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LEGAL AND JUDICIAL INFORMATION ON MIGRANT SMUGGLING

CYPRUS

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GENERAL INFORMATION ON MIGRATION



MAIN FIGURES AND TRENDS

Due to its proximity to Africa, the Middle East, and Southern Europe, the Mediterranean region has been a hotspot for people smuggling. Cyprus is a country deeply affected by this phenomenon, as it has become a hotspot and desired destination for illegal immigrants seeking asylum and a way into the European Union (EU).

The main reasons for this are the geographical location of Cyprus and its political situation, which make it an attractive initial landing point and an easy entry for illegal immigrants into the European Union.

Migrant smuggling is not merely a regional issue, it is a global concern that demands our immediate attention, not only for the legal complexities faced by judicial authorities when investigating such cases but also due to its humanitarian side.

The Mediterranean region, due to its geographical proximity to Africa, the Middle East, and Southern Europe, has been a hotspot for this illicit activity. Organised criminal groups are profiting from the people's desperation and recalled tragic incidents, such as boats capsizing leading to loss of life. Cyprus is a country that is deeply affected by this phenomenon and has become a hotspot and desired destination for illegal immigrants seeking asylum and a way into the European Union. Since the illegal invasion of Cyprus in 1974 by Türkiye and the ongoing occupation of more than 37% of the island's territory by the Turkish army, organised Criminal Networks operating in the smuggling of migrants are taking advantage of the fragile political situation. Organised criminal groups, gather immigrants, from various countries from the Middle East and Africa, into mainland Türkiye, and are then pushed into the areas of Cyprus controlled by the Republic of Cyprus. This is achieved by transporting the immigrants, through the Turkish-occupied areas, who are then facilitated to cross, from the buffer zone, into the free territories and apply for asylum from the authorities of the Republic. Immense challenges are thus faced by the police and judicial authorities in Cyprus in combating this crime.



MIGRATORY ROUTES

The smuggling of migrants, especially in the Mediterranean region, has been a pressing issue for many years now. As a crime type, smuggling of migrants has been a top priority for EU Law



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and policy makers and one of the most complex issues to handle, due to legal and humanitarian challenges.

The recent unfolding situation in Lampedusa, Italy, led the European Commission to set of immediate actions to be exercised to tackle the issue and support, among others, the prevention of departures by establishing operational partnerships on anti-smuggling with countries of origin and transit, which shows the need of close cooperation between all those involved.

The Mediterranean region has long been a hotspot for illegal immigration due to its geographical proximity to Africa, the Middle East and Southern Europe. Migrants often risk perilous journeys across the sea, into the European Union, based on the promises of members of Organised Criminal Groups for a better life filled with opportunities, safety and stability. In recent years, the Mediterranean has witnessed many tragic incidents involving migrant boats capsizing, leading to tragic loss of life.

Due to its geographical position, and its proximity to Asia, Africa and Southern Europe, Cyprus is a tempting destination and has become a popular country for illegal immigration and it is seen as an easy entry way or passage of immigrants into the EU.

37% of the northern territory of Cyprus is under Turkish occupation, which makes it impossible for Cypriot authorities to exercise control over its maritime/external borders located in the occupied regions.

The overwhelming majority of irregular migrants come from various areas of the Middle East and North Africa, and they arrive in the occupied areas of Cyprus after entering Türkiye legally and then into the Cyprus occupied areas. Then, they are smuggled into the controlled areas of the Republic of Cyprus through the cease fire line. Upon entering these areas, the migrants, as instructed by the organised criminal groups, and as evidenced by the witness statements, seek asylum.

The unique conditions created by the partial occupation of our country, pose additional challenges in the efforts of the Cypriot authorities to combat migrant smuggling. Türkiye does not recognize the Republic of Cyprus, there are no diplomatic relations with Türkiye and no cooperation whatsoever with Turkish authorities. There is thus, no interlocutor to discuss migration matters and no possibility of operational or judicial cooperation. On the contrary we observe for years now, tolerance of illegal migration to the extent of complicity and instrumentalisation of the migrants. Facilitators do not enter the territory under the control of the Republic and the law cannot be enforced.

