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Cyprus, the Forgotten Frontier: the Different Borders of the Island and their Respective Regimes

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What do we see if we look at the border from the other side?

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Abstract

This thesis investigates the evolving and multifaceted nature of borders through the case study of Cyprus, a uniquely fragmented island shaped by colonial legacies, unresolved conflict, and intensified migration control. As a site marked by overlapping sovereignties and jurisdictions, Cyprus offers a unique context to explore how borders function beyond territorial lines, parallel to their physical and material reality they inevitably cause immaterial repercussions. Drawing on field experience with the Cyprus Refugee Council and theoretical insights from critical border studies literature, the research argues that borders are dynamic tools of control, exclusion, and racialized differentiation, regulating access to mobility and rights, and operating both at and within state boundaries. Contemporary border regimes in Cyprus perpetuate precarity, deflect responsibility, and normalize violence against people on the move. Through a combination of historical, legal, and ethnographic analysis, this thesis frames Cyprus as a microcosm of global border regimes, where the border is not only drawn but lived, contested, and reimagined.

Table of Contents

Glossary and Terminology	5
Introduction	8
Methodology and positionality	10
Chapter 1. Background	14
1.1 Historical background.....	14
1.1.1 Cyprus’s past and the British rule.....	14
1.1.2 From the independence to the 1974 war.....	18
1.1.3 Recent developments: Cyprus, the EU and the Annan Plan.....	25
1.2 Migration and asylum background.....	31
1.2.1 Migration trends in Cyprus.....	31
1.2.2 Asylum system in Cyprus.....	38
Chapter 2. Borders on the island	47
2.1 The UK’s Sovereign Base Areas on Cyprus.....	47
2.1.1 The Status of SBAs under EU law.....	51
2.1.2 Cases of asylum seekers trapped in a limbo in the SBAs.....	55
2.2 The Buffer Zone - The Green Line.....	59
2.2.1 The EU position and the Green Line Regulation.....	64
2.2.2 Case of asylum seekers stranded in the buffer zone.....	70
2.3 The sea: the natural “border” of the island.....	74
Chapter 3. Border studies and the Cyprus experience	78
3.1 Boundaries in society.....	78
3.1.1 For asylum seekers.....	81
3.1.2 For international protection holders.....	86
3.2 Borders and boundaries.....	91
Conclusion	98
Bibliography	101
Press and media sources.....	105
Official documents and reports.....	110

Glossary and Terminology

The following definitions are taken from UNHCR and CyRC official reports and documents.

Asylum seeker: also referred to as applicant for international protection is a person who is outside the country of their nationality and submits an application for international protection, i.e., to be granted refugee status or other forms of protection, in a different country on the basis of international and national law. An asylum seeker has the right to reside in the host country until a final decision on their application has been reached by the competent authorities. Asylum-seekers are thus not irregular migrants, though they may enter the host country without identity papers or in any other irregular manner. Not every asylum-seeker may ultimately be recognized as a refugee or beneficiary of subsidiary protection, but every refugee is initially an asylum-seeker.

Refugee (recognized refugee): is a person who has been granted refugee status under the 1951 Geneva Convention on refugees, to which Cyprus is a party along with 148 other countries. Article 1 of the Convention defines a refugee as a person having “a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country”¹. A person is granted refugee status if they can demonstrate that they are the victim of individual persecution.

Subsidiary protection: when a person cannot be strictly defined as a “refugee” under the 1951 Convention, European directives define them as a beneficiary of subsidiary protection. This protection can be granted when a person is not persecuted as an individual, but who is nevertheless in need of protection as, were they to be returned to their home country, they would be in grave danger due to armed conflict, generalised violence and/or widespread violations of human rights.

Internally displaced persons (IDPs): are persons forced to flee their homes because of war or natural disasters but, unlike refugees, have not crossed an international border, remaining instead inside their home countries.

¹ The 1951 Geneva Convention and its 1967 Protocol relating to the status of refugees available at: <https://www.unhcr.org/media/1951-refugee-convention-and-1967-protocol-relating-status-refugees>

Migrant (irregular): there is not a legal definition of migrant, it is commonly understood as a person who moves from one country to another for a variety of reasons. They choose of their own accord to leave their home country in search of work and of better economic conditions elsewhere. When a person entered a country in an unauthorized manner, without a visa, or has entered the country in a regular manner and has not left after their entry visa has expired or has not left the territory after receipt of an expulsion order, and has not applied for asylum, this person is considered as an irregular migrant.

People on the move: this phrase has not a specific origin and has not been formally coined. However, in recent years it has become widely used to describe individuals who are migrating or relocating, especially in the context of international or forced migration and displacement. The phrase can be applied broadly to various situations of human mobility encompassing both voluntary and involuntary movements. Whenever possible this will be the preferred term used throughout this dissertation given its inclusive meaning.

Unaccompanied and Separated Children (UASC): Unaccompanied children are children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so. Separated children are those separated from both parents or from their previous legal or customary primary caregiver but not necessarily from other relatives. Separated children may be accompanied by other adult family members.

Regular procedure: the Refugee Law in Cyprus provides for a regular procedure for the examination of asylum applications by the Asylum Service (AS). The examination time is set to be 6 months, however currently the AS can take up to 21 months to issue a decision, applicants are allowed to ask for explanations for the delay. The decision could lead to recognition of refugee status, subsidiary protection status, or a rejection. The Asylum Service currently issues a single negative and return decision. Under a regular procedure a recourse can be submitted before the International Protection Administrative Court (IPAC), the deadline for an appeal against the decision is 30 days. The recourse has an automatic suspensive effect on the return order, meaning that rejected asylum applicants cannot be sent back to their country.

Accelerated procedure: the Refugee Law in Cyprus provides also for an accelerated procedure by the AS. Compared to the regular procedure, the time limit for the issuance of the decision by the AS is shorter and the deadline for the submission of an appeal before the IPAC is reduced to 15 days. The appeal does not have an automatic suspensive effect, meaning that a different appeal should be submitted to challenge the return order. In recent years the use of accelerated procedures has increased, focusing mostly on nationalities from the list of safe countries.

Dublin and admissibility procedure: under EU Asylum Law, the Dublin Regulation provides the criteria and mechanisms for the determination of the EU member state who is responsible for examining the asylum applications². During the procedure to identify the Member State responsible under the Dublin Regulation, a person has a right to remain on the territory and has access to reception conditions. Regarding asylum applicants returned to Cyprus under the Dublin Regulation, if the refugee status determination procedure was not concluded, it will resume from the stage it was paused.

Subsequent application/new elements: after receiving a rejection decision asylum applicants are allowed to submit a subsequent application or to add new elements to the initial claim. They are required to explain why it was not possible to include the new elements in the initial claim. The Asylum Service will assess the admissibility of the new application and elements. Pending the examination, asylum applicants are not entitled to access reception conditions, and if detained they have to remain in detention.

Pushback: This term is commonly used, especially by media outlets, international and nongovernmental organizations, and even by the Members of the European Parliament (MEPs), to refer to the controversial practice of intercepting third country migrants as they cross the land borders of a state or enter the territorial waters, and pushing them back into another jurisdiction. The term is not a legal one and it is not defined in any EU legal text. However, such a practice becomes illegal under international or EU law, as well as the European Convention on Human Rights (ECHR) and its case-law, in two particular situations: firstly, when it breaches the principle of "non-refoulement" and, secondly, when it is inconsistent with the international law of the sea.

² Dublin III Regulation available at:
<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02013R0604-20130629>

Introduction

We live in an era marked by the triumph of borders and their fetishism. It is a time in which the border has become both a material reality and a powerful symbol. Borders determine the appearance of the world. Maps portray the world as a mosaic of units, of nations, with clear cut silhouettes and surfaces distinguished by colours (Khosravi, 2010). At the same time borders determine our imaginations. They are no longer just lines demarcating state sovereignty; they have become central to how we perceive the world, define identity and determine belonging. Nowadays, borders constitute a fundamental element of our awareness of the global order, shaping community and the sense of who is included or excluded from them (Rumford, 2006).

This thesis is an attempt to engage with the theoretical field of critical border studies, shining a light on the peculiar case of Cyprus, which the author had the opportunity to experience on the field during a traineeship period at the Cyprus Refugee Council (CyRC).

The debate around border studies has developed in response to the intensification of migration, the securitization of mobility and the proliferation of border regimes beyond traditional territorial boundaries. Scholars of the discipline have offered conceptual tools to understand the contemporary border not merely as a geographical line, but as a site of contestation, surveillance, exclusion as well as being a place for the elaboration of new positions of autonomy and resistance from below (De Genova, 2013, 2016; Mezzadra and Nielson, 2013). In their view the border functions as an apparatus of control and a spectacle, in order to criminalise and racialise people on the move while asserting state power in highly visible and often violent ways. As the following analysis will demonstrate, contemporary border regimes extend far beyond external territorial checkpoints. Forms of control within the state territory—ranging from ID checks to exclusion from welfare systems and labour markets—create a pervasive environment of surveillance, discrimination and differential inclusion. Nation-states, especially in the Global North, are increasingly externalising migration control while also diffusing them throughout the entirety of the national territory, turning the whole social space into a site of border enforcement (FitzGerald, 2020; Burrige at al., 2017). Borders are not fixed, they emerge and shift across time and space, revealing new geographies of inclusion and exclusion. This thesis proposes to apply these lenses of critical border studies to the case of Cyprus, a country whose borders are physically scattered and extremely politically contested. This relatively small island on the Eastern Mediterranean Sea, presents a unique context for studying how border regimes operate at the intersection of

geopolitical conflict, migration control and social differentiation. Cyprus is home to multiple overlapping and fragmented borders: the internationally recognized Republic of Cyprus (RoC), the self-proclaimed Turkish Republic of Northern Cyprus (TRNC), the UK Sovereign Base Areas, and the UN-administered buffer zone, also known as the Green Line. These borders are more than mere lines that separate territories, they also embody history of colonialism, conflict and displacement, while shaping the experience of contemporary migration. The conceptual framework of “borderscape”, developed within border studies (Brambilla, 2015), proves particularly useful for this study. As a multidimensional and fluid space, the “borderscape” encompasses the physical, symbolic and lived aspect of the borders. It allows for a “multi-sited” (Brambilla, 2020) interrogation of the island’s border practices as they are experienced by people on the move, whose bodies, rights and lives are strongly entangled in the evershifting lines of inclusion and exclusion.

This project is structured in three main chapters. The first chapter offers a historical overview of the Cypriot border landscape, tracing the past developments of its current geopolitical divisions and situating them within a broader context of state formation. It also outlines the Republic of Cyprus’s migration and asylum policies, as well as recent trends in migration to the island. The second chapter provides an in-depth analysis of the island's various borders and the regime governing them. Through case studies and testimonies of asylum seekers and irregular migrants, it examines how different border zones create distinct experiences of navigation, control, violence and exclusion for people transiting through them. The third and final chapter shifts the focus inward to consider internal boundaries within the Cypriot society. It explores how migrants can be categorized and differentiated once inside the state, and argues that Cyprus, with its intersecting exceptional borders, offers a particularly illustrative case for advancing critical border studies. Here, borders are understood not as static peripheries, but as dynamic processes operating in a continuum and woven into the fabric of everyday life. Ultimately, this thesis argues that Cyprus is not only a borderland or a land of borders, but also a laboratory for understanding the broader transformation of border regimes in contemporary Europe. By combining historical, political and ethnographic analysis, the study is an attempt to contribute to the growing field of critical border theory and shed light on the embodied realities of people navigating a world increasingly defined by borders.

