



# HUMANITY BEYOND BORDERS

Monitoring Report on Refugee Rights  
in the northern part of Cyprus  
2023



Funded by  
the European Union

  
**İnsan  
Hakları**  
Platformu  
Human Rights Platform

Monitoring Report on **Refugee Rights**  
in the northern part of Cyprus  
January - December 2023

**Prepared by**  
Aslı Murat

**Contributors**  
Ali Dayıođlu - **Editor**  
Deniz Altıok - **Expert Opinion**

**Published by**  
Human Rights Platform

**First Edition**  
December 2024, Lefkoşa

**Design**  
Cypdes Factory Advertising

 **Ahmet Sadık Street, Temel 1 Apt. No 6, Köşklüçiftlik, Nicosia**

 **insanhaklariplatformu@gmail.com**

 **ihp.hrp**  **ihp.hrp**  **ihp\_hrp**



This publication was funded by the European Union. Its contents are the sole responsibility of the Human Rights Platform and do not necessarily reflect the views of the European Union.

  
**İnsan  
Hakları  
Platformu**  
Human Rights Platform

# CONTENTS

<b>Executive Summary</b> _____	<b>5</b>
<b>Introduction</b> _____	<b>6</b>
<b>Methodology</b> _____	<b>7</b>
<b>Context/Background</b> _____	<b>8</b>
<b>Comparative Analysis of Findings between 2022 and 2023</b> _____	<b>10</b>
<b>Thematic Analysis on the Rights of Refugees to Asylum, Non-Penalisation, and Non-Refoulement in 2023</b> _____	<b>11</b>
<b>Conclusion and Recommendations</b> _____	<b>16</b>



# EXECUTIVE SUMMARY

This report identifies incidents that occurred throughout 2023 in the northern part of Cyprus in relation to refugee rights, the gaps in 'legislation' and practice, and the resulting violations of rights. According to international law, many human rights also apply to refugees. However, due to the absence of an asylum system or enforceable domestic 'legislation' in the northern part of Cyprus, these rights remain largely unenforced. Consequently, our monitoring efforts in 2023 have focused on the practices of arrest, prosecution, penalisation, and deportation of asylum seekers and refugees.

Due to the political structure in the northern part of Cyprus not being recognised internationally, it is also excluded from the monitoring mechanisms of human rights conventions. Nevertheless, many conventions regulating refugee rights have been unilaterally incorporated into 'domestic law' under article 90 of the 'constitution'. Within this framework, the defined rights should be recognised, and the requisite mechanisms for implementation established. However, 'local authorities' have yet to fulfil their obligations towards asylum seekers and refugees, as they have not even established a basic, workable asylum system to date.

As mentioned earlier, many human rights conventions produced by the United Nations (UN) and the Council of Europe (CoE) that have a direct link to refugee rights have been incorporated into 'domestic law'.<sup>1</sup> Nevertheless, the most fundamental principles of refugee rights, namely the recognition of the right to asylum, the determination of refugee status, the principles of non-refoulement and non-deportation, the prohibition of torture and ill-treatment, and the non-penalisation for actions arising from refugee status, continued to be violated throughout 2023. It is also not possible to say that fair trials have been conducted, due to the absence of any judicial aid system and the failure of the local body to provide access to independent and free of charge interpreters for languages other than English. At this juncture, despite not being able to address every case, the Refugee Rights Association (RRA)<sup>2</sup> provides the only civil society effort in the northern part of Cyprus aimed at enhancing access to human rights<sup>3</sup> for 'legally' residing asylum seekers and refugees, and providing 'legal' support to those who enter the northern part of Cyprus irregularly. In this context, the RRA launched a campaign in 2023, called 'I AM HERE', to contribute to the education of refugee children, and to raise awareness in the community, by sharing the stories of refugee children.

As in previous years, in 2023, asylum seekers and refugees<sup>4</sup> – children, young people, the elderly, women, and men—who entered the northern part of Cyprus irregularly by sea or land were prosecuted, penalised, and subsequently deported without being subjected to any risk assessment. At this point, in order for refugees fleeing war and persecution and seeking asylum in the northern part of Cyprus to be able to enjoy fundamental human rights, a workable asylum system must first be established, and until then, with few exceptions, they should not be arrested, prosecuted, penalised and deported for crimes committed as a result of their refugee status (irregular entry to the island can be referred to in this context).

Consequently, to prevent violations in the field of refugee rights, it is imperative to update the 'legislation' that will pave the way for establishing an asylum system. This can be achieved by amending 'chapter 105, the law on aliens and immigration', and by incorporating asylum seekers and refugees within the scope of this 'law'. Such updates will enable the creation of the necessary legal infrastructure to ensure that asylum seekers can access their fundamental human rights.

<sup>1</sup> European Convention on Human Rights (1962), UN Convention Relating to the Status of Refugees (1954), UN Convention on the Rights of the Child (1996), UN Convention on the Elimination of All Forms of Discrimination against Women (1976), UN International Covenant on Civil and Political Rights (2004), UN International Covenant on Economic, Social and Cultural Rights (2004), UN International Convention on the Elimination of All Forms of Racial Discrimination (2004), UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2004), UN International Convention on the Rights of Persons with Disabilities (2010), Council of Europe (CoE) Istanbul Convention (2011).

<sup>2</sup> Refugee Rights Association. Website: <https://mhd.kibris.com/>. Accessed: 13/07/2024.

<sup>3</sup> <https://www.yeniduzen.com/burdayim-165844h.htm>

<sup>4</sup> A refugee is someone who has been forced to flee his or her country because of persecution, war or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. Most likely, they cannot return home or are afraid to do so. War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries. An asylum seeker is a person who seeks international protection as a refugee but whose status has not yet been officially recognised. The term is generally used to refer to people who are waiting for the government or the United Nations High Commissioner for Refugees (UNHCR) to decide on their application for refugee status.

<https://www.unrefugees.org/refugee-facts/what-is-a-refugee/> Accessed: 15/07/2024.