Challenges are also faced with regard to arrivals by small boats and fishing vessels from the Lebanese and Syrian shores as well. Facilitators operate from overseas and use migrants to navigate the boat, often underaged in an effort to hide their identity.

As a result of the absence of the principal culprit, courts do not impose penalties as high, due to the limited role in the chain of facilitation, of those who are apprehended and prosecuted.

Over the past 5 years, Cyprus has consistently been the Member State of the European Union with the highest number of first-time applications for international protection per capita in the

COUNTRY FACTSHEET* – Smuggling of migrants



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EU. The high numbers of illegal immigration create various obstacles in the efforts of the Cypriot Law enforcement and Judicial Authorities to investigate cases and bring perpetrators to justice, but also, at the same time safeguard the rights of the victims of illegal immigration, namely the migrants themselves. Nevertheless, many of the challenges and obstacles faced by the Cypriot authorities are also challenges faced by authorities of various other Mediterranean and EU countries in their fight against migrant smuggling. Therefore, it is of paramount importance that, in order to address these challenges, a coordinated and cooperative approach from all stakeholders involved in the region is required.



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INSTITUTIONAL ORGANISATION

Over the past six years, Cyprus had received the highest number of asylum applications from the sea and through the green line, which put pressure on the asylum and refugee system. Internal measures included a fence on the green line, which was under surveillance to regulate human trafficking and allowed for early identification of asylum seekers who were victims of trafficking.

The competent authorities responsible for border control in Cyprus are the following:

1. Ministry of Justice and Public Order (MJPO)
Cyprus Police (CP): Aliens and Immigration Unit (AIU), Port and Marine Police Unit (PMPU) and CP Aviation Unit (CPAU)
2. Ministry of Interior
Civil Registry and Migration Department (CRMD)
3. Ministry of Finance
Customs & Excise Department
4. Ministry of Foreign Affairs
Embassies, Consulates and the Schengen and Consular Affairs Division

Aliens and Immigration Unit (AIU)

The AIU is responsible for the implementation of the Aliens and Immigration Law Cap.105 and Regulations 242/72, and for the implementation of the migration policy of the State. The AIU has been authorised to function on behalf of the Civil Registry and Migration Department (CRMD) with respect to Border Control Duties (Section 4, Cap. 105). The AIU is accordingly the competent authority for passport controls at the entry and exit points of the country. Moreover, it is responsible for the management of this country nationals (TCNs) residing in the territory, including the provision of services facilitating the exercise of their rights, as well as controls (active searches, random police checks and targeted operations), aiming at the detection of violations of the immigration law and interception and apprehension of irregular migrants.

The functions and responsibilities of the AIU are provided for in Police Standing Order 1/57, issued by the Chief of Support (CoP) on the basis of the powers vested in him by the Police Law.

Major Aims

- Conduct of effective immigration controls at entry and exit points (Airports & Ports),
- Combating of irregular migration and illegal employment of aliens,
- Interception and apprehension of perpetrators of offences in violation of the immigration laws and of wanted TCNs,
- Prevention of illegal entry in the territory,
- Conduct of controls with regard to TCNs residing in Cyprus,
- Control of irregular migration flows to Cyprus, as well as to other EU Member States.



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Strategic Goals

The AIU plays an essential role in the overall implementation of the Strategic Planning of the CP. It is directly involved in achieving the strategic goal of effective border policing and the regulation of immigration issues and in particular, preventing and tackling irregular migration. Effective policing and the control of Border Control Posts (BCPs) are the primary areas on which it focuses its activities.