Methodology and positionality

This final thesis is the product of research conducted using a qualitative methodology, combining a comprehensive review of existing literature on critical border studies with insights drawn from the author's traineeship at the Cyprus Refugee Council (CyRC). Personal notes and observations recorded during the internship provide a practical foundation for examining the current challenges and contradictions within the Cypriot asylum reception system. Empirical reflections on the lived experiences of migrants—often marked by the dichotomy of vulnerability and resilience—add a crucial human dimension to the research. These personal insights, together with the literature, shape a nuanced and comprehensive understanding of the topic. The reviewed sources, cited throughout the dissertation, gain further significance when contextualized within individual first-hand experiences and narratives. The collected data is critically and qualitatively analyzed in relation to past and present legal, political and social dynamics, focusing on the experiences and challenges of people on the move living through the different polymorphic borders of Cyprus.

The Cyprus Refugee Council (CyRC) is a Cypriot non-governmental and non-profit organization that has been operational since the early 2000s, shortly after Cyprus's accession to the European Union. It is the first NGO in the country to be specifically established with the core mandate of supporting asylum seekers and refugees. To this day, CyRC remains the primary organization in Cyprus providing first-line, field-based assistance to migrants. The Council emerged from the expansion of the Humanitarian Affairs Unit within the NGO Future Worlds Center (FWC), where it operated for over a decade. This Unit implemented various projects funded by key international and European bodies, including the United Nations High Commissioner for Refugees (UNHCR), the European Commission, the European Council on Refugees and Exiles (ECRE), national embassies, and the European Programme for Integration and Migration (EPIM). Notably, substantial support was also received from the United Nations Voluntary Fund for Victims of Torture (UNVFVT), which continues to sponsor one of the Council's largest ongoing projects. In response to its growing significance, FWC restructured the Unit into an independent entity—thus establishing the Cyprus Refugee Council—to provide it with autonomous management and an expanded operational scope. CyRC's specialized focus led to its recognition as the main reference point for refugee and asylum-related issues in Cyprus (AIDA/CyRC, 2023). Over the years, other organizations supporting migrants have emerged all around the country, however CyRC

remains unique in offering specialized services. Despite its headquarters being located only in the capital city of Nicosia, staff members dislocate all over the island to the main cities of Larnaka, Limassol and Paphos, providing social and legal advice to asylum seekers and refugees residing in those areas. In addition, staff members conduct weekly field visits to the reception centre in Kofinou, and to the detention centre in Menogia. There is also a social advisor responsible for vulnerability assessments present 4 days a week at the Pournara First Reception Centre. CyRC's mission is centered on providing comprehensive support to all asylum seekers and refugees in Cyprus, with particular attention to vulnerable groups such as individuals in detention, victims of human trafficking, and survivors of torture. The organization actively advocates for a more inclusive and equitable society, where protection, rights, and integration are institutional norms (AIDA/CyRC, 2024). These values are reflected not only in the services it delivers but also in the collaborative networks it maintains with other civil society actors and migrant communities throughout the island. In addition to direct fieldwork, CyRC seeks to contribute positively to individual well-being, community cohesion, and broader political discourse surrounding migration and asylum in Cyprus. The main means that are used to properly work and reach those objectives are:

- evidence-based advocacy;
- research;
- public awareness;
- capacity building;
- direct services to the beneficiaries;
- realisation of specific projects devoted to the causes, such as “Help Refugees Work”³ and “Supporting the LGBTIQ+ Community”;⁴
- cooperation with other organisations, especially UNHCR.

Therefore, the above-mentioned, long-term missions and objectives of the Council are actively pursued by the work and commitment of each of its sectors. In fact, the functioning of the Council is precisely due to this division of labour into four main fields:

- psychological support;
- social integration;

³ Project realised in cooperation with UNHCR Cyprus. It aims to support recognised refugees in finding employment, and other educational opportunities. For more information see www.helprefugeeswork.org.

⁴ Project realised in cooperation with the United States Embassy in Cyprus. The project follows many meetings with LGBTIQ+ migrants to build a network around them, discuss hot topics, and inform on laws, rights, and health. For more information see www.cyrefugeecouncil.org.

- accompaniment and legal advice;
- support for access to social rights.

It is important to emphasize that all services offered by CyRC to its beneficiaries are entirely free of charge, made possible through project-based funding—primarily provided by UNHCR. A closer examination of these services reveals the core functional areas and pragmatic approaches adopted by the organization in delivering comprehensive support to asylum seekers and refugees.

Psychological Support

The psychological support unit is tasked with accompanying beneficiaries through a therapeutic process, particularly those identified as vulnerable due to experiences of torture, abuse, or other forms of violence. Referrals to this service may come from other organizations, the internal identification mechanisms of CyRC’s staff, or through self-referral. The team, composed of two psychologists, conducts psychological assessments and provides continuous mental health support. Where necessary, they refer cases to other departments within CyRC to address interconnected, non-psychological needs such as legal, social, or integration-related challenges.

Integration Support

The integration department focuses on facilitating access to the labour market, education, and essential public services such as banking, insurance, and driver’s licensing. The department provides not only guidance through bureaucratic procedures but also direct intervention by contacting relevant institutions on behalf of beneficiaries. Frequently, barriers arise due to limited awareness among employers or public officials regarding the legal entitlements of asylum seekers and refugees. In response, the department undertakes advocacy initiatives to promote awareness, uphold legal rights, and challenge instances of discrimination or procedural irregularity.

Legal Support and Advice

The legal department provides specialized legal assistance to beneficiaries in matters related to asylum and migration law. This includes legal consultations, explanations of procedural mechanisms, and personalized advice based on the individual’s legal status and claims. Recognized refugees may also receive assistance with post-recognition legal processes upon request. Legal advisors do not typically represent beneficiaries in court, only one legal officer within the team is appointed to handle complex legal cases requiring litigation.

Social Rights Support and Advice

Closely aligned with the integration efforts, this department ensures that beneficiaries can access healthcare services, social subsidies, and other entitlements under social welfare legislation. It assists in navigating complex bureaucratic systems and acts as a representative for beneficiaries dealing with relevant governmental bodies. The department plays a crucial role in advocating for a fair and consistent application of national and international humanitarian standards. A notable initiative within this department includes collaboration with the Pournara reception centre, where CyRC staff assess vulnerable individuals—often from marginalized groups such as the LGBTIQ+ community or survivors of torture and trafficking—and facilitate appropriate referrals to specialized internal units.

These departments work closely with each other through a cross-sectoral collaboration underlying the organization's commitment to protect and empower migrants and asylum seekers experiencing challenges in Cyprus. One of the CyRC's most significant strengths lies in its well-established network of partnerships. While CyRC is the only organization on the island offering this full range of specialized services, it actively collaborates with other non-governmental organizations, particularly in cases that involve institutional actors. Advocacy remains a cornerstone of CyRC's operational strategy, both as a means of influencing policy and ensuring that the rights of migrants are recognized and upheld across all relevant sectors.

During the 4 month traineeship period, the author had the opportunity to have a 360-degree experience of all the working fields of CyRC. As part of the programme, the author was taken to field visits to the two main reception centers in Cyprus, Kofinou and Pournara, as well as Menogia Detention Centre deepening first hand experience with the asylum seekers and refugees situation in the country. Being accommodated in the divided capital of Nicosia, also allowed for a deeper perception of the historical context, especially what the 1974 war represented for the island. Regularly crossing the check-points at Ledra Palace and Ledra Street also contributed to a further understanding of the Green Line Regulation, acknowledging the privilege of having an Italian passport. Readers are invited to keep in mind that this dissertation is the outcome of a research project that was shaped and influenced by all of the above.

Chapter 1. Background

The first chapter is divided into two main sections. One offers a historical overview of the Cypriot context, tracing the major developments that led to the creation of the current border landscape and its current geopolitical divisions. The second section outlines the Republic of Cyprus's migration trends and asylum system in recent years.

1.1 Historical background

1.1.1 Cyprus's past and the British rule

The island of Cyprus is located at the farthest eastern end of the Mediterranean Sea at the crossroads between Europe, Africa, and Asia. Türkiye⁵ lies approximately 50 miles north and it is its nearest neighbour. The island lies only 70 miles to the west of the coasts of Syria and Lebanon. Egypt is 240 miles south. Travelling westwards, the nearest Greek island, Castellorizo, is 170 miles away, with the Greek mainland an additional 330 miles away from Cyprus. At its extremes, the island is 150 miles long from east to west, and 100 miles wide from north to south. Its total land area is 3,572 square miles (9,251 square kilometres). It is the third-largest island in the Mediterranean, after Sardinia and Sicily. Nicosia is the capital of the island and the largest city (Ker-Lindsay, 2011). By virtue of its location at the far eastern end of the Mediterranean, Cyprus has always been regarded as a vital piece of strategic territory. In ancient times it came under the rule of the Persians, Egyptians, Romans, Byzantines, Venetians and Arabs (Roucek, 1976).

⁵ This thesis will use the new spelling of the country's name adopted by the UN in January 2023, upon request by the Turkish government.



Figure 1. Map of Cyprus in the Eastern Mediterranean. Credits to The Guardian.

Greek Cypriots are the largest ethnic group in Cyprus, and the island has maintained strong historical and cultural ties with the broader Hellenic world. At the time of independence in 1960, the most recent official census recorded 441,568 Greek Cypriots, making up 78% of the total population. By 2008, the population in areas controlled by the Republic of Cyprus reached 796,900, according to official statistics. However, this figure includes religious minorities and foreign residents, who are estimated to make up between 15% and 20% of the total. Due to the lack of reliable, updated data—particularly regarding the Turkish Cypriot community—the 78% figure is still commonly used to estimate the proportion of Greek Cypriots relative to the island’s overall population (Ker-Lindsay, 2011; Costantinides, 2014). The Turkish Cypriot community is significantly smaller than the Greek Cypriot population and has relatively more recent historical roots. At the time of Cyprus’s independence in 1960, there were 103,822 Turkish Cypriots, comprising approximately 18% of the island’s total population. Due to the absence of reliable, updated demographic data, this 18% figure continues to be widely used in discussions about the island’s population balance (Costantinides, 2014). The origins of the Turkish Cypriot community date back to the Ottoman conquest of Cyprus in 1571, meaning they have lived on the island for nearly 450

years. Today, Cyprus is as much their home as it is for the Greek Cypriots. However, the demographic picture has become more complex due to the arrival of a significant number of settlers from mainland Türkiye following the events of 1974. There are also 30,000 to 40,000 Turkish troops based on the island for security reasons in defiance of international objection and UN resolutions (De Waal, 2018). Furthermore, following the decision to unilaterally declare independence in 1983, Türkiye has continually provided an annual grant to the Turkish Cypriot administration in an effort to mitigate the effects of economic isolation. These elements underline the significant power that Türkiye exerts over the Turkish Cypriots. In addition to the Greek and Turkish Cypriots, Cyprus is home to several minority groups, including the Maronites, Armenians, and Latins. There is also a small Romani (Gypsy) population, although it is not officially recognized. At the time of independence in 1960, these minorities collectively made up the remaining 4% of the island's population. Under the 1960 Constitution, these groups are recognized as religious minorities rather than distinct communities. Each is granted the right to elect one representative to the House of Representatives (the Cypriot parliament), with voting rights limited to issues directly concerning their respective communities. All three recognized minority groups chose to align themselves with the Greek Cypriot community (Ker-Lindsay, 2011).

