DEMOCRACY AND SOCIETY 12.08.2022 | Emmanuel Achiri

Helping asylum seekers in Northern Cyprus

Asylum seekers coming to Cypriot shores is a direct result of violent pushbacks against refugees at the EU's borders

On May 24, 2021, three Cameroonian asylum seekers left the north of Cyprus in an attempt to reach the south. They were denied protection, triggering widespread international condemnation, and were stranded in no man's land for nearly seven months after the Cypriot authorities refused to recognise their asylum request.

Their predicament stemmed partly from the island's de facto division since 1974. Crossing the United Nations-controlled Green Line separating the internationally recognised Republic of Cyprus (RoC) and the Turkish-controlled Northern Cyprus (recognised only by Turkey) is considered illegal if not authorised, even for those seeking asylum.

The RoC authorities argued that granting the three Cameroonians asylum would encourage others to cross the Green Line, and have accused Turkey of encouraging an influx of refugees from Syria and Sub-Saharan Africa. But the reality is more complex.

The university island

Since 2018, Cyprus has become a major destination for refugees. As routes into the European Union via Greece close and refugees' living conditions in countries like Turkey and Lebanon worsen, traffickers are instead offering Syrian refugees a risky crossing to Cyprus. Many arriving on the island live in dire conditions in overcrowded reception centres, while government ministers stoke anti-refugee sentiment. Some land in Northern Cyprus and mistake it for the RoC.

Responsibility for offering protection should lie with the UN Refugee Agency (UNHCR).

The increase in the number of asylum seekers in Northern Cyprus reflects both new arrivals by boat and the 'university island' model. A recent study by the student group VOIS Cyprus shows a correlation between the growing number of

university students in the north and the increase in asylum seekers, with 4.5 per cent of the 763 respondents (mostly third-country nationals) citing war or conflict in their home country as their reason for studying there. There are currently 21 universities in Northern Cyprus, with students from some 100 countries. For the 2021-22 academic year, there were 14,000 Turkish Cypriot students, 43,000 from Turkey, and 51,000 from third countries.

Unfortunately for most of the refugees from the Middle East and Sub-Saharan Africa, the government in Northern Cyprus has not assumed responsibility for providing asylum to persons in need of protection. This is despite the fact that international human-rights instruments such as the UN's 1951 Refugee Convention, the International Covenant on Civil and Political Rights, and the Convention Against Torture are part of the north's domestic legal framework.

In fact, there is no specific domestic legislation regarding refugee protection, and no differentiation between persons in need of protection and other migrant groups. Refugees arriving in Northern Cyprus by boat are often detained and deported. It is a similar story for students who are unable to regularise their stay due to financial difficulties and then, fearing persecution and/or war in their home countries, seek asylum.

Who's responsible?

Responsibility for offering protection should lie with the UN Refugee Agency (UNHCR). But the UNHCR's mandate in Northern Cyprus has diminished since 2014, because the lack of established rules with the local authorities have left the agency unable to offer refugees meaningful protection. The UNHCR's mandate previously allowed for determination of refugee status in the north to be part of the procedure for deciding whether a person needed protection. Its current mandate, however, enables it to provide asylum seekers only with protection letters recognising them as 'persons of concern' (PoCs). In theory, this document prevents PoCs from being deported, and gives them access to the labour market, health care, and (in the case of children) education. But the absence of a comprehensive mechanism to offer even basic protection to refugees in Northern Cyprus is a concern.

Desperate people must not suffer more than they

In fact, there is no official agreement between the Refugee Rights Association (RRA, which acts as the implementing partner on the

already have for the prospect of a better future.

UNHCR's behalf) and the Turkish Cypriot authorities, and hence no legal basis for the UNHCR protection letters. It is simply an informal arrangement that the authorities can rescind at any time, which explains why they have made no concerted efforts to offer PoCs meaningful protection.

Some therefore regard crossing the Green Line to the RoC as their only option, despite the RoC's poor track record with refugees. Being recognised internationally as refugees would at least be preferable to the limbo they experience in the north.

The EU's and UNHCR's failure

It is difficult to know who exactly is to blame for asylum seekers' plight in Northern Cyprus. But desperate people will continue making their way to Northern Cyprus, regardless of whether they are aware of its unrecognised status. International actors, particularly the UNHCR and the EU, must therefore take concrete steps to offer them meaningful protection.

Far too often, the UNHCR has claimed that it is unable to establish relations with Northern Cyprus because it is a territory under occupation. But for many asylum seekers languishing in undignified conditions, the question of effective control does not matter. To offer them meaningful protection, the UNHCR must seek innovative ways of communicating with the authorities in the north. Giving the RRA more money and manpower to do this would be a good start.

The EU, meanwhile, should push the RoC government to re-establish and recognise claims of protection for those who cross the Green Line and to collaborate with the authorities in the north. In addition, it should investigate the RoC's increased and reportedly inhumane border policing, increase its support to the RRA, and encourage the Turkish authorities to pressure their Turkish Cypriot counterparts to uphold their human-rights commitments.

More importantly, other EU member states must acknowledge their role in this debacle. The fact that asylum seekers are now opting for Cypriot shores is a direct result of violent pushbacks against refugees at these countries' borders. The EU can – and should – provide asylum seekers safer humanitarian corridors, visas, and resettlement packages. Desperate people must not suffer more than they already have for the prospect of a better future.

©Project Syndicate



Emmanuel Achiri
Nicosia

Emmanuel Achiri is a Ph.D. Candidate at the Eastern Mediterranean University, the Co-Founder of VOIS Cyprus – a representative body for international students, and Co-Founder of Stop the War in Cameroon Coalition – an initiative conducting peace research on Cameroon. His research work focuses on migration and refugees, international law, crises in the Lake Chad Basin region, and EU-Africa relations.