Operational Activities

The primary activities of the AIU are summarised as follows:

1. The detection of illegal entries in the territory, violations of the terms and conditions of residence permits, as well as combating illegal employment.
2. Combating the smuggling of irregular migrants.
3. Checks on persons crossing all BCPs (airports, ports and marinas), by conducting passport controls.
4. Management of the Mennoya Detention Center (MDC) for irregular migrants.
5. Repatriation/Return of irregular migrants.
6. Registration of aliens and procedures for the submission of applications for residence permits, employment, study, citizenship, asylum applications, etc. Forwarding of the applications to the competent Departments of the Ministry of the Interior, i.e. the CRMD and the Asylum Service (AS).
7. Submitting reports to the Director of the CRMD regarding TCNs, upon request, based on the provisions of the legislation.
8. Management of the national "Stop-List" database on behalf of the Director of the CRMD for migration related entries and the CoP for law enforcement and other judicial purposes.
9. Monitoring developments at EU level regarding migration and the management of external borders.
10. Representation of the CP in the FX Management Board, as well as in Working Groups/Committees of the Council, the Commission etc.

Cooperation

The AIU is guided by its mission to provide quality services, thus contributing to the coordinated efforts of the CP. In this respect, attention is given to the effective cooperation with the Ministry of the Interior (MoI) and the Ministry of Foreign Affairs (MFA), which are responsible for different aspects of the migration and visa policy of the State, respectively.

The cooperation of CP with the CRMD of the MoI, which is the main actor in defining policies, practices and procedures in the field of migration is on a daily basis and at all levels.

The EU Office of the AIU is the national contact point within the meaning of Article 13 of the European Border and Coast Guard (EBCG) Regulation and is tasked with communication with FX on all matters pertaining to the activities of the Agency.



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Port and Marine Police Unit (PMPU)

Mission

The mission of the PMPU is the surveillance of the coastline and territorial waters of Cyprus, with the aim of preventing and combating crime (especially drug trafficking, illegal immigration, smuggling and terrorism). It also participates in Search and Rescue (SAR) operations, providing help and assistance to persons. Whose lives are in danger at sea.

The functions and responsibilities of the PMPU are provided for in Police Standing Order 2/6, issued by the CoP on the basis of the powers vested in him by the Police Law.

Territorial Jurisdiction

The PMPU is responsible for policing the coast line of the Republic, its ports, its territorial waters and contiguous zone. In cases of Search and Rescue, it operates in the wider sea area of the Nicosia Flight Information Region (FIR).

Administration

The PMPU is managed by its Commander and Deputy Commanders. The Commander has both administrative and operational responsibilities and is accountable to the CoP through the Assistant Chief of Support (AcoP). The Headquarters of the PMPU are situated in the area of Limassol port.

The Unit consists of the Ports, Marine, Technical Support and Radar Surveillance Departments.

The Ports Department is responsible for carrying out checks at Ports and Marinas which are entry points to the Republic. It carries out administrative and physical checks on vessels, crews and passengers. The main duties of the Marine Department are the maintenance, security and staffing of police boats. It also carries out nautical police duties, patrols and operations at sea.

The Technical Support Department provides mainly mechanical, electrical and electronic support to police boats and their equipment. For this purpose, the Unit operates a fully equipped maintenance yard where maintenance and alterations are carried out.

The Radar Surveillance Department is responsible for the 24-hour surveillance of traffic in the territorial waters and contiguous zone of Cyprus.

The PMPU is the competent authority tasked with the operation of the national coordination center (NCC) as per Article 21 of the EBCG Regulation, in terms of coordination and exchange of information among all authorities having responsibility for external border control at national level, as well as with the NCCs of other Member States and FRONTEX.

Port & Marine Police Stations

The PMPU operates stations policing the ports and coastline of the Republic:

- Latchi Port and Marine Station,
- Paphos Port and Marine Station,



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- Limassol New Port Station,
- Limassol Marine Station,
- Ayios Raphael Marina Port Station,
- Larnaca Port and Marine Station,
- Larnaca Marina Port Station,
- Ayia Napa Marine Station and
- Paralimni Marine Station.