During the Russo-Turkish War (1877–78), the Ottoman Empire sought to curb further Russian expansion, prompting the Sultan to enter into an agreement with Britain. This arrangement, known as the Cyprus Convention, allowed Britain to occupy and administer the island. The agreement was part of a broader geopolitical strategy. Cyprus was strategically important to Britain, offering a critical naval base for British ships traveling through the Suez Canal to India, which was Britain's most valuable colonial possession. In a secret deal made during the Congress of Berlin, Britain secured control of Cyprus from the Ottomans (Mallinson, 2024). When the Ottoman Empire sided with Germany at the start of World War I, Britain's relationship with Cyprus shifted dramatically. In response, Britain formally annexed the island. Later, in 1923, under the terms of the Treaty of Lausanne, the newly established Republic of Türkiye, as the successor to the Ottoman Empire, officially renounced any claims to Cyprus and encouraged Turkish Cypriots to emigrate to Türkiye. On 10 March 1925, Britain officially declared Cyprus a Crown Colony, marking the complete end of Ottoman or Turkish sovereignty over the island (Adamides, 2020).

This time period witnessed the emergence of the two most important figures in modern Cypriot history. The first, Archbishop Makarios III, in 1950, he was elected archbishop of Cyprus at age 37. In the following decade, he played a crucial part in efforts to end British

rule over the island. The second major figure to emerge in the 1950s was Rauf Denktaş. He would come to play a protagonist role on the political stage for the Turkish Cypriot community for over 50 years, becoming also one of the presidents of the internationally unrecognized Turkish Republic of Northern Cyprus.

As decolonial struggles were starting to spread around the world, Cypriots too wanted to put an end to British rule over the island. Greek Cypriots formed EOKA⁶—the National Organisation of Cypriot Fighters—a militia that, unlike other anticolonial movements, was not fighting for the independence of the island of Cyprus, but wanted to bring about *enosis*, a Greek word meaning “union”, i.e. the political idea of uniting the island with Greece.

On April 1, 1955, a series of bombings targeted administrative buildings across Cyprus, marking the beginning of the EOKA uprising. While the movement's primary goal was union with Greece, the EOKA leadership initially attempted to take a conciliatory approach toward the Turkish Cypriot community. In July 1955, only a few months after the conflict erupted, the organization released a Turkish-language pamphlet to clarify its position, explaining that the struggle was aimed at ending British colonial rule and was not directed at the Turkish Cypriots. However, the central issue remained that the Turkish Cypriot community strongly opposed any forms of union with Greece. Preferring to stay under British rule rather than risk living under Greek administration, they distanced themselves from EOKA's cause. Instead, they sought to partition the island between Greece and Türkiye, a policy known with the Turkish word *taksim*. In opposition to EOKA, although employing similar guerilla tactics, Turkish Cypriots created an organization called *Volkan* (Volcano), who later on was restructured and renamed Turkish Resistance Movement⁷ thanks to the support of Türkiye. This fueled resentment among Greek Cypriots, who began to accuse the British colonial authorities—at least with some justification—of pursuing a *divide et impera* strategy by intentionally sowing discord between the Greek and Turkish Cypriot communities (Ker-Lindsay, 2011).

Britain started to realise and admit that Cyprus was not merely an internal matter after all.

The direct involvement of Greece and Türkiye, the perceived “motherlands” by the two communities of Cyprus, could not be denied. Even after Britain deported Archbishop Makarios, hoping for a more moderate leader to emerge, and many months of discussion, tensions did not seem to drop. During the period between 1956 and 1959 several proposals for a resolution were put on the table, but always failed due to rejections by both sides. By the

⁶ *Ethniki Organosis Kypriou Agoniston* in Greek.

⁷ TMT Turkish acronym.

end of the 50s, the situation had deteriorated significantly and a civil war between the two communities was looming on the island. This could also lead to the involvement of Greece and Türkiye, a war between Athens and Ankara—two NATO allies—could have catastrophic consequences paving the way for the Soviet Union to expand its control in the eastern Mediterranean. Fearing such an outcome, in September 1958, Archbishop Makarios conceded that independence, rather than *enosis*, would be an acceptable solution for Cyprus. Representatives of the Greek and Turkish governments met in Zürich in January 1959 and agreed to endorse the creation of an independent state with powers divided between the Greek and Turkish communities living on the island (Ker-Lindsay, 2011).

A year and a half after the signing of the Zürich-London Agreements, on 16th August 1960, the Republic of Cyprus was officially born and the British flag was lowered. However, this did not translate into the end of British colonial legacy, as it will be further explored, the empire's grip did not loosen (Constantinou and Richmond, 2005).

This agreed compromise is considered to be the second best option to accommodate the wishes of both the majority Greek Cypriot community and the minority Turkish Cypriot community (De Waal, 2018). Overall, it must be noted that, especially from the Greek Cypriots perspective, the 1960 Constitution seemed to be forced on the communities, some were suggesting that Archbishop Makarios had been deliberately blackmailed into accepting this compromise, renouncing any revendication of *enosis* (Loizides and McGarry, 2019).

1.1.2 From the independence to the 1974 war

In order to balance the powers between the Greek and Turkish Cypriot communities, the new Republic of Cyprus was endowed with a specific and complex constitutional structure in order to ensure that the numerically much smaller Turkish Cypriot population would not be sidelined by the Greek Cypriot majority. The president would be elected by the Greek Cypriot community whereas the vice president would be elected by the Turkish Cypriot community. They would both have significant veto rights over bills and proposals and they would preside over the Council of Ministers, which was made up of seven Greek Cypriot ministers and three Turkish Cypriot ministers.

A 70:30 ratio between the Greek Cypriots and Turkish Cypriots was also the basis for power sharing in other institutions, such as the new parliament, the single-chamber House of Representatives. The only exception was in the armed forces, which were made up of 60% Greek Cypriots and 40% Turkish Cypriots. The highest judicial body, the supreme

constitutional court, was made up of one Greek Cypriot judge, one Turkish Cypriot judge, and one foreign judge, who would also become the president of the court. In addition, in order to address issues under the direct control of the two communities, such as educational, cultural, and religious matters, separate communal chambers were established. It was also notable that the new structures ensured that the two communities would retain strong ties with their respective ‘motherlands’, Greece and Türkiye (Ker-Lindsay, 2011). Probably the most significant aspect about the 1960 Constitution was that *enosis* and *taksim* were openly abandoned as future options for the new state. Along with the Constitution, 3 other treaties were signed in order to preserve political order: the Treaty of Guarantee, the Treaty of Alliance and the Treaty of Establishment.

According to the Treaty of Guarantee⁸, Britain, Greece, and Türkiye acquired the title of guarantor powers. Under the agreement, the three countries—Britain, Greece, and Türkiye—committed to safeguarding the sovereignty, territorial integrity, and independence of the newly established state. They were also granted a clear right to intervene in case the political stability of the island was threatened, either internally or externally. Although the expectation was that any intervention would be carried out jointly, Article 4 of the treaty allowed any one of the three nations to act unilaterally if joint action was not feasible, with the aim of restoring the conditions set by the 1960 Constitution. This arrangement faced strong opposition from many Greek Cypriots who argued that the extensive powers granted to the guarantor states meant Cyprus was not genuinely independent, as its sovereignty remained under external control (Ker-Lindsay, 2011). More significantly, the treaty explicitly permitted Türkiye to intervene in Cypriot affairs, which was a major point of contention. In addition to their right of intervention, the Treaty of Alliance⁹ allowed Greece and Türkiye to maintain small military contingents on the island.

Under the terms of the third treaty, known as the Treaty of Establishment¹⁰, Britain was allowed to retain 99 square miles of the island as sovereign territory for military purposes: the Sovereign Bases Areas (or SBAs). The UK bases are regarded as a legacy of British colonial rule over the island, their existence is a testament to the compromise between the British

⁸ Treaty of Guarantee available at:

<https://peacemaker.un.org/sites/default/files/document/files/2024/05/cy20gr20tr600816treaty20of20guarantee.pdf>

⁹ Treaty of Alliance available at:

<https://peacemaker.un.org/sites/default/files/document/files/2024/05/cy20gr20tr600816treaty20of20alliance2028with20additionnal20protocols29.pdf>

¹⁰ Treaty of Establishment available at:

<https://peacemaker.un.org/sites/default/files/document/files/2024/05/cy600816treatynicosia.pdf>

intention to retain Cyprus as a colony and its practical inability to retain local consent and enforce this objective militarily (Constantinou and Richmond, 2005). Along with the military bases, the UK reserved the right to exercise certain administrative functions over other Cypriot territory known as the so-called “British Retained Sites and Installations”. These sites have a peculiar legal regime where the sovereignty of the Republic of Cyprus is temporarily suspended. They are treated essentially as embassy premises, meaning that Cypriot authorities cannot enter without explicit consent from the SBA authority. The main difference with embassies is that usually the receiving state gives consent to the suspension of its sovereignty, so it is a mutual and consensual condition. The case of Cyprus and its relation to the UK still emphasises the remnants of colonial power dynamics (Constantinou and Richmond, 2005).

Reactions to the Independence were contrasting and conflicting, somehow precluding what would have happened shortly after. Despite the constitutional prohibitions on *enosis* and *taksim*, many people in the Greek Cypriot community, including their leaders, still held a strong desire for unification with Greece. On the one hand, the Greek Cypriot community was looking at the new republic with a generally negative attitude due to the significant powers that had been given to the Turkish Cypriot community under the constitution.

On the other hand, the Turkish Cypriot showed a more favourable attitude towards the new republic. They acknowledged the fact that they had been given a significant power and influence on the governance of the island, and they were also assured that Türkiye would protect them. Even though they didn't obtain partition, at least they were not part of Greece.

The reaction of the Turkish Cypriot community was also relatively ambivalent, they showed no actual loyalty to the new-born state, however for them this represented a second-best option and a relatively good outcome (Ker-Lindsay, 2011).

The balance of the new state was extremely precarious, the complex governmental structure struggles to work efficiently and effectively. Both sides showed little trust and willingness to cooperate in order to make institutions succeed. The constitutional collapse is often blamed on the establishment of separate Greek and Turkish Cypriot municipalities in the main towns and cities of the island. This constituted the most significant disagreement issue between the two communities. In an attempt to fix this discord, hoping to give the state a chance, president Makarios tried to amend the Constitution. However the 13 amendments proposed severely undermined Turkish Cypriot political power, so Türkiye vehemently rejected it¹¹.