# INTRODUCTION

The aim of this report is to highlight the rights violations experienced by asylum seekers and refugees residing in or entering the northern part of Cyprus through irregular routes along the northern coastline and overland through the Green Line throughout 2023. It focuses particularly on their rights to access asylum, non-penalisation, non-refoulement, and social assistance. Furthermore, the report seeks to identify existing shortcomings concerning access to justice for asylum seekers and refugees, particularly in terms of fair trials, and to develop solutions for providing legal aid and interpreter support.

It is of paramount importance that individuals needing international protection have access to fair and effective asylum procedures. In this context, enhancing access to protection services is crucial. However, in the case of the northern part of Cyprus, beyond enhancement, there is a need to establish an asylum system.

Initially, it is necessary to implement 'legislation' that is applicable and takes into account of the northern part of Cyprus specific conditions. Subsequently, the rights recognized within the framework of the obtained refugee status can be evaluated, and integration efforts can be made to facilitate harmony between asylum seekers, refugees, and the community.

The failure to provide the right to asylum does not deter arrivals to the island, frequently resulting in the deaths of asylum seekers in sinking boats. The current situation compels asylum seekers and refugees, fleeing war and persecution, to attempt entry into the northern part of Cyprus via irregular routes, being penalised and deported in violation of international human rights principles. This violates the most fundamental principle of non-refoulement. Actually, risk assessments ought to be conducted, and individuals who are likely to face torture, ill-treatment, or life-threatening violations upon return must not be deported under any circumstances. Deportations carried out without such an assessment and without establishing a control mechanism to assess the conditions faced upon return are opening the door to grave human rights violations. It is worth noting that there is currently no information available regarding the fate of the asylum seekers deported from the northern part of Cyprus.<sup>5</sup>

As was the case in 2022, no asylum system has been established in 2023. Individuals needing international protection have been detained, tried, penalised, and deported without any risk analysis, thereby making it impossible to recognise the rights associated with the aforementioned status.

As a result, the monitoring efforts for 2023 has primarily focused on ensuring and recognising refugee status, and adhering to the principles of non-penalisation and non-refoulement.

---

<sup>5</sup> ECHR, *NA v UK*, No.25904/07, 17 July 2008, ECHR, *Salah Sheekh v Netherlands*, No. 1948/04, 11 January 2007, para. 148; ECtHR, *R.C. v Sweden*, No. 41827/07, 9 March 2010, para. 50, ECtHR, *D. v United Kingdom*, 2 May 1997, ECtHR, *Salah Sheekh v Netherlands*, 11 January 2007.

# METHODOLOGY

This report was compiled using data obtained from information requests submitted to ‘ministries’, the ‘attorney general’s office’, ‘prison’ and ‘police directorates’, as well as from scanning press releases on asylum seekers and refugees who entered the northern part of the island via irregular routes. In addition, interviews were conducted with the lawyer and social counsellor of the RRA, an organisation dedicated to refugee rights that provides social and legal support to asylum seekers and refugees entering the northern part of Cyprus through both legal and irregular routes.

Furthermore, legal findings and assessments were conducted in line with the local ‘legislation’<sup>6</sup> in the northern part of Cyprus and international regulations. Reports from the EU and UNHCR for the year 2023 were also utilised. Numerical data collected during the monitoring process in 2022 was documented in a table within the report. The situations in 2022 and 2023 were evaluated through comparative analysis.

---

<sup>6</sup> All ‘legislation’ and ‘case law’ in the northern part of Cyprus can be accessed through the website: <https://www.mahkemeler.net>



# CONTEXT / BACKGROUND

According to findings by the UNHCR, the number of globally displaced people reached 110 million by the end of June 2023, an increase of 1.6 million compared to the end of 2022. Considering that the conflicts in Gaza began on 7 October 2023, it is not difficult to predict that this number has increased significantly. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) reported that, by the end of 2023, 70% of the 1.7 million displaced persons in the Gaza Strip were Palestinian refugees under the jurisdiction of UNRWA.<sup>7</sup>

According to UNHCR's 2023 Mid-Year Trends Report,<sup>8</sup> the main causes of forced displacement in the first half of the year were the war in Ukraine, conflicts in Sudan, the Democratic Republic of the Congo, and Myanmar, the combination of drought, floods and insecurity in Somalia, and the protracted humanitarian crisis in Afghanistan. Globally, 69% of those forcibly displaced have sought refuge in neighbouring countries. 1/3 of them were from Syria, Afghanistan, and Ukraine. While the number of Syrians declined slightly in the first six months of 2023, they remained the largest group (13.3 millions) as they have over the past decade. More than a quarter of Ukraine's population has also been displaced.

According to the European Union Asylum Agency (EUAA), asylum applications to the EU increased by 18 per cent in 2023, reaching 1.14 million. Besides Syria, other prominent regions of origin were listed as South America, North Africa and Africa.<sup>9</sup>

In its role of ensuring the uniform interpretation and application of EU law, the Court of Justice of the European Union (CJEU) has highlighted several pressing issues. These encompass effective access to asylum procedures, the implementation of the Dublin Procedure,<sup>10</sup> the admissibility of international protection applications, and the scope and legality of detention subject to judicial review.<sup>11</sup> In the case of the northern part of Cyprus, as in previous years, 2023 continued to witness significant human rights violations, particularly in terms of access to procedures and adherence to the principle of non-penalisation, primarily because no asylum seeker/refugee reception procedure has yet been established.

In its 2023 Global Report, UNHCR emphasised the necessity of supporting forcibly displaced and stateless individuals under six key areas: protection, providing a safe environment, improving access to fundamental human rights, providing safe solutions to problems, promoting economic growth, and fostering inclusion in public services. The report also emphasised the overall importance of social and economic empowerment and integration into society.<sup>12</sup>

In the northern part of Cyprus, although the majority of arrivals have been from Syria, Iraq and the broader Middle East, a small number of Ukrainian and Russian nationals have also arrived following the Russian invasion of Ukraine, a situation labelled<sup>13</sup> as the most severe displacement crisis since World War II. The 'administration' in the northern part of Cyprus has even taken measures to facilitate these arrivals from Ukraine.<sup>14</sup> Nevertheless, the remote visa policy applied to Syrians was still in effect as of December 2023.

