)), Article 16: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)  Cyprus Civil Registry and Migration Department Section website (Issue of Birth Certificate): <a href="http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/239441159081A5CCC2257D1E00248A00?OpenDocument">http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/239441159081A5CCC2257D1E00248A00?OpenDocument</a>

					<a href="#">nationality of children ENS (2015), No Child Should Be Stateless:</a> One of the ways in which states have sought to deal with an intergenerational lack of documentation is by simplifying the procedures for the late registration of births, making it easier for adults who do not have a birth certificate to acquire one, which can subsequently be used to register their own children's births...		
PRS	6	b		Is late birth registration possible in practice?	As above	Late birth registration is possible in practice.	Cyprus Civil Registry and Migration Department Section website (Issue of Birth Certificate): <a href="http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/239441159081A5CCC2257D1E00248A00?OpenDocument">http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/239441159081A5CCC2257D1E00248A00?OpenDocument</a>
PRS	6	c		Are there any additional requirements (e.g. fee) for the late birth registration procedure? Are these problematic or do they cause lengthy delays?	<a href="#">UN Human Rights Council, Resolution A/HRC/RES/20/4</a>	The additional requirements include an affidavit and, although not prescribed in law, the Civil Registry Section requests a higher fee of 150 EUR. The fee can be an obstacle in certain cases, especially for those who are undocumented and/or destitute.	Cyprus Civil Registry and Migration Department Section website (Issue of Birth Certificate): <a href="http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/239441159081A5CCC2257D1E00248A00?OpenDocument">http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/239441159081A5CCC2257D1E00248A00?OpenDocument</a>
PRS	7	a	Reduction	Does the government have any programmes in place to promote civil registration (including birth registration)? If	<a href="#">UNHCR Global Action Plan to End Statelessness 2014-24: Action 7 Council of Europe, 3rd European Conference on Nationality, 11-12 October 2004:</a> Taken together Art 7 & 8 ECHR should be understood to encourage States Parties not only to take positive steps to avoid statelessness – including the promotion of birth registration – but	Currently, there are no programmes issued by the government in Cyprus to promote civil registration.	

				yes, please provide details.	also to grant citizenship to children who would otherwise be stateless...		
PRS	7	b		Are there sections of the population believed to be stateless/at risk of statelessness? Are minorities disproportionately affected? Please provide details and source of information.	<a href="#">UN Convention on the Reduction of Statelessness, 1961</a> Article 9 <a href="#">UNHCR Global Action Plan to End Statelessness 2014-24: Action 4</a>	The following sections of the population are believed to be at risk of statelessness, or stateless: - Children of refugees - Children of mixed marriages where one parent is Turkish Cypriot and the other parent is non-Cypriot and entered or remained in Cyprus irregularly (see PRS 4a above) - Children of Turkish settlers living in the areas not under the control of the Republic may also be at risk of statelessness, although they may have access to Turkish nationality - Stateless Syrian Kurds, citizens of the former Soviet Union, a small number of Uyghurs, as well as Palestinians living without an effective nationality	Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)), Article 109: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)
PRS	7	c		Has the Government implemented any other measures specifically aimed at reducing (risk of) statelessness? (e.g. identification, registration or naturalisation campaigns, removal of treaty reservations, reform of discriminatory	<a href="#">UN Convention on the Reduction of Statelessness, 1961</a> <a href="#">UNHCR Global Action Plan to End Statelessness 2014-24: Action 1, Action 8</a> <a href="#">UNHCR, Good Practices Paper - Action 1: Resolving Existing Major Situations of Statelessness, 2015</a>	The Government has not implemented any other measures aimed at reducing statelessness or the risk of statelessness.	

				laws, etc.)			
PRS	8	a	Withdrawal of nationality	<p>Are there any provisions on loss and/or deprivation of nationality? If yes, are these established in law? If not, where can they be found? Do any loss/deprivation provisions allow for statelessness? If there is a safeguard against statelessness, is it applied in practice?</p>	<p><a href="#">UN Convention on the Reduction of Statelessness, 1961</a>: Article 8: A contracting state shall not deprive a person of its nationality if such deprivation would render him stateless.</p> <p><a href="#">European Convention on Nationality, 1997</a>: Article 7(3): A State party may not provide in its internal law for the loss of its nationality...if the person concerned would thereby become stateless...</p> <p><a href="#">Universal Declaration of Human Rights</a>: Article 15(2) No one shall be arbitrarily deprived of his nationality ...</p>	<p>According to the Law, Cypriot nationality may only be deprived in cases where it was acquired by registration or naturalisation, not by descent. The Council of Ministers may deprive a person registered or naturalised of their nationality where:</p> <ol style="list-style-type: none"> <li>Naturalisation or registration was acquired by fraud, false representations or concealment of material facts.</li> <li>In actions or in words the person showed lack of loyalty or disfavour to the Republic</li> <li>In any war carried out by the Republic the person illegally engaged in a transaction or communicated with the enemy or engaged in, or participated in, any enterprise which in its knowledge was conducted in such a way as to assist the enemy in the war; or</li> <li>within ten (10) years since registration or naturalisation, the person has been sentenced in any country to imprisonment for a particularly heinous offence or for an offence of moral depravity, provided that such conviction concerns an offence which is also an offence in the Republic which is particularly heinous or of moral depravity and is subject to imprisonment</li> <li>if the person has usually resided in foreign countries for a continuous period of seven years and during that period they were not at any time in the service of the Republic or an International Organization of which the Republic is a member; or did not notify each year, as prescribed, the Consulate of the Republic of their intention to maintain the status as a citizen of the Republic.</li> </ol>	<p>Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)), Article 113: <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)</p>