¹¹ Makarios amendments proposal (13 Points) available at: <https://www.gov.cy/media/sites/16/2024/04/13-points.pdf>

On 21st December, 1963, a small incident involving some Turkish Cypriots, who were stopped at a late-night Greek Cypriot roadblock in Nicosia, precipitated the situation. Shortly after, large numbers of Turkish Cypriots filled the streets of the capital protesting. Violent clashes erupted when Greek Cypriots responded. There were reports of armed confrontations taking place in towns all over the island. However, many Turkish Cypriots decided to gather in enclaves to seek the protection of Turkish and Turkish Cypriot armed forces. This explosion of violence and fighting marked the end of the Turkish Cypriot involvement in the state institutions (Drevet and Theophanous, 2020). Whether it was a voluntary withdrawal or a forced imposition still remains one of the most controversial questions in modern Cypriot history. According to the Turkish Cypriot narrative, they were systematically expelled from the government; on the contrary the Greek Cypriots insist that they opted to leave the government of the Republic of Cyprus so they could set up their own parallel administration. One thing is certain, when the clashes started, Türkiye did not waste time and started preparing for a military invasion according to its right established in the Treaty of Guarantee. The British government was afraid that the situation was precipitating into a larger confrontation between Türkiye and Greece, the two other guarantor powers, so it managed to persuade them to deploy a small peacekeeping mission—the Joint Truce Force. Essentially, the British army took the entire responsibility for appeasing the two sides, a burden that it could not really sustain, therefore shortly after it was forced to hand the matter over to the United Nations. On 4th March 1964, the UN Security Council passed Resolution 186 with which it established the United Nation Force in Cyprus (UNFICYP). The UN was now officially in charge of the peacemaking process, one of the longest operations in the organisation’s history (Loizides and McGarry, 2019). The Resolution also recognised that the effective control over the functions and institutions of the Republic of Cyprus was in the hands of the Greek Cypriots.

In April 1967 a military *coup d'état* took place in Greece and shook the chessboard. The new military administration seemed determined to find a solution to the Cypriot issue. However optimism was soon extinguished when the military junta installed a hardline government favoring the union of Cyprus and Greece (De Waal, 2018). Taking advantage of this changing situation the Turkish Cypriots seized the opportunity to form their own provisional administration. Despite Makarios denouncing the move as illegal, he, along with most other Greek Cypriots, acknowledged that the political situation on the ground had changed radically. Cyprus would remain an independent state, *enosis* was no longer feasible under the prevailing circumstances, and Turkish Cypriots would have to have some degree of political

autonomy. Nonetheless, some fringes within the Greek Cypriot community were not ready to renounce their dream of unification with their “motherland”, especially EOKA who was strongly pro-union. Over the next few years they were responsible for waging a fierce terrorist campaign against the Greek Cypriot administration, even attempting at the assassination of Archbishop Makarios, whom they accused of betraying the Cypriot cause.

On 15th July 1974, the presidential palace in Nicosia was surrounded and fired at by the Greek and Greek Cypriot forces. Archbishop Makarios managed to flee to Paphos, and from there British troops took him to RAF Akrotiri and boarded him on a flight to London. The new Greek Cypriot administration backed by the Greek military was established and many believed that a declaration of *enosis* was imminent. In response, Türkiye started planning its reaction, the president summoned the armed forces and ordered a full-scale invasion of the island. On the 20th July, Turkish troops arrived by air and sea in the area between the coastal city of Kyrenia and Nicosia. In just 48 hours, the Turkish Army was able to establish its secure foothold on the northern part of the island (Ker-Lindsay, 2011).

On 23rd July, in Greece, the military junta collapsed and as a consequence Greek Cypriot president Sampson, who had replaced Makarios, was forced to resign. These developments opened the door for formal peace talks in Geneva involving the three guarantor powers—Greece, Türkiye, and the United Kingdom. However, on 14th August, Türkiye launched a second wave of its invasion. Expanding from the narrow corridor gained during the initial assault, Turkish forces swiftly advanced east and west, seizing control of much of northern Cyprus. Over the course of three days, the Turkish military pushed tens of thousands of Greek Cypriots from their homes, ultimately seizing control of 36% of Cyprus—including many regions traditionally inhabited by Greek Cypriots, such as the city of Famagusta (Ker-Lindsay, 2011).



Figure 2. The Ghost Town, Famagusta. Photo by the Author, March 2025.

The conflict claimed thousands of lives, the majority of them Greek Cypriots, and resulted in nearly half of the island's population becoming internally displaced and refugees. Approximately 160,000 Greek Cypriots were displaced from the north, while nearly all Turkish Cypriots living in the south were also uprooted, with most relocating to abandoned Greek Cypriot homes in the north. Despite widespread international condemnation and multiple UN resolutions, an estimated 35,000 Turkish troops¹² remained stationed on the island (De Waal, 2018). One of the most debated issues is the legality of Türkiye's military intervention. For Greek Cypriots, it was a premeditated and unlawful act of aggression. In contrast, Turkish Cypriots viewed it as a legitimate and necessary measure to prevent the union of Cyprus with Greece and to safeguard themselves from potential threats posed by the Greek Cypriots. Most historians and experts, however, argue that while the first invasion may have been justified under international law and the Treaty of Guarantee, the second invasion was unequivocally a violation of it. The United Nations Security Council issued several resolutions condemning the ongoing fighting and urging all parties to respect the sovereignty, territorial integrity, and independence of Cyprus. Ultimately, it took three days of intense negotiations to establish a new ceasefire, which, this time, was intended to be permanent. On the 16th August a ceasefire came into effect, UNFICYP inspected the areas where the Greek

¹² The number has probably fallen since then, but there are no verified figures.

Cypriot and the Turkish military forces were deployed and drew the ceasefire lines; the area encompassed within became to be known as the “buffer zone” (Christodoulidou, 2008). The 1974 partition gave a geographical and ethno-demographic dimension to a separation that had been driving the two communities apart on political, economic, social and psychological levels since the 1960s (Michael, 2007).

The invasion and partition of the island had profound yet different effects on both communities. On the one hand, for the Greek Cypriots the impact was particularly catastrophic, hundreds of thousands were forced to leave their homes in the north. On the other hand, for the Turkish Cypriots the partition had a more positive impact. Though 50,000 of them were also forced to abandon their properties in the south, now they controlled a large portion of the island. They relocated into the houses of Greek Cypriots that the Turkish Cypriot authorities had expropriated. With the invasion, settlers from mainland Türkiye started moving onto the island and they were also assigned Greek Cypriot properties.

The partition had also critical consequences on the political level. Now that Turkish Cypriots had the control over more than one third of the island they could strongly prevent any form of union between Cyprus and Greece. Any hope that Cyprus could exist as a unitary state was dead (Ker-Lindsay, 2011). A federation was the only possible solution that Turkish Cypriots were willing to negotiate and accept, so in February 1975 the birth of the Turkish Federated State of Northern Cyprus was announced. Since then, the UN tried to mediate talks between the two communities unfortunately with little success.

Failed agreement attempts under the auspices of the UN continued during the 70s, and they were always rejected by one of the two sides, leading to a deadlock. On 15th November 1983, the Turkish Cypriot administration unilaterally declared independence, this unexpected move only cemented the deadlock. When the Turkish Republic of Northern Cyprus (TRNC) was born, Türkiye rushed to recognise this new entity whereas the rest of the international community roundly condemned it. As a matter of fact, a few days later, the UN Security Council passed Resolution 541, stating that the declaration was legally invalid and should be withdrawn. Other UN member states were also instructed to recognise the sovereignty, independence, and territorial integrity of the Republic of Cyprus as the only internationally recognised state on the island (Ker-Lindsay 2011). Indeed, until today Türkiye is the only state that has recognised the TRNC.



Figure 3. TRNC flag displayed on the Pentadaktylos mountains, visible from the southern side. Photo by the Author, April 2025.

Turkish Cypriots received the declaration of the birth of the TRNC with mixed feelings. While people on the right side of the political spectrum were supportive of the decision and wanted independence or union with Türkiye, the leftists were more in favour of a federal agreement with the Greek Cypriots. At times, they openly criticized the independence declaration stating that this move would lead to Turkish Cypriots being cut out from the rest of the world. Even Denktash was ambiguous about his decision, he described it as a strategic political bargaining maneuver aiming at conveying the frustration of the Turkish Cypriots and their determination to obtain a better proposal for the solution of the Cyprus issue (Ker-Lindsay 2011). Despite these political changes on the island scenario, the UN were undeterred in their effort to find a solution between the parties throughout the 80s, however once again all attempts failed.

1.1.3 Recent developments: Cyprus, the EU and the Annan Plan

Cyprus has always held a special place within Europe political strategy (Devret and Theophanous, 2020). The recent history of the island created the opportunity for the European Union to work as a political actor in conflict scenarios (Ulusoy, 2016).

The history of the relationship between Cyprus and the European Union dates back to the time right after the Independence in 1960. The two parties were looking to sign a form of agreement that eventually would be translated into a full customs union by 1982. The tumultuous period between the 60s and the 70s, culminating in the Turkish invasion of 1974, disrupted the timeline. However in 1987 the progress was revived by a new protocol aiming at reaching a full customs union by 2002. For the Greek Cypriots this was not enough, together with Britain and Greece they wanted deeper integration, so on 4th July 1990 Cyprus formally applied to become a member of the EU. The other EU member states accepted Cyprus' membership application and confirmed that it would take part in the next wave of discussions about enlargement. Unsurprisingly, Turkish Cypriots and particularly Türkiye were not happy with this decision. Although they have always opposed any attempts to EU candidacy for Cyprus, their negative response was caused by fear. Türkiye had submitted the application to become an EU member in 1987, if Cyprus had joined the Union it would have had extremely negative consequences for Türkiye, it could have obstructed its accession.

Once again, the island was witnessing a dangerous rise of tensions. Turkish Cypriots authorities did not believe that the RoC application would ever be accepted, the EU would not risk provoking a crisis with Türkiye. However, in November 2002, the AKP (Justice and Development Party) led by Recep Tayyip Erdogan won by a landslide in Türkiye, this changed the terms midway. This victory represented a monumental breakthrough for the Cyprus issue. The UN, in the person of their Secretary-General, Kofi Annan, seized the opportunity to present the two sides with a proposal for a settlement: the Annan Plan, which will be discussed in more detail at the end of this subchapter. There was hope that the two sides of the island could reach an agreement before the 1st May 2004, the date in which EU leaders in Copenhagen would have formally invited Cyprus to join the EU along other 9 countries in the next wave of enlargement. On 16th April 2003, the RoC government signed the treaty that guaranteed its membership in the EU in May 2004. The Turkish Cypriot community started criticizing its own administration for not seizing the European opportunity and committing seriously to the peace process. With an unexpected decision, in order to appease their community, the Turkish Cypriot authorities announced that they would terminate the restrictions on travel across the Green Line that had been dividing the island for thirty years (De Waal, 2018). On 23rd April 2003, the border opened, by showing their passport and a visa slip Greek Cypriots could now be able to cross to the north side as they pleased. On the very first day it is estimated that five thousand people crossed the border, the number skyrocketed as the word was spreading. In 5 days more than fourteen thousand Greek

Cypriots arrived at the three checkpoints and waited in line to cross and return to their lost properties in the North, at times the Turkish Cypriot authorities could not even handle the influx of people. According to estimates one quarter of the island population—200,000 people—crossed the border in two weeks. The situation was delicate and risks of clashes were high, however the atmosphere remained peaceful and there were virtually no reports of tensions (De Waal, 2018). The complexity and peculiarity of the Green Line will be discussed in the second chapter of this thesis, however it is important to note that Cypriots on both sides frequently cross this fairly benign boundary in a couple of minutes to go and visit their family homes which were lost during the conflict of 1974 (De Waal, 2018).