7 Web site: <https://www.unhcr.org/refugee-statistics/insights/explainers/forcibly-displaced-pocs.html> Accessed: 18/07/2024.

8 The UN Refugee Agency, Mid-year trends 2023, Website: <https://www.unhcr.org/mid-year-trends-report-2023> Accessed: 18/07/2024.

9 'Asylum applications to the EU in 2023 exceeded 1 million, applications from Turkey increased by 82 per cent'

<https://tr.euronews.com/2024/02/28/2023te-abye-iltica-basvurulari-1-milyonu-asti-turkiyeden-basvurular-yuzde-82-artti>. Accessed: 18/07/2024.

10 The Dublin procedure is an important procedure regulating asylum applications between the member states of the Schengen area.

11 It prevents people from making multiple asylum claims in different countries and ensures clarity as to which country is responsible for processing asylum claims.

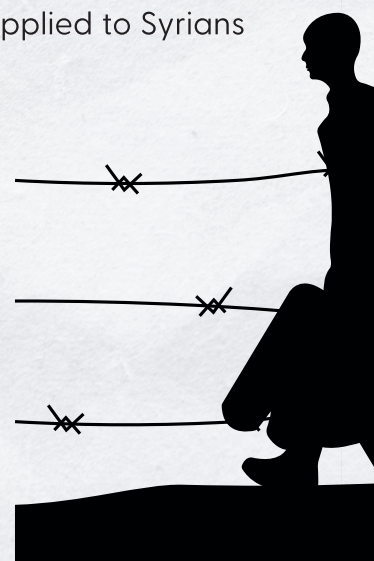
12 EUAA European Union Agency for Asylum, Asylum Report 2023 Executive Summary, European Union Official Publications Office, 2023, p. 11:

<https://euaa.europa.eu/tr/publications/signma-raporu-2023-yoneticisi-ozeti>. Accessed: 18/07/2024.

13 UNHCR GLOBAL REPORT 2023, <https://reporting.unhcr.org/global-report-2023-executive-summary> Accessed: 18/07/2024.

14 A.g.k. p. 8. Website: <https://euaa.europa.eu/publications/asylum-report-2023-executive-summary>. Accessed: 18/07/2024.

14 Asli Murat, Humanity Beyond Borders - 2022 Refugee Rights Monitoring Report in the northern part of Cyprus, Published by: Human Rights Platform, p. 10: [https://insanhaklariplatformu.eu/uploads/mu%CC%88iteci\\_haklar%C4%B1\\_raporu\\_SMALL%20\(1\).pdf](https://insanhaklariplatformu.eu/uploads/mu%CC%88iteci_haklar%C4%B1_raporu_SMALL%20(1).pdf). Accessed: 05/07/2024.





The small size of the island, potential demographic changes, crime/violence-related behaviours and the occasional irregular crossings across the Green Line have significantly dominated the agendas of both the Greek Cypriot and Turkish Cypriot communities in 2023. The current conditions of division have also been turned into opportunities by human traffickers, leading to greater exploitation and even deception of asylum seekers. Besides politicians' statements and actions, surveys assessing public perception have been conducted. One such survey revealed that within the Greek Cypriot community, there is a prevalent view that Cyprus lacks the capacity to accept more asylum seekers. The survey results showed that 86.5% of participants supported a cap on refugee admissions, 44.3% stated that refugees and asylum seekers should leave the country, 29.5% were in favour of allowing refugees and asylum seekers to reside on the island, 51.5% felt they should return to their own countries, and 28.5% opined that those residing for five years should be eligible for citizenship rights.<sup>15</sup>

When reviewing news reports, the following information stood out:

- As of July 2024, the number of individuals arriving by air in the northern part of Cyprus and subsequently crossing the Green Line into areas controlled by the Republic of Cyprus has reached 4,411.<sup>16</sup>
- Given the division of Cyprus and human trafficking issues at its borders, the movement of refugees and asylum seekers was seen as a serious concern by both administrations, especially the Republic of Cyprus.<sup>17</sup>
- The Minister of Interior of the Republic of Cyprus, Konstantinos Yuannu, has alleged that student visas issued by the 'Turkish Cypriot authorities' are being used to seek asylum in Cyprus.<sup>18</sup>
- It has been asserted that the Republic of Cyprus has become the EU country receiving the highest number of asylum applications in the past five years, with 95 percent of refugees reaching the island via Turkey and the northern part of Cyprus.<sup>19</sup>

15 Perceptions of Cypriots about Refugees, Asylum-seekers and Migrants - Nicosia, March 2023. Web sitesi:

[https://www.unhcr.org/cy/wp-content/uploads/sites/41/2023/03/UNHCR-Opinion-Poll-Full-Report\\_March-2023.pdf](https://www.unhcr.org/cy/wp-content/uploads/sites/41/2023/03/UNHCR-Opinion-Poll-Full-Report_March-2023.pdf), s. 5. Accessed 18/07/2024.

16 Operational Data Portal, Mediterranean Situation, Web sitesi:

[https://data.unhcr.org/en/situations/mediterranean?ID=13&\\_gl=1\\*prvwt\\*\\_ga\\*MTM0MTU0Nzc2Ny4xNzIxMjM5MDk4\\*\\_ga\\_OSHT7QBS25\\*MTcyMTMzNTU3MC40LjEuMTcyMTMzNTYxO-S4xMS4wLjA.\\*\\_rup\\*\\_ga\\*MTM0MTU0Nzc2Ny4xNzIxMjM5MDk4\\*\\_rup\\*\\_ga\\_EVDTJ4LjE4\\*MTcyMTMzNTU3MC40LjEuMTcyMTMzNTYxO-C4xMi4wLjA](https://data.unhcr.org/en/situations/mediterranean?ID=13&_gl=1*prvwt*_ga*MTM0MTU0Nzc2Ny4xNzIxMjM5MDk4*_ga_OSHT7QBS25*MTcyMTMzNTU3MC40LjEuMTcyMTMzNTYxO-S4xMS4wLjA.*_rup*_ga*MTM0MTU0Nzc2Ny4xNzIxMjM5MDk4*_rup*_ga_EVDTJ4LjE4*MTcyMTMzNTU3MC40LjEuMTcyMTMzNTYxO-C4xMi4wLjA). Accessed: 18/07/2024

17 <https://www.yeniduzen.com/hloraka-bolgesindeki-multeci-sitesi-bosattiliyor-165819h.htm>.