Cyprus Police Aviation Unit (CPAU)

Mission

1. Surveillance of the coast and the territorial limits of the Republic, as well as the patrol of the Nicosia FIR in cooperation with other units, with the aim of preventing drug trafficking, illegal immigration and terrorism.
2. Supervision and surveillance of the highways and main roads.
3. Search and Rescue missions aiming at saving lives and property in the case of naval or aviation accidents that occur within the Nicosia FIR.
4. Transport of patients or injured persons to medical centers in Cyprus.
5. Firefighting and support of other firefighting units.
6. Location of exhibits under water with the support of CPAU divers.
7. Transport of Police members and other government personnel on special missions.
8. Escort of motor convoys with high-level officials and VIPs.
9. Execution of missions assigned by the Joint Rescue Coordination Center (JRCC).

CPAU personnel follow extensive specialised training in their field and maintain a 24/7 response readiness.

The functions and responsibilities of the CPAU are provided for in Police Standing Order 1/84, issued by the CoP on the basis of the powers vested in him by the Police Law.

Civil Registry and Migration Department (CRMD)

Mission

The CRMD is the result of the consolidation of the Migration, Registration and Election Services, which were part of the Ministry of Interior [Amendment of the Civil Service (General) Regulations, K.Δ.Π. 921/2003].

Originally the CRMD was mainly responsible for the civil registry issues, whereas migration issues were of a lower volume and importance. During the years and especially after the accession of Cyprus to the EU, the competencies of the CRMD expanded significantly mainly regarding migration related matters.

Nowadays, the main mission of the CRMD is citizens' service for all matters falling into its competencies. The Department also participates actively in forming policies and acts complementary to other governmental institutions.



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Furthermore, the Department participates actively in works of the EU institutions and is in close cooperation with other EU, international and local governmental and non-governmental organisations.

The main competencies of the Department in relation to migration are:

- (a) Issuing of Certificates of Registration for EU citizens and Residence Cards to members of their families who are not citizens of the EU.
- (b) Handling applications for entry and residence of third country nationals who are family members of a Cypriot citizen and issuing of the relevant permits.
- (c) Issuing of residence permits to third country nationals who are long term residents.
- (d) Issuing of Immigration Permits.
- (e) Handling applications for family reunification and issuing of entry and residence permits.
- (f) Handling applications for entry and residence of third country nationals who wish to enter or reside in Cyprus as visitors and issuing of the relevant permits.
- (g) Handling applications for entry and residence of third country nationals for the purposes of employment (general employment, domestic employment, employment at a foreign company, etc.) and issuing of the relevant permits.
- (h) Handling applications for entry and residence of third country nationals for studying purposes and issuing of the relevant permits.
- (i) Issuance of residence permits to third country nationals who are holders of an international protection status.
- (j) Handling applications for entry and residence for other purposes (research, volunteer service, etc.) and issuing of the relevant permits.
- (k) Imposing administrative fines on carriers.
- (l) Imposing administrative fines on employers who illegally employ foreign students and imposing of such fines to the students illegally employed.

Organisation Chart

The CRMD is headed by a Director and it is divided into two Sectors: the Civil Registry Sector and the Migration Sector. Each Sector is divided into different sections, headed by Administrative Officers, each one being responsible for a smaller part of the Sector's overall competencies. Each section is also staffed with general clerical personnel. The Sectors' works are supported by the department's archive, treasury and document printing unit.

Citizens' service is carried out at the CRMD central offices, the Citizens One Stop Shops (Public Administration and Personnel Department, Ministry of Finance), the District Administrations (MoI) and the District Branches of the AIU (MJPO) the latter being partially staffed by CRMD personnel.

Furthermore, CRMD personnel partially staff the crossing points operating in accordance with Council Regulation (EC) No 866/2004.

Ministry of Foreign Affairs - Schengen and Consular Affairs Division

Mission

The Schengen and Consular Affairs Division's multifaceted responsibilities include, inter alia, the preparation for the accession of Cyprus to the Schengen Area; the provision of consular



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assistance to Cypriot citizens abroad; cooperation with foreign diplomatic missions accredited to Cyprus in visa and consular related matters.