On 24th April 2003, both Cypriots communities were asked to voice their opinion in a simultaneous referendum, one was to vote on the Annan Plan for the proposal of resolution to the Cyprus problem, the other was to vote on the accession to the EU. The potential of the Annan Plan and its failure will be discussed later on, as for the EU accession it was warmly welcomed. The fact, though, that the island remained *de facto* divided obviously posed an issue for EU law implementation. The EU was able to circumvent major obstacles, however legal gaps still persist, understanding them is fundamental to study how third country nationals and asylum seekers can move across and beyond the borders and boundaries that the body of laws created.

For example, Protocol 10 of the Accession Treaty of 2003 refers to the northern part of Cyprus as areas of the Republic of Cyprus in which the government does not exercise effective control.¹³ Essentially, the northern part of the island is part of the EU, however it is in a peculiar position since key membership benefits are suspended unless and until reunification is achieved (De Waal, 2018). In other words, even if the island is formally part of the EU in its entirety, the *acquis communautaire* (European body of law, including asylum law) is suspended unless and until the island is reunified. In addition, the EU does not recognise Turkish Cypriot institutions as formal partners. One positive benefit for Turkish Cypriot citizens (with the exception of the Turkish settlers¹⁴) is that since 2004 they have been granted European passports by the RoC. Turkish Cypriots with citizenship in the Republic of Cyprus are entitled to travel, study and work in other EU countries, however the northern part of the island cannot initiate or receive direct flights, operate internationally recognised universities or trade directly with the rest of Europe (Loizides and McGarry,

¹³ Article 1 of Act of Accession of Cyprus, Protocol No 10 available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12003T/PRO/10>

¹⁴ The term refers to those people who came from Türkiye after the invasion of the island in 1974.

2019). The EU continues to be an appealing model for many Turkish Cypriots. However, after the Republic of Cyprus joined the EU in 2004—excluding the northern part of the island—it has used its membership to block various forms of EU engagement with the north. Despite this, Brussels remains an influential presence in northern Cyprus. Through the Financial Aid Regulation, the EU allocated €449 million to support the Turkish Cypriot community between 2006 and 2016. Still, the EU’s involvement is shaped by political limitations, especially concerns from the Greek Cypriot side about potential implications for recognition of the north. Still to these days, the Turkish Cypriot community is trapped between two integration projects that cannot be completed. On the one side is Türkiye, and on the other is the EU (De Waal, 2018).

Over the course of the 20 years after the 1974 war, it became clear that the negative factors on settlement had a far greater impact than the positive ones. A set of interconnected problems consistently blocked any progress, outweighing any beneficial developments from within or outside the process. Negotiations were often delayed or disrupted by new and conflicting interpretations of concepts and principles that had already been agreed upon. The two sides also had fundamentally different goals, priorities, and perspectives, which further complicated the process. They disagreed on crucial issues such as whether to maintain the status quo or make changes, whether to move quickly or slowly toward unification, and whether to pursue a federation, confederation, or a single central government. The main lesson from these 20 years is that, in their current form and without being connected to broader initiatives, the talks cannot overcome the deep-rooted structural and psychological obstacles that stand in the way of a negotiated agreement (Michael, 2007).

Although conflict resolution discourses fall out of the scope of this dissertation, this last section will take a closer look at the Annan Plan, considered to be one of the most promising conflict resolution proposals for the Cyprus problem, one that miserably failed though.

The power shift in Türkiye and the EU membership talks were argued to be the biggest catalyst that paved the way for the resumption of the UN negotiations. Moreover, it was necessary to lock in the active support of the key external parties, the United States and the United Kingdom, as well as the “motherlands”, Türkiye and Greece. With these conditions it would be possible to alter the entrenched positions of the two communities (Michael, 2007). The bargaining strategy driving the negotiations was to persuade Turkish Cypriots that if they rejected a UN agreement, Greek Cypriots would join the EU anyway and would obtain an advantageous position compared to Turkish Cypriots and Türkiye. EU and UN officials

assumed that Greek Cypriots and Greece would undoubtedly support the UN plan (Tannam, 2016).

The Annan plan, proposed by UN Secretary General Kofi Annan, tried to address the several fundamental issues that divide the two communities in Cyprus: (1) the future political system for Cyprus; (2) guarantorship; (3) freedoms of movement, settlement and property ownership; (4) military status of Cyprus; (5) displaced persons and properties, (6) Turkish settlers/immigrants; (7) territorial adjustment; and (8) EU membership (Sözen and Özersay, 2007). In summary, the proposed solution for the Cyprus issue envisions the creation of a United Cyprus Republic—a bizonal, bicomunal federal state comprising two politically equal constituent states, Greek Cypriot and Turkish Cypriot. Drawing from the Swiss and Belgian federal models, the arrangement combines elements of both federation and confederation, resulting in a hybrid structure with a weak central government and strong constituent state powers, particularly in areas such as education and religion. The federal government would include a bicameral parliament, with equal representation in the Senate and proportionate representation in the Chamber of Deputies, ensuring no community falls below 25% representation. Executive power would rest with a six-member Presidential Council elected by both houses, with a rotating presidency that prevents either community from dominating. Judicial oversight would be provided by a Supreme Court composed of equal numbers of Greek Cypriot, Turkish Cypriot, and non-Cypriot judges. Sovereignty would be shared, and all citizens would hold dual citizenship—one for the common state and one for their respective constituent state. The plan also includes substantial territorial adjustments, restoring 72% of the island to Greek Cypriot administration and addressing the rights of displaced persons through a mix of return, resettlement, and financial compensation. Property ownership and settlement rights would initially be restricted to preserve the bizonal nature of the federation, with limitations easing over time or following Türkiye's accession to the European Union. A fixed number of Turkish and Greek settlers—45,000 from each side—would be allowed to remain, based on specific criteria. The 1960 Treaties of Guarantee, Establishment, and Alliance would be maintained, allowing Greece and Türkiye to station up to 6,000 troops each for seven years, after which a phased reduction would restore original troop levels. No international military operations would be permitted without the joint consent of Greece and Türkiye, and a UN peacekeeping force, along with Greek and Turkish monitoring bodies, would remain active. Freedoms of movement would be guaranteed, while those of settlement and property would be regulated to support the constitutional principle of bizonality. Finally, Cyprus would join the European Union as a

unified state, constitutionally obligated to support Türkiye's EU membership and speak with one voice in EU institutions, with the settlement terms incorporated into EU law (Sözen and Özersay, 2007). Despite opposition from Turkish nationalists and leader Rauf Denktaş, 64.9% of Turkish Cypriots voted in favor of the plan. In contrast, 75.8% of Greek Cypriots voted against it. Although it is often reported that Greek Cypriots opposed the plan due to concerns over security and implementation, the truth is that there was not just a single reason for rejection but a combination of factors (Ker-Lindsay, 2011). Over the years, both communities had, for various reasons and in distinct ways, come to support the status quo. This imperfect situation was, at least, seen as more stable than the unpredictability of any future government that didn't accommodate the maximal demands and expectations of the opposing sides, essentially a zero-sum game (Michael, 2007). Despite several problematic provisions, the Annan Plan aimed to establish a united federal Cyprus within the European Union and it represented a significant turning point in the recent history of the Cyprus problem. Inevitably though, "absolutist demands" on both sides have made it impossible to reach a mutually beneficial resolution (Loizides and McGarry, 2019).

Following the 2004 referendum, with the accession of Cyprus in the EU and in spite of the defeat of the Annan Plan, there were still high hopes to renew peace talks, some people even predicted another vote by the end of the year. However, RoC President Papadopoulos was quick at rejecting any negotiations, he opposed strict deadlines or international mediation. His strategy was to try and delay talks as long as Türkiye would seek to join the EU, hoping that this would pressure Turkish Cypriots into accepting an agreement more favorable for Greek Cypriots (Ker-Lindsay, 2011). This delaying tactic proved to be a failure.

In 2006, the UN tried again to broker a deal between the two Cypriot presidents reviving the goal of a bizonal, bicomunal federation and trying to overcome the status quo. Negotiations continued derailing into deadlocks, even with presidents changing on both sides of the island, there were always conflicting and opposing views over issues of security, power sharing, and eventual status, leading both communities to a state of insecurity and uncertainty (Ker-Lindsay, 2011). Furthermore, the Greek Cypriot government does not recognize Turkish Cypriot institutions, considering them illegitimate, this largely hinders any forms of cooperation. However, a significant exception is made for those institutions that had an established legal status as Turkish Cypriot entities when the Republic of Cyprus's constitution was adopted in 1960. One area where cooperation exists is between the Turkish Cypriot and Greek Cypriot Chambers of Commerce (TCCC and GCCC), which collaborate closely to facilitate trade across the Green Line. With years passing the Cyprus problem has moved

from the realm of violence into politics and law (De Waal, 2018). According to a common joke the Cyprus issue is “essentially a problem of thirty thousand Turkish troops faced off against thirty thousand Greek Cypriot lawyers”. Generations of UN mediators have come to the island trying to negotiate a settlement that would lead to the creation of the “State of Cyprus with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal communities”¹⁵. However, up until now they have always left empty handed.

This brief and non-exhaustive summary of the history of Cyprus, set the tone of the background which people on the move have to navigate, often being unaware of it. Migration and asylum systems on the island have to be developed and function adjusting to the peculiar situation of the country. Both migrants and asylum seekers as well as Cypriot institutions and civil society organizations—working with and for them—must navigate the complex reality that was born out of historical developments.

1.2 Migration and asylum background

1.2.1 Migration trends in Cyprus

As shown in the previous chapter, the history of Cyprus has long been characterized by patterns of migration, due to its geographical location and historical developments. Over the centuries, various peoples and cultures have been drawn to the island, attracted by its strategic position in the eastern Mediterranean. However, for the purposes of this dissertation, the focus will be on the contemporary period, specifically from the 1990s onward, with particular attention given to the period commonly referred to as the “refugee crisis” (Jeandesboz and Pallister-Wilkins, 2016). From a geographical standpoint, Cyprus occupies a critical position as the easternmost member state of the European Union, lying in close proximity to the Middle East. This strategic location places the island as a key point of transit and arrival for migratory flows originating from regions such as the Middle East, Near East, and parts of Africa (Angastiniotis, 2019). As such, Cyprus functions as a significant node within broader regional and transnational migration dynamics. The island's migration history is complex and multifaceted, encompassing internal mobility, waves of emigration, and, more recently, increasing patterns of immigration. During the intercommunal violence between

¹⁵ UNSC Resolution 774 available at: <http://unscr.com/en/resolutions/doc/774>

Greek and Turkish Cypriots, significant internal movements were recorded, as members of both communities looked for safety by relocating within the island (Demetriou, 2019). Many internally displaced individuals either resettled in areas perceived as secure or chose to emigrate, with the United Kingdom emerging as a preferred destination due to colonial historical ties and existing networks with the diaspora (Trimikliniotis and Demetriou, 2007). The first significant wave of immigration to Cyprus in recent history occurred in 1974, in the aftermath of the unilateral declaration of the Turkish Republic of Northern Cyprus (TRNC), when Türkiye actively promoted and facilitated the resettlement of Turkish nationals in the northern part of the island. This initiative was strategically aimed at reinforcing the demographic composition and legitimizing the political structure of the newly declared entity (Erdal, 2011). In the decades that followed, Cyprus experienced further migratory influxes, particularly during the economic expansion of the 1990s. This period of growth in the southern part of the island created a demand for foreign labour, resulting in increased immigration and the diversification of the population.

