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Detention of irregular migrants and asylum-seekers should be only last resort

Human Rights Council adopts Universal Periodic Review outcome on Cyprus

Every year, hundreds of irregular migrants and asylum-seekers are arbitrarily deprived of their liberty in Cyprus.

Amnesty International is concerned that the authorities detain irregular migrants without first considering less coercive measures, in breach of international law and domestic legislation.¹ Individuals, who cannot be deported within a reasonable time, often find themselves arbitrarily detained for prolonged periods.

The organization is particularly alarmed by cases of arbitrary detention of asylum-seekers, including Syrian nationals, despite official policy to not return them to Syria, and of mothers for immigration purposes without due consideration of the best interest of the child.

Amnesty International therefore welcomes recommendations, made by other states during the review of Cyprus, to ensure respect for the human rights of irregular migrants during deportation procedures,² and urges the government to act swiftly on these recommendations and to ensure that less restrictive alternatives to detention are always considered first and given preference. Cyprus must immediately release irregular migrants when their removal from Cyprus cannot be implemented within a reasonable time. Detention of asylum-seekers for immigration purposes should only be used in exceptional circumstances.

Amnesty International welcomes recommendations by a number of states regarding conditions in facilities used for immigration detention purposes.³ While welcoming that the Nicosia Central Prison is no longer used for immigration detention purposes, the organization is concerned that detainees in the Menogia pre-removal detention facility are forced to live in cramped conditions and only allowed outside the building for 2.5 hours each day.

Amnesty International calls on Cyprus to ensure that conditions in immigration detention facilities conform to international human right standards and that the decision to detain irregular migrants is reviewed periodically by a judicial body on the basis of clear criteria set out in law.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Cyprus on 20 June 2014 during its 26th session. Prior to the adoption of the review outcome, Amnesty International delivered the oral statement above. Amnesty International had earlier submitted information on the situation of human rights in Cyprus:

<http://www.amnesty.org/en/library/asset/EUR17/001/2013/en/fe18ad93-bdf8-490c-a728-b5cc48bfe537/eur170012013en.pdf>

¹ Law 153(I)/2011, Article 18 ΠΣΤ

² A/HRC/26/14 recommendations 114.53 (United States of America) and 114.89 (France)

³ *Ibid*, recommendations 114.51 (Djibouti), 114.52 (United Kingdom of Great Britain and Northern Ireland) and 114.53 (United States of America)

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International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK

www.amnesty.org