In the framework of the visa policy, the Division is responsible for the harmonisation with the Schengen acquis, including actions for the adoption and implementation of the Visa Code, the harmonisation of the premises of the Consular Departments of the Diplomatic Missions with the standards of the Schengen acquis, as well as the installation and operation of the Visa Information System (VIS). The said harmonisation continues unabated, while the VIS is almost in full operation. Additionally, the Schengen Department is responsible for the implementation of actions of the MFA, which are co-financed by the EU Internal Security Fund.

The Consular Affairs Department is the main support pillar of the Diplomatic Missions of Cyprus abroad, as well as the first contact point of the Foreign Diplomatic Missions accredited to Cyprus, regarding consular issues.

The Department, in cooperation with other competent governmental authorities, deals on a daily basis with issues and questions regarding, inter alia, the issuance of visas to interested foreign citizens for, tourism in Cyprus. Moreover, in continuous cooperation with the foreign Diplomatic Missions accredited to the Republic, it deals with issues regarding foreign nationals in Cyprus.

Consular Services for Cypriot Travelers/Permanent Residents Abroad

Consular services provided by the MFA and the Republic's Diplomatic Missions and Consulates play a vital role in securing the safety of Cypriot nationals travelling or living abroad and ensuring suitable conditions for the conduct of their activities. At the same time, the MFA cooperates closely with the Republic's competent Authorities, in order to further enhance the efficiency of the consular services provided to Cypriot nationals abroad and to foreigners residing in or visiting Cyprus.

Finally, the Republic's Diplomatic Missions and Consulates provide civil registry and notary services, legalise documents and forward applications and other papers to the competent Cypriot authorities (e.g. passport applications).

Ministry of Finance - Department of Customs & Excise

The main competences and responsibilities of the Department of Customs & Excise, in the framework of exercising controls at the points of entry and exit of the Republic, are the following:

- Contribution to the public revenue with the effective collection of duties, taxes and other charges, fall under the Department's jurisdiction.
- Protection of the society, improvement in the quality of life, and security for the supply chain, through the implementation of effective measures for the prevention and suppression of fraud.

Inter-agency cooperation

The migration policy of the Republic is a competency of the Ministry of Interior (MoI). With respect to policies, the implementation of which falls within the competency of other Ministries, e.g. Social Services, Asylum Service (MoI), Civil Defence Service (MoI), Customs and Excise



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Department, Joint Rescue Coordination Centre (Search and Rescue, JRCC), Civil Aviation Department, National Guard Navy, Deputy Ministry of Tourism (marina infrastructure), Deputy Ministry of Merchant Shipping, Ministry of Transport, Communications and Works (airport and port infrastructure), Ports Authority (Loading/Unloading of Ships, Piloting, Hauling, Handling of Cargo, Transhipment Trade, Distribution of Passengers, Cession of Licenses to third parties), Ministry of Health, and Department of Fisheries, the national policy is formulated by the respective Ministries upon approval of the Council of Ministers.

A Ministerial Committee convenes regularly to scrutinise the situation of migratory influxes. The Minister of Interior, along with the Ministers of Foreign Affairs, Labour and Social Security, Justice and Public Order, supported by other Ministers, depending on the content of the discussions, are closely monitoring and examining the current influx, possible measures to address the situation, as well as potential additional risk factors.

Contingency Plans have been elaborated, with respect to measures taken by all stakeholders in different situations at the borders, including the following:

- Navkratis – rescue and reception procedures with respect to massive arrivals of asylum seekers.
- Nearchos – contains specific and clear instructions as to the establishment, coordination, control and direction of the SAR operations for the purpose of locating and rescuing persons whose lives are in danger as a result of aeronautical or maritime accidents within and/or outside the region of responsibility of the JRCC, in the least possible time.
- Estia – Evacuation of civilians from areas of epidemic outbursts and conflict/war zones in the region of the Eastern Mediterranean.