In recent years, regional conflicts have been among the primary drivers of migration to Cyprus. Protracted instability in the Middle East has resulted in significant population displacement, with the island increasingly serving as both a transit point and a destination for individuals fleeing violence and persecution (Clochard, 2008). The two wars in Iraq, the enduring Israeli-Palestinian issue, and recurrent crises in regions such as Kurdistan and Lebanon have collectively contributed to the displacement of millions over the past three decades. A portion of these displaced populations have either transited through Cyprus or sought refuge on the island in pursuit of safety and improved living conditions.

Historically, Cyprus has functioned as a temporary sanctuary during periods of regional unrest. During the Lebanese Civil War (1975–1991), for example, the island frequently served as a place of refuge for both Lebanese nationals and stateless Palestinian populations (Davie, 1992). In addition, neighboring populations in Syria and Palestine have faced severe socio-economic hardships, coupled with limited democratic freedoms. These structural conditions have contributed to sustained emigration pressures. The more recent influx of asylum seekers to the southern part of Cyprus reflects broader geopolitical shifts and escalating humanitarian crises. As migration routes evolve in response to both opportunity and restriction, Cyprus has emerged as a key entry point into the European Union, and with the intensification of inflows, the RoC introduced a series of regulatory measures in order to manage immigration more effectively. Paradoxically, yet not surprisingly, the efforts to

regulate entries and curb irregular migration through restrictive policies result in increasing undocumented arrivals and precarious legal statuses for migrants (Agathangelou, 2004).

The rise in asylum applications in Cyprus is closely linked to both geopolitical developments and changes in cross-border mobility. A key moment occurred on April 23, 2003, when several crossing points along the Green Line were opened, facilitating increased movement from the northern to the southern part of the island. Prior to this, immigration to Cyprus had not been perceived as a major concern. However, the situation shifted significantly following the Republic of Cyprus accession to the European Union on May 1, 2004. Almost immediately after joining the EU, Cyprus emerged as a prominent destination for both asylum seekers and undocumented migrants seeking entry into the European Union (Clochard, 2008).

Asylum applications to Cyprus experienced a marked increase in the following year, and although these rates fluctuated over the following decade, they rose significantly again during the broader European so-called migration crisis of 2015 (Trimikliniotis, 2019) reaching a peak in 2022 after the Covid-19 pandemic (see figures 4-5 - UNHCR Chart). Considering the small size of Cyprus both in terms of territory and demographics, these numbers officially make Cyprus the European member State with the highest number of asylum applications per capita (AIDA/CyRC, 2025; EUAA, 2025).

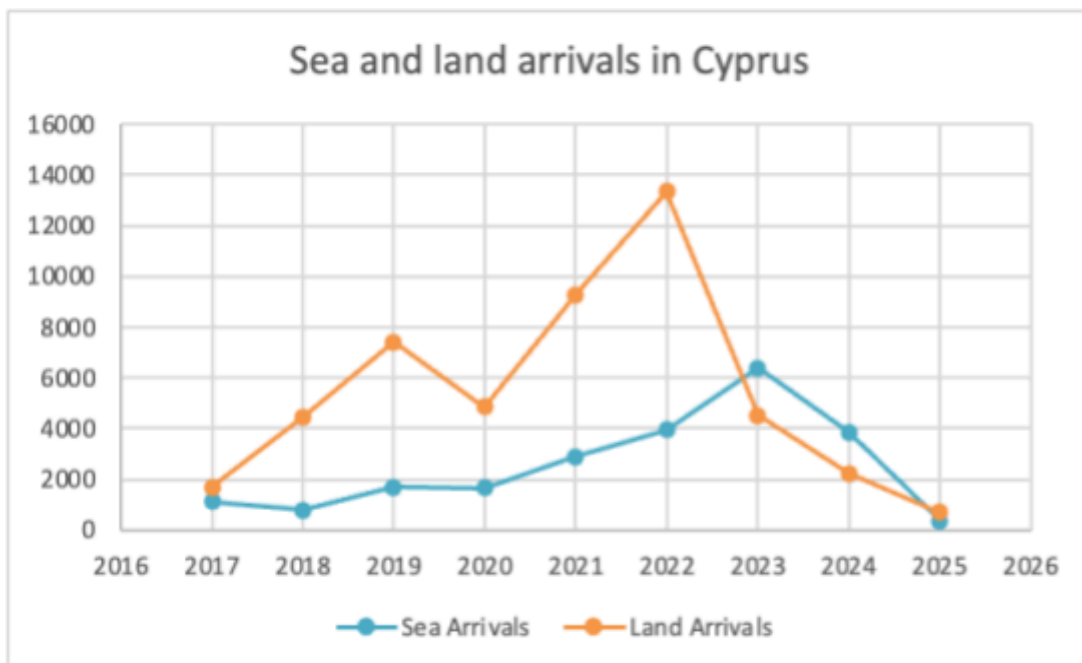


Figure 4. Data collected from UNHCR official statistics and EU Commission Annual Reports on the GLR. *Data from 2025 refer only to the period Jan-May 2025.

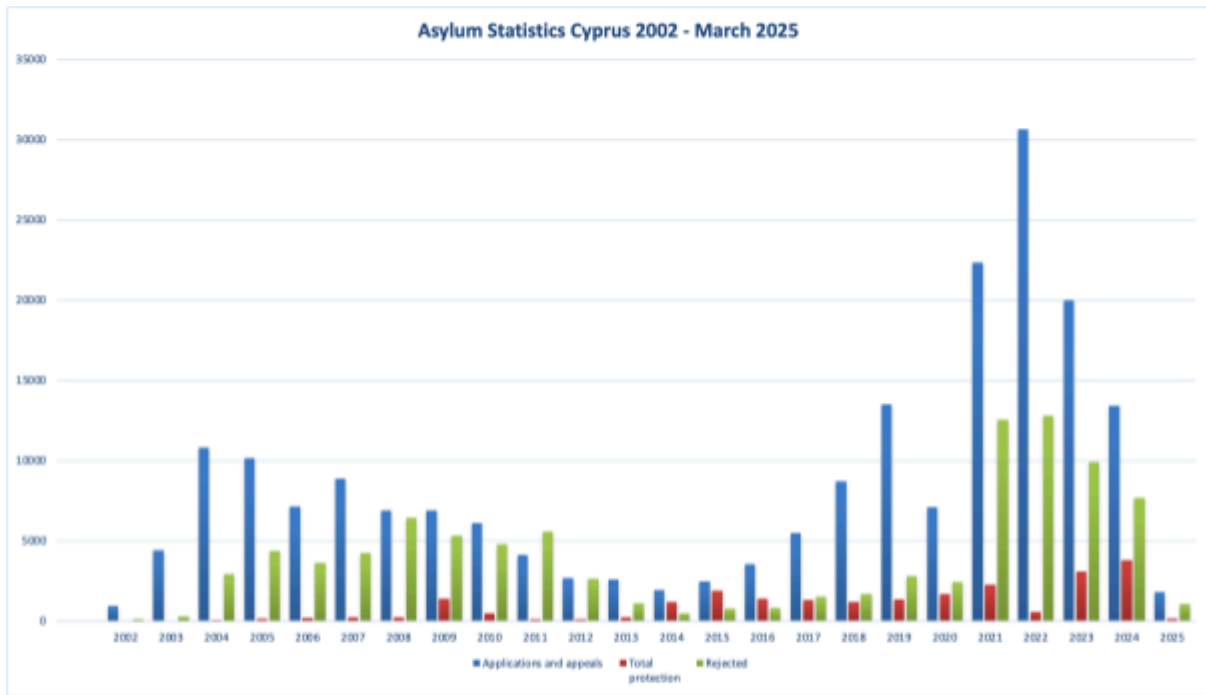


Figure 5. UNHCR Asylum Statistics

The accession of a geographically close state to the Middle East into the EU drew considerable interest among migrants seeking entry to central and northern European countries. For many, Cyprus began to function not only as a potential destination but also as a strategic transit point (Demetriou, 2019). However, unlike other states that joined the EU in the 2004 enlargement, the Republic of Cyprus did not accede to the Schengen Area in 2007. This divergence stems from the perception among founding Member States that Cypriot authorities had not yet demonstrated sufficient capacity to manage and secure the EU's external borders effectively. Similar to earlier hesitations regarding Italy in the mid-1990s and Greece at the end of that decade, concerns over border control led to the postponement of Cyprus's integration into the Schengen regime (Clochard, 2008). As of yet, no definitive timeline has been established for Cyprus's entry into the Schengen Area, however recently President Christodoulides stated that the RoC will join the Schengen group in 2026 (Clever, 2025b). Cyprus's exclusion from the Schengen Area has represented significant limitations to the mobility strategies of migrants. Many individuals arriving on the island with the intention of using it as a gateway to other European destinations found their plans disrupted by the inability to move freely within the EU, which in turn contributed to a decline in asylum applications over time (Trimikliniotis, 2019). Nevertheless, Cyprus's geographical position continues to position it as a strategic location for individuals fleeing conflict or seeking international protection in the EU. In addition, labour opportunities have emerged as a

significant pull factor. Reports indicate that economic prospects in both the northern and southern parts of the island initially attract migrants to the north, from where they subsequently move to the south in pursuit of improved living conditions and formal asylum procedures (AIDA/CyRC, 2023).

A significant number of individuals transit through the internationally unrecognized TRNC before crossing the Green Line irregularly into the southern part of the island. This represents the primary route in which asylum seekers and other migrants access the RoC territory (Çolak et al. 2014). Others, though, enter the RoC legally via Larnaca Airport, typically on tourist or temporary work visas, and subsequently overstay their permitted duration of residence. In some instances, maritime arrivals are also recorded, as boats carrying migrants reach the island's shores without prior authorization. Maritime arrivals have occurred on both the northern and southern coasts of Cyprus, with irregular sea routes playing a notable role in shaping migration dynamics on the island. One illustrative example is the establishment, in October 2007, of a regular maritime connection between Latakia (Syria) and the port of Famagusta, located in territory not controlled by the RoC government. This route, serviced by a vessel sailing under the Georgian flag, raised concerns among Greek Cypriot authorities, who subsequently appealed to the Syrian government to enhance port controls in Latakia and to terminate the route entirely. From the perspective of the Republic of Cyprus, maritime connections between Syria—and, by extension, Türkiye—and the northern part of the island are perceived as potential channels for facilitating irregular migration to the European Union (Çolak et al., 2014). By late 2008, the ferry service in question had become a weekly operation, further heightening these concerns.

This multifaceted migratory pattern has posed logistical and political challenges for Cypriot authorities. As early as 2002, the then Foreign Minister of the Republic of Cyprus, Ioannis Kassoulides, highlighted the disproportionate impact of such arrivals on the island. He remarked: “It sometimes happens that boats dock in Cyprus, where smugglers abandon the refugees and tell them they are in Italy or Greece. Proportionally speaking, the impact of 70 refugees arriving in Cyprus is equivalent to what Italy experiences when 1,000 people land from a single boat” (Clochard, 2008).