<https://www.yeniduzen.com/yesil-hat-boyunca-cekilen-demir-parmakliklar-turkiye-menseli-157245h.htm> , <https://www.yeniduzen.com/yesil-hat-icin-ozel-birim-151087h.htm> ,

<https://www.yeniduzen.com/duzensiz-gocmenlerle-ilgili-dogu-akdeniz-eylem-plani-avrupali-buyukcelilere-sunulaca-163680h.htm> ,

<https://kibrisgazetesi.com/baskanlik-sarayinda-multeci-sorunuyula-ilgili-toplanti/>

<https://kibrisgazetesi.com/yeil-hat-kameralarla-donatilyor-rumlar-kaak-mlteci-sorununu-ab039ye-kantlanacak/> Accessed: 14/07/2024

18 <https://www.yeniduzen.com/kibris-turk-otoritelerinin-verdigi-ogrenci-vizeleri-siginma-talebi-icin-kullaniliyor-163558h.htm> ,

<https://www.yeniduzen.com/lefkosa-brukselden-goc-icin-acil-bir-eylem-plani-hazirlanmasini-talep-etti-161839h.htm> Accessed 14/07/2024

19 <https://kibrisgazetesi.com/anastasiadis-ab-mlteciler-olaanst-zirvesi-in-brksele-gidiyor/> Accessed 14/07/2024



# COMPARATIVE ANALYSIS OF FINDINGS BETWEEN 2022 AND 2023

In 2023, escalating conflicts in countries such as Gaza, Sudan, Ukraine, Afghanistan, Syria, Yemen, Myanmar, Nigeria, led to a significant increase in migration movements of people fleeing war and persecution towards the West. The fact that the majority of the aforementioned conflict zones are in the immediate vicinity of the island has caused asylum seekers and refugees to use the northern part of Cyprus as a transit route. While there were no irregular arrivals from Palestine-Gaza or Sudan to the northern part of Cyprus in 2022, asylum seekers from these regions did arrive in 2023.

Since April 2023, the political and socio-economic situation in Sudan has deteriorated. In mid-December 2023, the conflict escalated to Al Jazeera State displacing more than 500,000 people. The conflict has internally displaced 6 million Sudanese, while another 1.7 million were forced to flee to safer locations.<sup>20</sup> Consequently, according to the UN, the conflict in Sudan, which has resulted in the world's largest displacement crisis, have led to the deaths of over 13,000 people.

In 2023, as in 2022, individuals predominantly of Syrian origin entered the northern part of Cyprus through irregular routes. The pre-visa procedure for arrivals from "Armenia, Nigeria and Syria", as mentioned in the previous report, makes it impossible for them to arrive legally. The 2023 monitoring table also includes Syrian and Nigerian nationals. Visas can be issued at the arrival point for everyone except the citizens from these countries.

As noted in the 2022 report, asylum seekers and refugees who entered the northern part of Cyprus via irregular routes, regardless of whether they were adults or children, were detained, tried, convicted and awaited the completion of their sentences in Yıldız Dormitory, which served as a prison/detention facility.

In cases where individuals were arrested upon arriving by boat to the island from the northern coastline, the 'police general directorate' frequently notified the Human Rights Association (RRA) to facilitate the provision of legal assistance. Instances of asylum seekers being apprehended for 'illegally' crossing the borders of the UN Buffer Zone have occasionally been detected and addressed with legal support, following the RRA's monitoring of news reports. In 2023, no 'state-funded' legal aid was extended to asylum seekers or refugees. Free of charge interpretation services were typically arranged through the RRA.<sup>21</sup> However, there continued to be a lack of interpreters for languages such as Arabic, French, as well as for the very diverse language groups spoken by people of African descent.

<sup>20</sup> [https://reporting.unhcr.org/sites/default/files/2024-06/EHGL%20-%20Sudan%20ARR%202023\\_0.pdf](https://reporting.unhcr.org/sites/default/files/2024-06/EHGL%20-%20Sudan%20ARR%202023_0.pdf) Accessed: 14/07/2024.

<sup>21</sup> RRA Asylum Empowerment Project Interview with Ms Melis Türkkal. Date: 02/07/2024.

# THEMATIC ANALYSIS ON THE RIGHTS OF REFUGEES TO ASYLUM, NON-PENALISATION, AND NON-REFOULEMENT IN 2023

Throughout 2023, asylum seekers and refugees entering the northern part of Cyprus through irregular routes were consistently detained, penalised, and subsequently deported. The vast majority of trials that took place in the northern part of Cyprus garnered media attention. Not only were asylum seekers and refugees tried, but individuals who had played a role in facilitating their entry and allegedly committing human trafficking offences, were brought before the 'court' in almost every instance.