On 8/11/2007, the Department of Customs & Excise signed a Memorandum of Understanding (MoU) with the Cyprus Police. This MoU is based on Council Recommendation of 27 April 2006 on the drawing up of agreements between police, customs and other specialised law enforcement services in relation to the prevention and combating of crime (2006/C 124/01) and provides for a high degree of cooperation between the two Services. In particular, the MoU foresees the exchange and sharing of relevant information and strategic, tactical and operational intelligence, where appropriate, in particular by facilitating mutual direct or indirect access to databases, with due regard for individual rights and data protection rules, development and promotion of best practices, procedures for operational matters with respect to joint actions, joint mobile patrol squads, joint investigation teams, joint intelligence teams, sharing of equipment between services and cooperation on the development, purchasing, deployment and use of technology.

Additionally, the MoU provides for the appointment of Liaison Officers, the secondment of Customs Officers to the Europol National Unit, the SIRENE (supplementary information request at national entry) Bureau, the Drug Law Enforcement Service etc., the joint training including with the support of CEPOL, the exchange of information and common evaluation of the application of analysis and investigative techniques, the exchange of criminal statistical data, joint press statements in the case of joint actions, etc.

Specific forms which enable the practical implementation of this MoU, are attached as Appendices to the MoU. The MoU is currently in the process of being reviewed.



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It is noted that the cooperation of the CP with other competent authorities regarding border control issues, is regulated with Police Standing Orders. Relevant material is disseminated to all Police Units/Departments and is accessible also through the CP portal.

The cooperation of the CP with the CRMD is regulated also by Standing Orders of the Director of the Department.

Authorities in the Republic of Cyprus are actively engaged in managing the increasing trend of migrant arrivals, primarily from Syria, as well as combatting people smuggling rings operating in the region. A dedicated working group, established under the directive of Interior Minister, is closely monitoring the situation at a technocratic level. The group comprises officials from the Asylum Service, the Civil Registry and Migration Department, the Immigration Office, and the Ministry of Labour and Social Insurance. Their mandate is to assess the potential revision of policies concerning Syrian nationals, aiming to manage their presence in the country and prevent further flows from Syria.

At the operational level, efforts are underway to identify and apprehend smugglers facilitating the influx of migrants. Cooperation and information exchange with competent European services and organisations, including EUROPOL, are being pursued to address the challenges effectively. Information on irregular migration, are exchanged, between the competent law enforcement authorities, also through the INTERPOL channel.



LEGISLATIVE FRAMEWORK

The main law is the 'Aliens and Immigration Law (Cap.105)'.

Cyprus has signed and ratified the United Nations (UN) Convention against Transnational Organised Crime and its Protocols on combating trafficking in persons, especially women and children, and the smuggling of migrants by land, air and sea, which represents the first attempt to include in one single binding document all the concepts and measures necessary to fight organised crime on a global scale.

It has to be mentioned that while Cyprus is also party to most international human rights instruments and has integrated them into its domestic legal framework, the 1974 Turkish invasion and continuing military occupation of over a third of the territory, prevents the full implementation of the instruments in the areas in which the Government of the Republic Of Cyprus does not exercise effective control.

Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA, and its implementing national Law, for the Establishment and Functioning of the Europol National Unit (L.126(I)/2018).



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JUDICIAL FRAMEWORK

[No information provided under this section.]



INTERNATIONAL COOPERATION

Cooperation within the EU

Frontex and Europol play a central role in enhancing operational cooperation between EU Member States to combat the problem of smuggling irregular migration.

The Cyprus Aliens & Immigration Unit has had a fruitful and comprehensive cooperation with Europol throughout the years on all fields including illegal immigration and the arrival of irregular immigrants to Cyprus. Cyprus Police is hosting Europol Operation “Salamina” which aims at combatting illegal migration and the forgery of administrative documents. This is a major issue at the moment for Cyprus which is being dealt with in close cooperation with Europol and other International Police Organisations. In addition the AIU conducts enquiries on behalf of other European Member States regarding Europol’s Siena Secure Information Exchange Network Application (SIENA) where an officer has been appointed specifically to facilitate and investigate these enquiries from Member States which involves issues regarding illegal immigration.