Sea arrivals, however, as demonstrated by the line chart in figure 4, are lower than land arrivals transiting through the north. As mentioned earlier, after entering the territory not under the effective control of the Republic of Cyprus, asylum seekers and other migrants cross the Green Line, also referred to as the buffer zone or no-man's land, in an irregular manner to reach areas governed by the RoC. As it will be further explained in following

chapters, while the Green Line is not officially recognized as a border, its crossing is regulated by the Green Line Regulation, which stipulates that individuals must have entered the Republic legally in order to cross through the designated points. These crossings require a valid visa and are subject to checks by both the authorities operating in the north and the RoC Police. However, the vast majority of asylum seekers do not possess such documentation and therefore resort to irregular crossings, frequently facilitated by human smugglers (AIDA/CyRC, 2025). Given that the *acquis communautaire* is suspended in the northern areas (see subchapter 1.1.3), no formal functioning asylum system is in place, and the provisions of the 1951 Refugee Convention and its 1967 Protocol remain unenforced (Çolak et al., 2014). Individuals apprehended after entering the north without authorization may be arrested by the de facto authorities and risk deportation to Türkiye, and from there potentially to their country of origin. In this context, the northern part of the island functions as a de facto transit zone. Research indicates that approximately 95% of migrants use this route, exploiting the island's political division to access EU territory by crossing the Green Line irregularly (AIDA/CyRC, 2023; Trimikliniotis, 2019; Trimikliniotis et al., 2023). The persistence of the island's unresolved status quo, combined with the porous nature of the Green Line and the operational networks of human smuggling along it, has made this route comparatively more accessible and less risky than maritime crossings (Mainwaring, 2016; Çolak et al., 2014).

A convergence of structural, political, and economic factors has rendered the northern part of Cyprus a distinct and increasingly attractive transit zone for individuals seeking entry into the European Union. Access to the territory is relatively easy, in large part due to a liberalized student visa regime that facilitates legal entry, often exploited by individuals not intending to pursue higher education. The territory, subject to the suspension of the EU *acquis communautaire*, operates under unique conditions that complicate the governance of migration (Çolak et al., 2014). Higher education has been strategically leveraged as a major economic sector by the de facto authorities in the north. In 2022, international student enrollment surpassed 108,000 in a population of just 326,000, contributing to roughly one-third of the territory's gross domestic product (Sanderson, 2022; AFP, 2022). Universities actively recruit foreign students through agents who receive commissions—reportedly up to \$1,000 per enrollee—creating fertile ground for smuggling networks (Sanderson, 2022). Many of those arriving on student visas, or under the assumption that they are enrolled, later discover that they have been victims of fraud or trafficking. A 2023 report revealed that 30% of new arrivals learned their university registration had never been submitted, while the

remaining 70% entered with valid student visas, only to later become irregular migrants due to financial hardship, visa expiration, or lack of employment opportunities (Hadjicostis, 2023). Empirical insights gathered during the author’s internship with the Cyprus Refugee Council (CYRC) underscore several common trajectories for such individuals: some become trapped in the north, victims of trafficking; others are apprehended, detained, and deported to Türkiye; and many experience precarious living conditions due to the absence of work, education, or legal protection. Consequently, for many, the only viable option is to cross the Green Line into the territory controlled by the Republic of Cyprus and seek asylum there—often as an act of last resort rather than part of an initial migration plan. However, due to the Green Line Regulation, legal crossing requires valid entry documents, which the vast majority of these individuals lack, pushing them further into the hands of smuggling networks that facilitate irregular movement across the buffer zone. The Green Line has thus become a crucial site of contention, shaped by asymmetric capabilities and diverging political priorities on either side. From the perspective of the authorities in the north, the suspension of the *acquis* and the entrenchment of smuggling routes render them ill-equipped to manage the inflows. Meanwhile, the Republic of Cyprus struggles to cope with increasing arrivals both in terms of reception capacity and regulatory enforcement. Legal and political constraints—including the limitations imposed by the EU Green Line Regulation and the unresolved status of the island—further hinder any effective common policy response. Officials in the RoC have accused the north of instrumentalizing the student visa system and irregular migration flows as a geopolitical tool, framing the situation as a form of “managed crisis” and political leverage within the broader context of the frozen conflict (Sanderson, 2022; Andronicou, 2022). In this tense climate, prospects for cooperation and transparency between the two sides remain limited, as both prioritize competing narratives and strategic interests over collaborative governance (Hadjigeorgiou et al., 2022).

In summary, the current patterns of irregular migration across the Green Line, from the northern to the southern part of Cyprus, present significant challenges for both sides of the island. As previously noted, Cyprus now holds the highest number of asylum applications per capita within the European Union, recording approximately 2,500 applications per 100,000 inhabitants (EUAA, 2023). This trend is relatively recent and can be traced back to a significant resurgence of asylum applications beginning in 2018, as shown in Figure 4. In response, the control of these arrivals and the prevention of irregular movement across the Green Line became a policy priority for the RoC. In 2019, government officials publicly acknowledged the urgency of the situation, referring to the Green Line as a “black hole” and

suggesting that amendments to the Green Line Regulation were under consideration (Philenews, 2019). Preventive measures were subsequently introduced. In March 2020, plans were underway to formally request financial support from the European Commission to upgrade surveillance along the Line; however, the outbreak of the COVID-19 pandemic shifted immediate priorities. The government opted instead to close official crossing points under the pretext of containing the virus (AIDA/CyRC, 2023). Notably, this closure served to reinforce the reality of irregular crossings. Despite the preventive rationale behind the measure, data show that the number of arrivals did not significantly decline, underscoring the persistence of the issue (AIDA/CyRC, 2023). In 2021, in a controversial move, the RoC installed razor wire along parts of the Green Line. This action attracted domestic and international criticism. The European Commission contested the measure, citing Article 10 of the Green Line Regulation, which mandates that approval from the Commission is needed prior to any substantial modifications to the Regulation's implementation (Theodoulou, 2021). Domestically, many Cypriots viewed the installation as politically and symbolically problematic, arguing that it reinforced the island's division and risked legitimizing the Green Line as a formal border (AIDA/CyRC, 2023). Despite these enhanced control measures, irregular arrivals continued to rise. In 2021, arrival figures nearly doubled compared to 2020, and in 2022 they increased again exponentially. According to the 2023 EUAA Asylum Report, the majority of migrants reaching Cyprus continued to enter via the north, crossing the Green Line irregularly—an indication that existing deterrence strategies had limited efficacy. In response to the sustained migratory pressure, the RoC intensified its surveillance regime. Following the razor wire installation, Cypriot authorities reached an agreement with Israeli military experts to implement an advanced electronic monitoring system along the Green Line (Cyprus Mail, 2021). In 2022, the government announced that 300 border guards would be deployed and trained to patrol the Line, and a network of cameras was installed to ensure continuous monitoring of crossing attempts (AIDA/CyRC, 2023). Nevertheless, these interventions have so far failed to substantially alter the migration dynamics on the island, illustrating the complex interplay between geopolitical division, EU regulatory constraints, and the persistent agency of migrants and smugglers navigating the island's borders in a fragmented landscape.

1.2.2 Asylum system in Cyprus

Since EU Law is temporarily suspended north of the Green Line, the asylum system and procedures that are described in the next paragraphs refers only to the territory under the

control of the RoC. Unless stated otherwise, the following information and data were collected during the internship period at the Cyprus Refugee Council and are available in the annual AIDA reports that the organisation published in collaboration with the European Council on Refugees and Exiles (ECRE).

All issues related to migration and international protection fall under the responsibility of the Deputy Ministry of Migration and International Protection. The Asylum Service (AS) responds to the Deputy Ministry and is responsible for all first instance determination of asylum applications. Cyprus has also received operational support by the European Union Asylum Agency (EUAA, former EASO) since 2014, mostly the Agency supports the country with case and reception management.

Short overview of the asylum procedure

Since Cyprus does not grant any forms of humanitarian visa to third country nationals, anyone who wishes to lodge an application for international protection must be physically present in the territory of the Republic of Cyprus. When asylum seekers enter the territory under the effective control of the government of the Republic of Cyprus, they are required to express and submit an asylum application before the Aliens and Immigration Unit (AIU), which is a department of the Police. AIU offices can be found in all the five districts of the island (Nicosia, Limassol, Larnaca, Paphos, Ammochostos).

However, in 2020, in Nicosia district, the Pournara First Reception Centre was opened in Kokkinotrimithia, since then persons who have recently arrived in the RoC in an irregular manner are referred to this Centre for registration. The services provided include identification, registration, and lodging of asylum applications, as well as medical screening and vulnerability assessments; sometimes if feasible, the full assessment of the asylum application is also carried out at the Asylum Examination Centre adjacent to Pournara. For the small percentage of people, who manage to arrive in the RoC in a regular manner (visa) and then decide to apply for asylum, the procedure is the same, they will have to lodge the application with the AIU, however they will not be sent to Pournara Reception Centre.

Asylum applicants who are in prison or immigration/administrative detention can also lodge an application at the place of imprisonment or detention. For example, people detained in Menogia Detention Centre can apply directly within the facility from AIU officers, while for people in prison or detained in Police Holding Cells, who have requested to lodge an asylum application, the AIU will be notified and proceed to the prison or holding cell to receive the asylum application. The Law states that the AIU has three working days after the application

is made to register it and must then refer it immediately to the Asylum Service for examination. After the application is submitted, it is registered in the common system and fingerprints will be taken, the procedure is then in the hands of the Asylum Service. The applicant will receive a Confirmation Letter and Alien Registration Certificate (ARC)¹⁶ confirming his status as an asylum seeker and consequently granting the right to legally reside in the Republic of Cyprus.

Currently, the procedures implemented to examine an application for international protection in the RoC are: regular and accelerated procedure, Dublin/admissibility procedure, admissibility of a subsequent application/new elements (see glossary pag. 5)¹⁷. For all the above procedures appeals can be made in order to challenge the decision. According to the Law, the examination procedure must be concluded and a decision must be made within a maximum of 21 months from the day the application was lodged. Nonetheless, in practice, especially for well-founded cases it is common to take up to three or four years before asylum applicants receive a first instance decision. All asylum seekers must be granted the possibility of a personal interview, and all adults, even if part of the same household, will be assessed individually. For the interview the applicants may request an interpreter to facilitate the communication with the case officer, who can be a personnel either from the Cypriot AS or the EUAA.

Usually after an asylum application is examined three possible outcomes exist: recognition of international protection (refugee status), subsidiary protection and rejection.

Asylum applicants in Cyprus have a right to an effective remedy against a negative decision before a judicial body on both facts and law. Since 2019, the competent appeal body which examines first instance decisions is the International Protection Administrative Court (IPAC). When the IPAC accepts an appeal, the decision of the Asylum Service is cancelled. The Court may directly grant refugee status or subsidiary protection or return the decision to the Asylum Service to be reviewed. It is also possible to appeal the IPAC decision by lodging an appeal before the Court of Appeals. Figure 6 shows a flow chart with the legal procedure for asylum applications.

¹⁶ AIDA Report 2024 pag.35

¹⁷ It is worth noting that despite being a country full of “borders”, the RoC does not have a border procedure, unlike other European country (i.e. Italy).