As reported in the news, arrivals through irregular routes either ended in death or took place under inhumane conditions. A number of 'judges', taking the initiative, ordered that women and children, excluding adult males, be placed in Yıldız Dormitory instead of 'prison'. In cases involving unaccompanied minors, these children were ordered to be placed in the care of Social Services' children's dormitories.<sup>22</sup>

In 2023, two cases have been concluded involving individuals who facilitated irregular arrivals and were charged with human trafficking. In one case, the defendants were sentenced to two years in 'prison', and in the other, four years. In both cases, it was emphasised by the 'court' that the human traffickers, by violating 'legal regulations' on entry, exit, and stay in the northern part of Cyprus, not only harmed the public interest but also exploited the desperate circumstances of 'migrants' who were fleeing their home countries. Importantly, the 'court' emphasised that these traffickers took advantage of the migrants' urgent need to escape, leading to situations where even the lives of these 'migrants', the true victims of the crime, were put at risk. This exploitation allowed the traffickers to profit unjustly from the 'migrants'.<sup>23</sup>

According to the outcome of the petition submitted to the 'central prison directorate' on 14 June 2024, the information about individuals who entered the northern part of Cyprus irregularly from January 1, 2023 to November 31, 2023, based on their own statements,<sup>24</sup> is as follows:

- Those convicted or detained are housed in the old 'prison' because the new prison has reached full capacity.
- There were no prisoners of Syrian origin in the 'prison' during this period.
- A total of 35 individuals awaiting trial were detained, with 6 under the age of 21 and 29 detainees aged 21 and over. Additionally, 32 were male and 3 were female.
- 16 individuals received legal assistance.
- Interpreter assistance was provided by the 'prison' staff.
- There have been no reports of crimes committed against the inmates during their incarceration time; nor have any complaints been filed in this regard.
- 5 'irregular migrants' were placed in solitary confinement where they were kept for 3 days due to a quarrel among themselves.
- The wards for these individuals includes 1 TV room (25 m<sup>2</sup>), 3 bathrooms (14 m<sup>2</sup> each), 3 toilets (14 m<sup>2</sup> each), 4 large bedrooms (totaling 80 m<sup>2</sup>), and an intermediate corridor (89 m<sup>2</sup>). Each bedroom contains 4 bunk beds.
- During their incarceration, all food, clothing and hygiene needs for each convict or detainee are provided by the 'prison'.
- No refugees have been killed or injured in 'prison'.

<sup>22</sup> <https://www.yeniduzen.com/bu-sozler-yasanan-drami-ozetledi-38-kisi-araca-sikistirildik-nefes-alamadik-16780h.htm>, <https://www.yeniduzen.com/catalkoyde-insan-kacakligi-160452h.htm>, <https://www.yeniduzen.com/30-suriyeli-gocmen-ve-2-insan-kacakcisi-tutuklandi-159924h.htm>, <https://www.bagimsiz.com/suriyeli-multeciler-og-ile-am-mahkemeye-cikarildi>, <https://www.bagimsiz.com/tira-saklanan-multeci-kadini-gumrukculer-tespit-etti>, <https://www.bagimsiz.com/17-multeci-merkezi-cezaevine-cocuk-olan-3-kisi-ise-ogrenci-yurduna-gonderildi>, <https://www.bagimsiz.com/catalkoyde-esentepe-arasinda-40-duzensiz-gocmen-ile-2-insan-kacakcisi-tespit-edildi> Accessed: 10/07/2024.

<sup>23</sup> <https://www.bagimsiz.com/bademlikoyde-24-multeci-guney-kibrisa-gecirmeye-caliskan-yakalan-anahmet-guzelaydin-aleyhindeki-dava-karara-baglandi>, <https://www.bagimsiz.com/insan-kacakligi-meselesinde-yakalan-tir-soforu-ile-iki-multeci-cezaevine-gonderildi>, <https://www.bagimsiz.com/insan-kacakligi-sucuyla-gocmenlerin-yasam-haklari-ve-vucut-butunlukleri-tehlike-altina-giriyor> Accessed: 10/07/2024.

<sup>24</sup> This information is taken from the information request submitted to the 'central prison' on 14 June 2024.

When the ‘prison administration’ was asked about the origin of asylum seekers and refugees who were tried and convicted after entering the northern part of Cyprus irregularly and/or in violation of the ‘law’, a very broad answer was given. It stated:

### **VIOLATION OF ‘PROHIBITED MILITARY ZONE’:**

SYRIA: 35  
INDIA: 4  
TURKEY: 2  
AFGHANISTAN: 1  
BANGLADESH: 1  
PALESTINE: 1

### **UNAUTHORISED RESIDENCE:**

TURKEY: 11	LIBERIA: 1
NEPAL: 1	IRAN: 1
PAKISTAN: 9	SRI LANKA: 1
BANGLADESH: 12	GUINEA: 1
GHANA: 1	CHAD: 1
CAMEROON: 2	TURKMENISTAN: 4
CONGO: 8	RWANDA: 1
NIGERIA: 15	SUDAN: 1
ZIMBABWE: 1	

Due to the absence of ‘legislation’ and a system for determining asylum seeker or refugee status, it is not possible to assert that all individuals who enter the northern part of Cyprus via irregular routes, as classified above by their countries of origin, are asylum seekers or refugees. This is because no data are maintained in this regard.

In a request submitted to the ‘ministry of education’ on 14 June 2024 to identify refugee or asylum-seeking children of school age, information was requested regarding the number of asylum seeking/refugee/Syrian children or children with humanitarian residence permits in the northern part of Cyprus, as well as their educational levels, ages, ethnic backgrounds, genders, and disability status. However, the response given on 3 July 2024 stated that there were no refugee or asylum-seeking children at the secondary education or vocational training levels. Furthermore, it was noted that concerning primary education, in MEBBIS, the system used by the ‘ministry’, all children in the northern part of Cyprus who do not hold Turkish Cypriot or Turkish citizenship are registered under the category “other”, with no separate citizenship data collected. Meanwhile, Nagehan Gökler Gürkaya, the Head of Social Affairs at the Refugee Rights Association (RRA), reported that in 2023, there were around 120–130 refugees ‘legally’ residing in the northern part of Cyprus, of whom 29 were children, including 12 of school age. She also noted that one of these children was living with their older sister, without the presence of a parent. Additionally, she provided the information that there was one disabled refugee among the adults.