Furthermore, Frontex is developing operational cooperation with Cyprus in their joint efforts to combat the smuggling of irregular migrants. For this purpose two operations are activated, the Ledra Joint Operation and the Focal Point Air at Larnaca and Pafos Airports.

The Ledra Joint Operation

The Ledra Joint Operation is a crucial component of Frontex and Cyprus' collaborative efforts to tackle irregular migration. Within the framework of the operation, Cyprus Police is hosting experts from Frontex and other Member States with different kind of expertise such as screeners, debriefers, information officers and others. This operation focuses on interviewing and screening irregular migrants and aims at securing and preventing unauthorised entries and disrupting the activities of migrant smugglers. Information sharing is important for effective border control. Frontex provides Cyprus with valuable intelligence and analysis to enhance their situational awareness and decision-making. Meanwhile, Frontex assists Cyprus in obtaining the necessary equipment and technology in order to enhance its capacity.

Focal Point Air at Larnaca and Pafos Airports

Frontex and Cyprus also collaborate on the joint Focal Point Air operation which is activated at Larnaca and Pafos Airports. Frontex is constantly deploying at both airports experts with different kind of profile who are offering their assistance and expertise. These airports are



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major entry points for travelers, and ensuring the integrity of the immigration process is vital in preventing irregular migration. The key aspects of the Focal Point Air operations include passenger profiling, identification of high risk passengers, document verification to detect fraud documents, second line checks assistance, etc.

Operation of the Schengen Information System

National response to combat serious crime including smuggling of migrants has also been largely enhanced following COUNCIL DECISION (EU) 2023/870 on the application of the provisions of the Schengen acquis relating to the Schengen Information System in the Republic of Cyprus, adopted on 25/4/2023. As per Article 1 of the Decision, from 25 July 2023, the provisions of the Schengen acquis relating to the Schengen Information System (SIS) apply to Cyprus. Therefore, as from 25 July 2023, Cyprus is now able to enter alerts and additional data into the SIS, to use SIS data and to exchange supplementary information, subject to paragraph 4 of the Decision. National SIS Law allows for the Police to have access to data entered in SIS and the right to search such data directly or in a copy of the SIS database for the purposes also of prevention, detection, investigation or prosecution of terrorist offences or other serious criminal offences.

SIS has been proved an extremely significant tool, EU-wide, to combat serious crime and terrorism. Amongst others, SIS allows for uploading the dactyloscopic data of an unknown perpetrator into SIS, provided that the owner of that data can be identified with a very high degree of probability as the perpetrator of a serious crime or act of terrorism.

The Police is actively supported in this context by Europol, especially since the adoption of Regulation (EU) 2016/794 which provides that Europol is to support and strengthens actions carried out by national competent authorities and their cooperation in combating terrorism and serious crime, and to provide analysis and threat assessments. In particular, in order to bridge the gap in information sharing on terrorism, in particular on foreign terrorist fighters —where monitoring of their movement is crucial — the Police is able to share information on terrorism-related activity with Europol. This information sharing, upon the operation of SIS, is also carried out through the exchange of supplementary information with Europol on the alerts concerned.

Bilateral International Cooperation

Additionally, the existing bilateral agreements between the Government of the Republic of Cyprus and several EU and third countries on Cooperation in Fighting Terrorism, Organised Crime, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and their Precursors, Illegal Migration and Other Criminal Offences, highlight explicitly the significant importance of further promoting international cooperation and coordination of the efforts of institutions which are responsible for maintaining law, security and public order, prevention and fight against terrorism, organised crime and illicit trafficking in narcotic drugs, psychotropic substances and their precursors, illegal migration and other criminal offences and provide, inter alia, for the following forms of cooperation:



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- a) Exchange of information related to natural and legal persons involved in organised crime and other serious forms of crime,
- b) Integration and coordination of the identification, prioritisation and implementation of joint efforts between the parties in the area of public security,
- c) Managing approved joint activities within the scope of the Agreements,
- d) Establishing clear lines of communication and points of contact between the parties as part of the ongoing process of dialogue and partnership in pursuing common goals,
- e) Sharing of knowledge, experience, expertise, information and research and best practices,
- f) Identifying and sharing of public safety concerns on the basis of threats, risk assessment, priorities, vulnerabilities and consequences,
- g) Facilitating technical and technological exchange of knowhow, including education, training, exercise and procurement of equipment and services.

