REPUBLIC OF CYPRUS

MINISTRY OF INTERIOR
Minister's Office

File No. 4.17.9/4

Nicosia, 20th July, 2010

Dear Mr. Commissioner,

I refer to your letter with reference CommHR/SG/sf 141-2010, dated 29.6.2010 following our meeting in Nicosia on 10.06.2010 and hereby wish to inform you the following:

(a) Trafficking in Persons:

We fully agree that there is an urgent need for vigilance against organised crime as well as against abuses of the residence and employment procedures. In rrecognition of the fact that the permits issued to third country nationals for purposes of employment in pubs can be used by illegal networks as a means for trafficking in human beings, the Ministerial Committee for the Employment of Third Country Nationals, in its meeting held on 18.12.2009, decided to reduce the number of third country employees in pubs from two persons to one.

In regard to the issue of demand for sexual services, I wish to inform you that specific actions on this matter have been included in the new National Action Plan against Trafficking in Persons, which covers the years 2010-2012. More specifically, the new Action Plan includes actions such as currying out an information campaign on demand and how this affects the increase of trafficking in human beings, and lectures at Universities, army camps etc. Furthermore, the Action Plan includes the support and funding of studies and surveys conducted by NGOs and other stakeholders on issues related to trafficking in persons with emphasis on the Cypriot reality, as well as the conducting and publishing of a research on the issue of trafficking in persons, which could be focused on demand.

As for the psychological support and the provision of social services to trafficking victims, I wish to emphasise once more that our main concern is the full protection of all fundamental human rights and human dignity of these persons. To this end, the Republic of Cyprus safeguards all rights and provides all appropriate services to victims of trafficking in human beings, as foreseen by the relevant national legislation.

Ministry of Interior, CY1453 Nicosia - Tel. +357 22 867 600 - Fax. +357 22676709
Web-site : www.moi.gov.cy email : minister@moi.gov.cy

(b) Access of asylum seekers to the labour market and medical care and legal aid:

On this matter I wish to inform you that asylum seekers have the right to employment six months after the submission of their asylum application and only in the sectors of employment set out in the relevant decree of the Minister of Interior, issued after consultation with the Minister of Labour and Social Insurance. During the first six months period, the Social Welfare Services provide asylum seekers with welfare allowance. Asylum seekers can also be accommodated at the Reception Centre for Asylum Seekers, where they enjoy free of charge, three meals per day, free transportation, social support and receive monthly allowance. After the completion of this 6-month period, asylum seekers can apply to the Labour Office for assistance in finding employment in the sectors defined by the above mentioned decree, provided that they have a contract of employment with a specific employer, approved by the Labour Department. More specifically, asylum seekers may be employed in the following sectors:

1. Farming – Agriculture – Fishery: Workers at the sectors of agriculture, farming (animal husbandry) and fishery
2. Manufacturing: Animal food production
3. Waste management: Workers at the sectors of sewage system and waste processing, of collection and processing of waste (garbage), at the sectors of recycling and processing of animal waste and abbatoir by-products.
4. Trade and Repairs: Workers at gas stations and car-wash, porters of wholesale trade
5. Other activities: Cleaning of buildings and outside areas, distributors of advertising or informative material, food delivery.

Furthermore, according to the Refugee Law, asylum seekers have access to free medical care and also to free legal aid provided they file an appeal to the Supreme Court, and the Court grants them such legal aid. It should be mentioned that during the first and second instance examination of their claim, asylum seekers can benefit from free legal aid provided by NGOs and other organisations in the framework of projects co-funded by the Republic of Cyprus and the European Refugee Fund.

Finally, it is stated that the Ministry of Labour and Social Insurance is considering establishing Service Centres which will provide specialised information to asylum seekers.

(c) Detention

As correctly noted in your letter, the Republic of Cyprus continues and will continue to implement the policy of releasing third country nationals detained for more than six months, in case their repatriation is not possible. It is noted that each case is examined on its own merits and in principle, the above mentioned policy does not apply to third country nationals previously convicted for criminal offenses. Furthermore, it should be noted that this policy of the Republic of Cyprus is more favourable from the provisions

of Directive 2008/115/EC of the European Parliament and the Council of 16th December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, which allows Member States to detain persons for up to twelve months.

(d) Examination of applications for naturalisation

On this issue, I can only agree with you that granting citizenship is an important measure for integration of third country nationals to the hosting community and I would like to inform you that, regarding at least applications submitted by recognised refugees, priority is given to the examination of such applications.

Please accept, Excellency, the assurances of my highest consideration along with my wish for further cooperation in facing the arising challenges regarding the protection of human rights.

Yours sincerely,

Neoklis Sylikiotis
Minister of Interior,
Republic of Cyprus

H.E. Mr. Thomas Hammarberg,
Commissioner for Human Rights
of the Council of Europe.

Ministry of Interior, CY1453 Nicosia - Tel. +357 22 867 600 - Fax. +357 22676709
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