Although a formal asylum system does not currently exist in the northern part of Cyprus, a process is in place for asylum seekers entering the northern part of Cyprus through regular means who reach the RRA. The system, which had been in operation in 2022 and even earlier, continued into 2023. Asylum seekers who were granted a “protection document” following interviews conducted by the RRA and UNHCR were able to obtain refugee status and ‘legally’ reside in the northern part of Cyprus with that document.

Gürkaya noted that compared to previous years, there was a significant increase in arrivals from Sudan, Yemen, Palestine, and Syria in 2023. This increase, particularly from Sudan and Palestine, was observed to be in parallel with conflicts in those countries.

Gürkaya also highlighted that the RRA provided material support not only to those arriving ‘legally’ but also to individuals who arrived irregularly and were arrested, awaiting in ‘prisons’ or other detention facilities. She further stated that the RRA worked in cooperation with the Red Crescent, the ‘ministry of health’, and the ‘department of social services’ to meet these individuals’ needs.<sup>25</sup>

In addition to providing legal support and judicial assistance to asylum seekers and refugees, the RRA, through lawyer Melis Türkkal, continued to offer judicial assistance to individuals arriving by boat or entering the northern part of Cyprus via irregular routes through the Green Line. A proposal submitted to the ‘ministry of labour and social security’ in February 2023, which would have enabled refugees to access ‘social services’, could not be advanced further due to the change of the ‘minister’. Consequently, refugees residing in the northern part of Cyprus remained unable to benefit from ‘social services’ assistance in 2023 due to ‘legislative’ inadequacies.

The asylum seekers and/or refugees listed below were identified by the ‘police’ for arriving by boats via irregular routes and for violating the prohibited ‘military’ zone (Green Line violation). In the current practice, it was observed that those arriving by boat faced trials for lesser offenses, had shorter detention periods, and were subjected to expedited deportation processes. In cases involving violations of the prohibited ‘military’ zone, the trials and subsequent prison sentences were followed by deportation procedures that took approximately two months to complete. With the approval of the Directorate General of Migration Management in Turkey, these individuals continued to be deported to Turkey.

Individuals arriving by boats via irregular routes faced detention periods ranging from a minimum of five days to a maximum of approximately one month. Following the completion of their incarceration, everyone slated for deportation was transferred to Yıldız Dormitory. In 2023, it was alleged that a child who resisted having their hair shaved in the old ‘prison’ was subjected to violence by a guard. The RRA filed a complaint and requested an investigation against the involved guard, but as of December 2023, no conclusive results had been obtained.<sup>26</sup> A significant point to note is that all trials conducted in 2023 resulted in convictions.

<sup>25</sup> Interview with Nagehan Gökler Gürkaya, Social Counsellor of the RRA Asylum Empowerment Project, Psk. Counsellor Nagehan Gökler Gürkaya. Date: 02/07/2024.  
<sup>26</sup> Interview with Melis Türkkal, lawyer of the RRA Asylum Empowerment Project, conducted on 2 July 2024.



**ASYLUM SEEKERS WHO ENTERED THE NORTHERN PART OF CYPRUS  
IRREGULARLY AND TO WHOM THE RRA PROVIDED JUDICIAL ASSISTANCE**

MONTH	NATIONALITY	TOTAL NUMBER	WOMAN	MALE	FEMALE CHILD	MALE CHILD
December 23	Syria	41		40		1
November 23	Iraq Yazidi	1		1		
	Palestine	2		1		1
	Sudan	1		1		
	Syria	100	5	76	3	16
October 23	Afghan	5	1	4		
	Congo	1		1		
	Palestine	1		1		
	Russian	1		1		
	Syria	62	4	44	4	10
September 23	Afghan	3	1	1		1
	Egypt	1		1		
	Syria	42	4	32		6
August 23	Liberia	1		1		
	Syria	20		18		2
July 23	Afghan	4	3	1		
	Congo	1		1		
	Nigeria	3		3		
	Syria	29	2	21		6
June 23	Lebanon	1		1		
	South Sudan	1		1		
	Sudan	7		7		
	Syria	6		5		1
May 23	Cameroon	1	1			
	Sudan	1		1		
	Lebanon	1		1		
	Syria	24		24		
April 23	Palestine	1		1		
	Syria	39		39		
March 23	Lebanon	1				1
	Palestine	1		1		
	Syria	94	9	62	3	20

MONTH	NATIONALITY	TOTAL NUMBER	WOMAN	MALE	FEMALE CHILD	MALE CHILD
February 23	Cameroon	1		1		
	Iran	1		1		
	Zimbabwe	1		1		
	Syria	27		27		
January 23	Somalia	1		1		
	Palestine	2		2		
	Syria	99	6	65	9	19

On June 14, 2024, an information request was submitted to the ‘police general directorate’ (PGD). The response provided on July 29, 2024, indicated that in 2023, 106 Syrian nationals who arrived in the northern part of Cyprus through ‘legal’ channels such as land, sea, and air ports were prevented from entering. It was noted that there were no records identifying these individuals as “asylum seekers or refugees”. The primary reason for this entry barrier is the pre-visa requirement imposed on Syrians, which mandates obtaining a visa before arrival. Individuals who fail to secure a visa are denied entry. Due to the absence of an asylum system, asylum claims at entry points cannot be evaluated, resulting in the direct deportation of individuals. Furthermore, no records are kept regarding the disabilities or sexual orientations of these individuals.

Apart from these, the ‘PGD’ stated that in 2023, the deportees consisted of 376 men and 29 women, totalling 405 individuals, all of whom were Syrian nationals. However, interviews conducted with officials from the RRA revealed that there were also asylum seekers from regions other than Syria. The age distribution of the asylum seekers was as follows: 0-18 years: 61, 19-30 years: 228, 31-40 years: 83, 41-50 years: 31, 51-60 years: 1 and 61-70 years: 1 person. It was also reported that in 2023, ‘legal proceedings’ were initiated against five male Syrian citizens for “escaping from legal custody”. Consequently, individuals who should have been under protection faced penal actions for both “illegal entry” and “escaping from legal custody”.