						There is no safeguard against statelessness in law or practice.	
PRS	8	b		Who is the competent authority in any procedure for ordering deprivation of nationality? What procedural guarantees are there? (e.g. judicial oversight, time limit, subject to prior sentencing, appeal rights, legal aid)	<p><a href="#">UN Convention on the Reduction of Statelessness, 1961</a>: Article 8(4): A contracting state shall not exercise a power of deprivation...except in accordance with the law, which shall provide for ...the right to a fair hearing by a court or other independent body.</p> <p><a href="#">European Convention on Nationality, 1997</a>: Article 11: Each state party shall ensure that decisions relating to the acquisition, retention, loss, recovery or certification of its nationality contain reasons in writing...</p>	According to the Law, the Council of Ministers orders deprivation of nationality. The Council of Ministers proceeds only if it is satisfied that it is not in the public interest for the person to continue to be a citizen of the Republic. Before issuing an order for deprivation, the Council of Ministers gives the person a written notice informing them of the reasons. The person is informed of the right to request an investigation. If requested, the Council of Ministers may refer the matter to the Research Committee, appointed specifically for this purpose. The Research Committee consists of the President, who has judicial experience and other members the Council of Ministers deems necessary. There are no time limits and besides the Research Committee the law does not provide for judicial oversight, appeal rights or legal aid. However, a recourse before the Administrative Court may be submitted against the decision, under Article 146 of the Constitution.	<p>Civil Registry Law of 2002 (Ο Περί Αρχείου Πληθυσμού Νόμος του 2002 (141(I)/2002)), Article 113(6)&amp;(7): <a href="http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html">http://www.cylaw.org/nomoi/enop/non-ind/2002_1_141/full.html</a> (EL)</p> <p>Constitution of the Republic of Cyprus (Το Σύνταγμα της Κυπριακής Δημοκρατίας (ΣΥΝΤΑΓΜΑ), Article 146: <a href="http://www.cylaw.org/nomoi/enop/non-ind/syntagma/full.html">http://www.cylaw.org/nomoi/enop/non-ind/syntagma/full.html</a> (EL)</p>
PRS	8	c		Are withdrawal provisions (both for loss and deprivation) applied in practice?		There have been recorded cases of revocation of Cypriot citizenship.	UNHCR Cyprus

Cat	Q	Sub	Subtheme	Question	International Norms/Good Practice	Answer	Source
LIT	1	a	Published judgements	Number of published judgements adjudicating statelessness (broken down by level of jurisdiction). Please list.		There are no judgements adjudicating statelessness in Cyprus.	
LIT	1	b		Number of published judgements mentioning statelessness (broken down by level of jurisdiction). Please list.			
LIT	2	a	Legal training	Is there judicial training on statelessness? If yes, please provide details (e.g. provider, frequency).	<p><a href="#">UNHCR (Good Practices Paper 6)</a>: Officials who may be in contact with stateless persons need to be trained to identify potential applicants for statelessness status and refer them to appropriate channels.</p> <p><a href="#">UNHCR Expert Meeting, Statelessness Determination Procedures and the Status of Stateless Persons 2010</a>: It is recommended that States provide specialised training on nationality laws and practices, international standards and statelessness to officials responsible for making statelessness determinations.</p>	UNHCR in Cyprus delivered training on the protection needs of stateless people in October 2015 as part of its ongoing advocacy and awareness-raising activities towards the adoption of a legal framework for the protection of stateless people in Cyprus. UNHCR regularly organises training seminars and workshops on refugee status determination to eligibility officers of the Asylum Service and Reviewing Authority, which incorporate issues relating to the protection needs of stateless refugees. On the job training and legal and technical advice is also provided to eligibility officers in the framework of UNHCR’s supervisory role monitoring the refugee status determination procedure, and at the request of the authorities. Trainings may also be open to other stakeholders and service providers, including the judiciary.	



LIT	2	b		Is there training for lawyers on statelessness? If yes, please describe.	<a href="#">UNHCR Expert Meeting, Statelessness Determination Procedures and the Status of Stateless Persons 2010</a> : as above	See above.	
LIT	3	a	Pro Bono	Are there specialised lawyers, law firms or organisations providing free advice to stateless persons or those at risk of statelessness? If yes, please describe.	<a href="#">UNHCR (2014), Handbook on Protection of Stateless Persons</a> : Applicants are to have access to legal counsel. <a href="#">UNHCR (Good Practices Paper 6)</a> : Gives the example of Liverpool Law Clinic providing legal assistance to stateless clients in the UK.	There are no specialised lawyers or law firms in Cyprus that handle issues related to statelessness. Only NGOs and lawyers working with NGOs who are active in the fields of refugee law and asylum issues provide advice to people who are stateless or at risk of statelessness.	Cyprus Refugee Council: <a href="https://cyrefugeecouncil.org">https://cyrefugeecouncil.org</a>  UNHCR Cyprus: <a href="http://www.unhcr.org/cyprus.html">http://www.unhcr.org/cyprus.html</a>  AIDA Country Report: Cyprus, December 2017: <a href="http://www.asylumineurope.org/reports/country/cyprus/information-asylum-seekers-and-access-ngos-and-unhcr">http://www.asylumineurope.org/reports/country/cyprus/information-asylum-seekers-and-access-ngos-and-unhcr</a>
LIT	4	a	Literature	Is there domestic academic literature on statelessness? If possible, please list and provide references and hyperlinks (where available).		There is no academic literature on statelessness in Cyprus.	