The Agreements provide also for the establishment of Joint Committees for further promoting the implementation of the Agreements, reviewing the current state of cooperation and addressing the issues to be discussed on a high-level representation.

Exchange of information pursuant to these Agreements is carried out through the existing law enforcement channels mentioned above.

A list of these Agreements is herewith [attached](#).



RELEVANT CASES

❖ **Prison sentence for 56-year-old for the case of the arrival of irregular immigrants in the sea area of Famagusta**

On 1/11/2023, the District Court of Famagusta imposed a prison sentence on a 56-year-old man who was found guilty after a trial of a case related to crimes committed during the arrival of a number of irregular immigrants in the Famagusta area last September.

Specifically, the District Court imposed a prison sentence of 24 months on the 56-year-old, for the following offences: prohibited immigration, illegal entry into the Republic, intentional assistance to third-country nationals to enter the Republic illegally.

The said case concerned the arrival by boat in the area of free Famagusta, in the afternoon of September 20, 2023, of 13 illegal immigrants, while according to the testimonies secured, the 56-year-old was the boat's navigator.

The case was investigated by the Criminal Investigation Department (CID) of Famagusta.



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❖ **Ten released after court drops charges in alleged migrant smuggling case**

The Paphos District Court has ordered the release of ten individuals who were arrested on suspicion of running a migrants trafficking ring.

Specifically, ten foreign nationals who were arrested regarding their alleged involvement in the case have been released, as the court found insufficient grounds to send them to trial. This ruling suggests that a similar fate awaits another five individuals who were also considered suspects by the police and currently remain at large.

The police operation took place over the weekend and involved various units from Paphos and Nicosia. It was based on intelligence reports received by authorities concerning the alleged activities of a suspected migrant smuggling network. In total, more than 15 search warrants were obtained for residential and commercial properties. During these searches, ten individuals were arrested, while the remaining five are still being sought.

Police said that a total of €160,000, was discovered in the possession of one of the apprehended individuals during these investigations.

The ten individuals released on 25/10/2023 had faced multiple charges, including conspiracy to commit a crime, participation in a criminal organisation, human trafficking, and violations of money laundering laws related to illegal activities.

❖ **Cyprus court orders that 2 Syrians remain in custody after 45 migrants were rescued at sea**

A court in Cyprus has ordered that two Syrian men remain in police custody for seven days on suspicion of people smuggling after authorities rescued a total 45 Syrian migrants aboard two rickety vessels off the island nation's southern coast. A court in Cyprus on 23/6/2023 ordered that two Syrian men remain in police custody for seven days on suspicion of people smuggling after authorities rescued a total 45 Syrian migrants aboard two rickety vessels off the island nation's southern coast.

The decision came after the court heard that the two Syrians — aged 18 and 20, respectively — were the captains of the vessels sailing separately southeast of the island. One vessel was a wooden boat “in bad shape” while the other was an inflatable craft from which passengers had signaled that they were in distress. A police helicopter located the vessels about 46 kilometers (16 miles) and 65 kilometers (22 miles) southeast of the island. All migrants, including four women and 15 minors — five of them unescorted — were brought ashore aboard police patrol boats and transferred to a migrant reception center. A merchant ship near the inflatable craft assisted in the rescue. The migrants said they had departed from the Syrian port of Tartus on Wednesday and had each paid \$2,500 for the trip to Cyprus. According to official statistics, 400 of the 4,792 migrants who arrived to Cyprus up to June 2023 reached the country by boat. Almost all were Syrians departing from Syria. That marks a significant increase in the ratio of migrants who arrived to Cyprus by boat, compared to previous years.