# CONCLUSION AND RECOMMENDATIONS

The world's attention is currently focused on the humanitarian disaster in Gaza. However, the tragedy is not confined to Gaza alone. In parallel with escalating conflicts, the global number of displaced individuals has increased by 1.6 million since the end of 2022, reaching 110 million by the end of June. The UNHCR reports that, in the three months from June to the end of September, the number of forcibly displaced individuals rose by 4 million, reaching 114 million.<sup>27</sup> Furthermore, UNRWA has stated that 1.7 million people in Gaza (75 per cent of the population) have been displaced by the end of 2023, and that a number of Palestinian refugees have been displaced more than once.<sup>28</sup>

Refugee status confers numerous rights that enable living under humane conditions, including access to shelter in a safe environment, social and economic empowerment, and integration into the local community. Since 2022, no asylum system has been established in the northern part of Cyprus, and as in the past, asylum seekers entering the northern part of Cyprus irregularly via land and the coastline have been prosecuted when detected, detained under inhumane conditions and sentenced to 'prison'. They have awaited the completion of their deportation procedures either in 'prison' or in the Yıldız Dormitory, which is used by the local body as a de facto detention facility but which has no legal status.

In view of all these developments, it is imperative to take the following steps:

- An asylum system should be established within the jurisdiction of the northern part of Cyprus to ensure asylum seekers and refugees receive the international protection they may require. This system should be created by incorporating relevant domestic 'laws' into the 'legislation', ensuring that it is enforced fairly and effectively.
- Individuals requiring international protection should not be automatically detained under any circumstances when they enter the island via irregular routes; such detentions should be exceptional. Children, in particular, should never be detained or held under any circumstances.
- Following amendments to 'chapter 105, the law on aliens and immigration', asylum seekers and refugees should be included into the scope of this 'law' and subjected to the 'legislation' that will establish the asylum system.
- Until the amendments to the 'legislation' that will establish the asylum system are enacted, facilities such as the old 'prison' and Yıldız Dormitory, where asylum seekers and refugees arriving via irregular routes are accommodated, must be upgraded to meet humane conditions.
- Free of charge, competent and impartial interpreters should be available at 'police stations', 'prisons' and other detention facilities.
- Standards for the 'Humanitarian Residence Permit' should be clearly defined in legal terms, and 'public' services linked to the visa (such as free healthcare, education, and social assistance) should be specified. The criteria for granting the permit should be established in accordance with international human rights obligations, and the validity period should be extendable beyond one year.

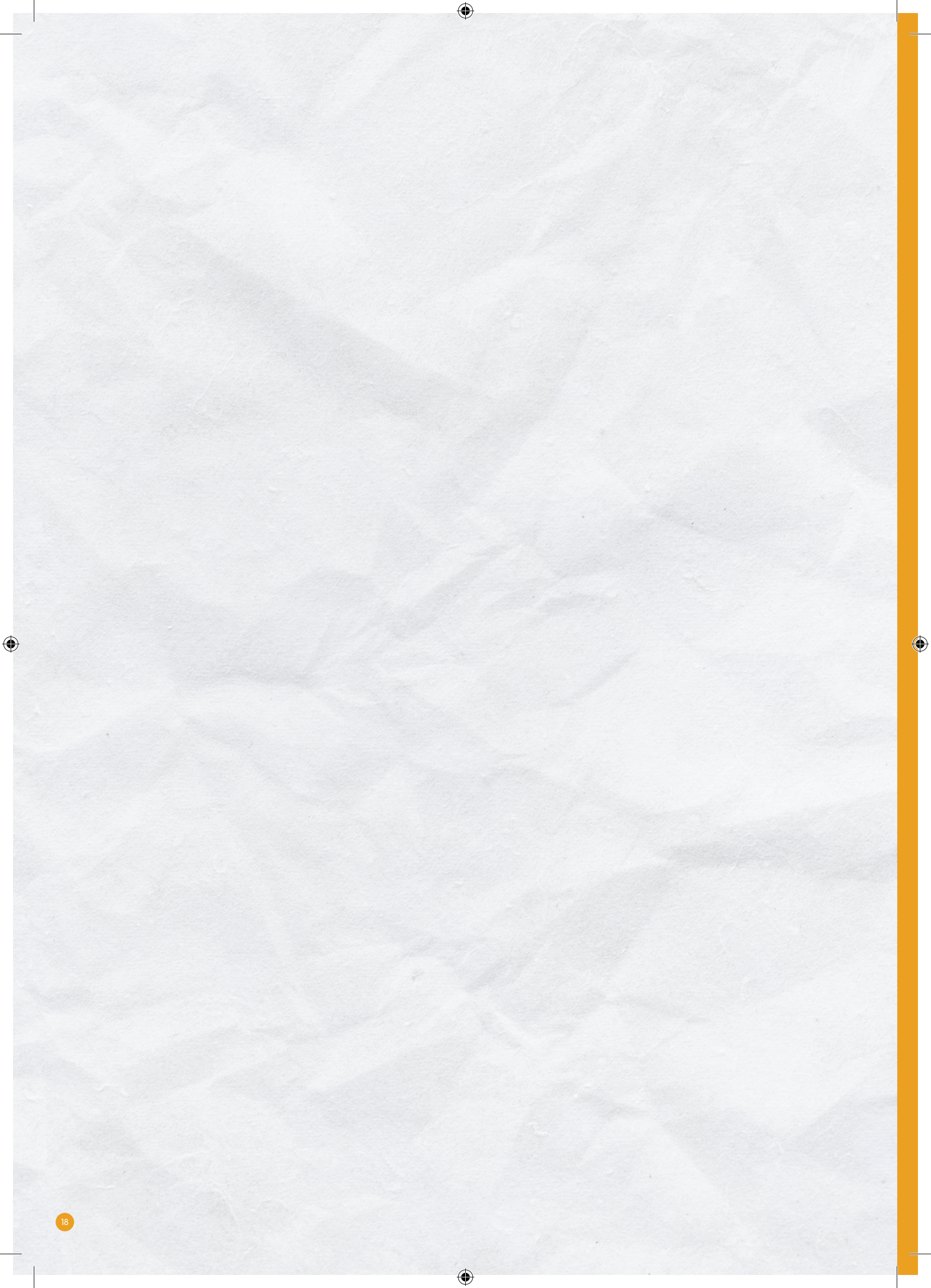
<sup>27</sup> <https://www.unhcr.org/tr/41137-unhcr-forced-displacement-continues-to-grow-as-conflicts-escalate.html> , Accessed: 10/07/2024.

