

Address of the Representative of the REFUGEE RIGHTS ASSOCIATION
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to the 2008 Human Dimension Implementation Meeting of the OSCE

Refugee & Asylum Seeker Rights in North Cyprus

The geographic situation of Cyprus at the crossroad of three continents and its proximity to countries where acts of persecution take place and where people may experience serious and unjustified harm, coupled with the easy access, have made North Cyprus an extremely frequent destination for persons looking for international protection (in the sense of the 1951 Refugee Convention referred to also in the EU Directives).

The mix migration flows reaching North Cyprus, regularly or irregularly, are frequently composed of both economic migrants and persons suffering persecution. The identification of the latter category of individuals appears difficult. The rights of refugees and asylum seekers are not adequately ensured and authorities have often returned people without adequate hearing. As a consequence, the fundamental principle of international protection, the principle of non-refoulement (art. 33 of the 1951 Refugee Convention, Art. 21 of the Qualifications Directive) has been repeatedly violated.

Due to the severe consequences of the above, there is a pressing need for quality action. The present situation is characterised by:

- unclear political definition,
- absence of refugee related legislation,
- lack of asylum related administrative structures and
- insufficient capacity of the civil society devoting attention to this sector.

Media and society at large are unprepared to differentiate accurately between economic immigrants and persons suffering persecution. In view of the prevailing political stalemate in the Cyprus problem, there is no cooperation with international bodies enforcing conventions for the protection of refugees and the EU acquis is suspended in North Cyprus.

The Republic of Cyprus affirmed its commitment to the 1951 Convention by a declaration to the UN Secretary General on 16 May 1963. In 1968 the Republic of Cyprus acceded and ratified the 1967 Protocol. It is however not implemented in the North.

Insufficient attention has been paid also to the implementation of international Conventions on human, civil and political rights with regards to refugees and asylum seekers. Until recently, authorities were regularly proceeding with the refoulement of refugees arriving irregularly at the coasts. After continued protests by a few NGOs in North Cyprus as well as the UNHCR acting mostly in south Cyprus, local authorities seem to have, at least for certain nationalities, limited the deportation of persons who wanted to file an asylum claim.

Our newly established Refugee Rights Association (RRA) will implement a series of activities to promote the rights of asylum seekers and refugees. Though the responsibility to protect remains the responsibility of states, many implementation arrangements require the cooperation of NGOs. Access to the right to information and to documentation, to school and education of minors, to employment, the provision of material reception conditions including housing and financial allowances, to health care are, in

many OSCE participating states, facilitated in a way or another through the complementary role of NGOs.

The Refugee Rights Association will monitor the arrival of refugees as well as systematically advocate for the adherence to the most fundamental pillars of the International Refugee Law in North Cyprus. The RRA will pressure authorities and lobby the society for the provision of the most fundamental basic needs, in particular for the extremely vulnerable individuals among the asylum seekers.

For carrying out above tasks and in view of the isolation of North Cyprus up to today, the Refugee Rights Association needs assistance from OSCE, ODIHR, participating states and NGOs. We will welcome their sharing of expertise and provision of training activities or other donations in order to contribute to soften the plight faced by refugees and asylum seekers in North Cyprus.

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