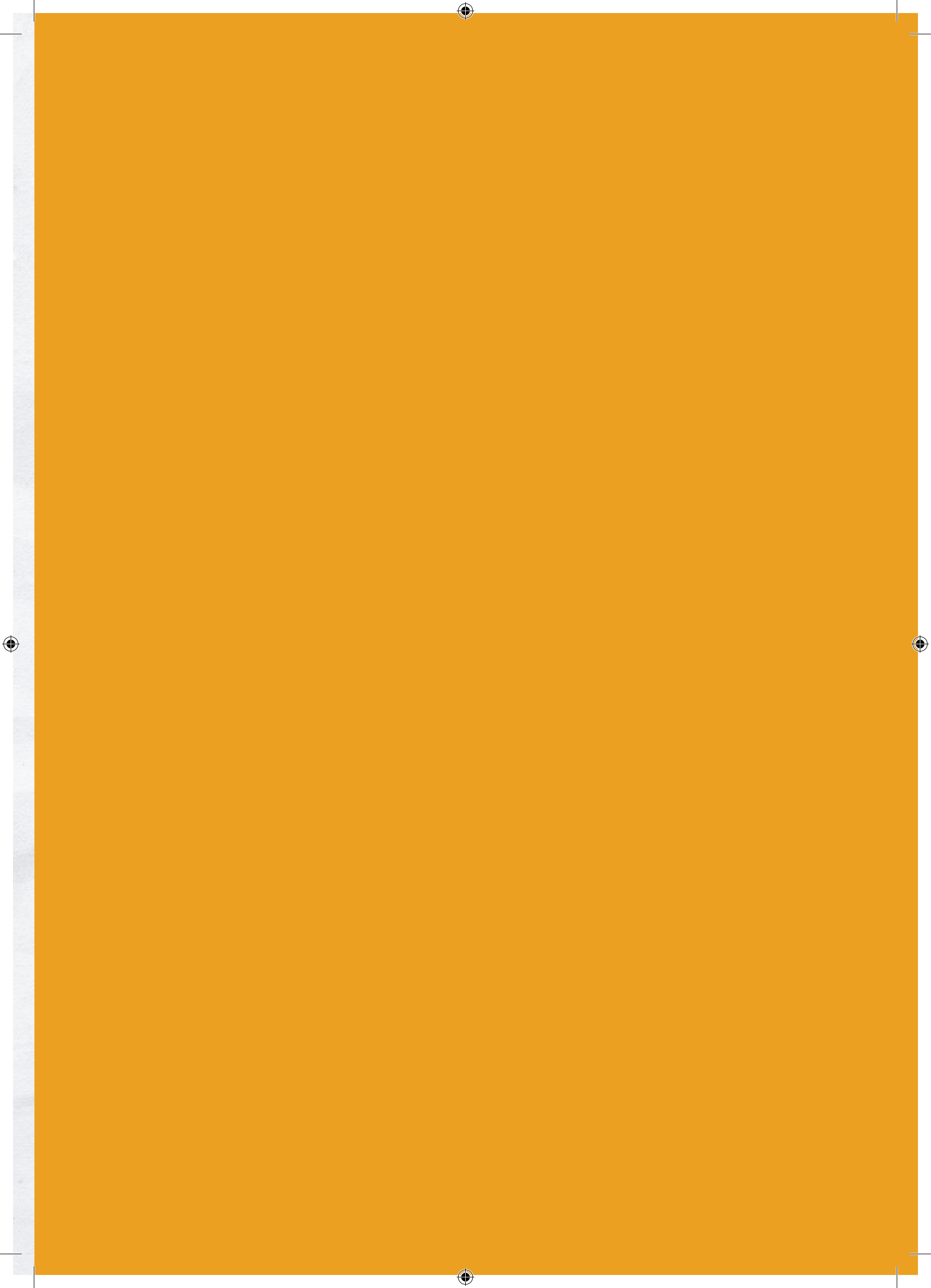
<sup>28</sup> Birleşmiş Milletler: 120 milyon kişi zorla yerinden edildi. Web sitesi: <https://www.diken.com.tr/birlesmis-milletler-120-milyon-kisi-zorla-yerinden-edildi/> Accessed: 15/07/2024.



- A risk assessment system should be established to prevent the deportation of asylum seekers to their countries of origin or to any country where they claim to be at risk of persecution. If a risk is identified, individuals should never be returned to those countries.
- The Optional Protocol to the Convention against Torture, and the annex protocol to the 1967 Protocol Relating to the Status of Refugees should be ratified. Additionally, 'legal provisions' should be introduced into the 'legislation' to establish local independent committees authorised to conduct regular and unannounced visits to places of detention (such as 'police stations', 'prisons', or dormitories) where asylum seekers and refugees are held.
- Refugees who have 'legally' settled in the northern part of Cyprus after entering the island through regular channels and applying to the UNHCR should be granted access to 'social services'.







📍 **Ahmet Sadık Street, Temel 1 Apt. No 6, Köşklüçiftlik, Nicosia**

✉ **insanhaklariplatformu@gmail.com**

🌐 **ihp.hrp**   📷 **ihp.hrp**   🐦 **ihp\_hrp**



This publication was funded by the European Union. Its contents are the sole responsibility of the Human Rights Platform and do not necessarily reflect the views of the European Union.

**İnsan  
Hakları  
Platformu**  
Human Rights Platform