A. General

1. Flow chart

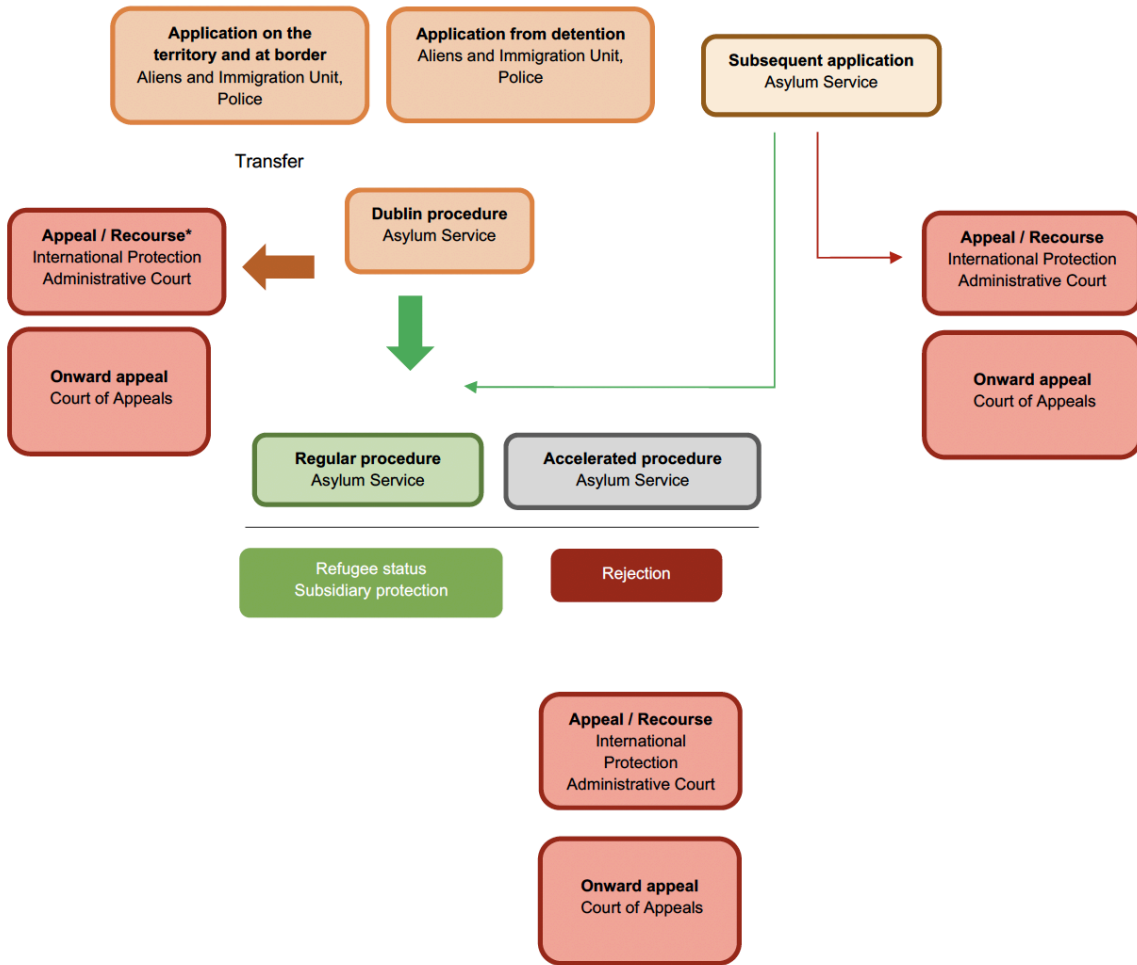


Figure 6. Flow chart of the asylum procedure in Cyprus.
AIDA report by Cyprus Refugee Council.

Asylum applicants in Cyprus have the right to access reception conditions during the administrative and judicial examination of their asylum applications¹⁸.

The Asylum Service, under the newly established Deputy Ministry of Migration and International Protection, is also responsible for coordinating all other authorities on asylum issues, including related to reception. The Asylum Service has also a coordinating role in the operation of reception and accommodation centres for asylum applicants. As stated above, when asylum seekers enter the RoC irregularly they are referred to the Pournara First Reception Centre. The centre is located in Kokkinotrimithia, on the outskirts of Nicosia, and

¹⁸ Only for application examined under a regular procedure.

it was originally established in 2014 as a tented facility with a 350-person capacity with EU funding to help deal with increased arrivals from Syria and was envisaged only to provide 72-hour emergency accommodation to newly arrived asylum-applicants. The services provided in the Centre include identification, registration, and lodging of asylum applications as well as medical screenings and vulnerability screenings. On average the duration of the stay recorded in 2024 was 90 days.



Figure 7. Satellite image of Pournara Reception Centre. Google maps, 17/09/25.

After exiting the Centre, asylum applicants have access to the Reception Centres in Kofinou, which is the main Reception Centre. It is located in the village of Kofinou around 40 km from Nicosia, it was expanded in 2014 to reach a capacity of 400 beds. The Centre has been operating at its maximum capacity since January 2016. Kofinou Reception Centre is the only Centre that provides accommodation for the entire duration of the asylum procedures and which permits freedom of movement.



Figure 8. Satellite image of Kofinou Reception Centre. Google maps, 17/09/25.

A limited number of people are moved to the Reception/Pre-Removal Center in Limnes. The Centre was built in a remote area, at Limnes, in Larnaca district, with the purpose to host applicants whose applications for asylum are examined under the accelerated procedure and enter the return procedure, with capacity for 800 persons. It was also announced that a pre-departure centre for rejected asylum applicants would be established next to the reception centre to facilitate their returns. However, lately it has been closed to undergo a complete restructuring so a section of the Kofinou Centre has been used in its place.

Reception conditions for Unaccompanied and Separated Children (UASC) may vary depending on the facility; at times, overcrowding has been an issue in some shelters. Furthermore, due to the increase in arrivals of UASC and lack of capacity to house them in the UASC shelters, hotels have been used as a temporary measure, since 2022 however conditions in the hotels are not considered up to standard.¹⁹ Generally though, asylum seekers opt for accommodation within their community. The main form of accommodation is private accommodation secured independently, in all areas of the Republic of Cyprus. There are no standards or conditions regulated for rented accommodation in Cyprus. Therefore, asylum applicants living in private accommodation may often be living in appalling conditions.

¹⁹ Commissioner for Child's Rights, 'Memorandum of the Commissioner for the Protection of the Rights of the Child for the discussion on "The government's actions to find a suitable space for the creation of adolescent immigrant protection structures, as an obligation of the state stemming from the Recovery and Resilience Plan" at the Parliamentary Committee on Interior, on 23/11/2023'.

Asylum applicants are expected to find accommodation on their own and there are no services available to refer persons to suitable accommodation or assist persons to identify and secure accommodation, including vulnerable persons and families with children, with the exception of an extremely few cases where the Social Welfare Services (SWS) assist.

Living conditions in Kofinou are considered decent, whereas in recent years there has been criticism of the conditions in Pournara and Limnes which were evaluated as sub-standard. Therefore, with the support of EUAA, Cypriot authorities took action and improved the conditions in Pournara.

Once applicants exit Pournara First Reception Centre, and if there is no vacancy in the Reception Centre, which is the case most of the time, they are entitled to Material Reception Conditions (MRC), they can submit an application to the SWS for financial allowance. Material reception conditions include:

- 1) Financial assistance to cover basic needs (food, clothing and footwear).
- 2) Financial assistance to cover minor expenses, including electricity and water costs. The amount of the financial assistance to cover such expenses is determined according to the applicant's place of residence.
- 3) Financial assistance to cover rent, the allowance is usually given directly to the owner of a property.
- 4) Advance payment of rent.

Generally, asylum seekers are entitled to these MRC throughout their judicial and administrative examination of their asylum application²⁰. However, the Law states that reception conditions may be reduced or withdrawn by a decision of the Asylum Service following an individualised, objective, and impartial decision, which is adequately justified and announced to the applicant.

Detention

In Cyprus, third country nationals who apply for asylum could be detained only on specific grounds, generally asylum seekers are not systematically detained. The only detention centre currently in the country is the Menogia Detention Centre, which is actually a pre-removal detention centre and, with a capacity of 128 persons. Asylum applicants may also be detained in holding cells in Police stations across the country, the total capacity is of 194 persons. During the asylum procedure applicants hold a regular residence status in Cyprus so in case

²⁰ There can be exceptions based on the procedures the applicant is subjected to, as well as personal financial resources.

they are detained it was because they submitted an asylum application after they were arrested and detained. Police officers often assume that all such applications are submitted in order to frustrate the removal process, even where the persons have recently entered the country. Another reason for detention could be the implicit withdrawal of the application, this may occur following failed attempts of the Cyprus Asylum Service to contact asylum applicants for the interview as part of the examination of the asylum application. As a result, people were arrested and detained due to their irregular stay in the country. In other cases, persons have been arrested for an irregular stay in the country and detained or are detained as a consequence of a criminal law sanction and apply for asylum once they are in prison or detention.

As a pre-removal detention centre, Menogia should be used only for third country nationals who are undergoing a removal procedure. When asylum applicants are rejected by the Asylum Service they are issued with both a negative decision and a return decision in a single administrative act, this will initiate the removal procedure or the possibility to lodge an appeal against the decision²¹. The Asylum Service also offers the applicant the option of voluntary return to their country of origin. If no response is received by the rejected applicant about voluntary return or request for assisted voluntary return, then the return decision is referred to the Aliens and Immigration Unit (AIU) who is in charge of execution of return decisions and deportation orders. In 2024, Cyprus returned 10,092 persons, voluntarily and involuntarily. According to figures released by the Ministry of Interior and the Deputy Minister of Migration and International Protection, Cyprus has recorded the highest ratio of departures to arrivals among EU member states.

Over the years, civil society organizations, international organizations and other monitoring institutions such as the Ombudsman's Office and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) have submitted complaints about the living conditions of asylum seekers and rejected asylum seekers in detention citing overcrowding, sub-standard conditions and lack of access to outdoor spaces. However, the situation has now improved. Nonetheless, the Council of Europe Commissioner for Human Rights also noted that detainees deprived of their liberty for months without any prospect of either deportation or release do not understand the purpose of their continuous

²¹ In certain cases two different appeals must be lodged: one against the rejection for the asylum application and one against the return decision in order to suspend the detention order.

detention and feel treated as criminals²². This leads to high levels of stress, and has resulted in several hunger strikes in Menogia in recent years, mostly by irregular migrants and rejected asylum applicants, along with a few asylum applicants²³.

Minor improvements have been recorded, such as upgraded exercise yards and perimeter fencing, although they remained overly restrictive with impersonal staff-detainee interactions and limited activities. Sanitary conditions are generally acceptable, with regular cleaning and access to hot water. Overcrowding occasionally occurs due to overflow from police holding cells. Clothing provision has improved, but detainees must buy their own toiletries and snacks. Food is generally adequate, though repetitive, with religious and medical diets accommodated as much as possible. Water fountains were installed, but many still buy bottled water. Police holding cells across Cyprus remain substandard, with poor hygiene, overcrowding, limited access to fresh air and natural light, and inadequate infrastructure.

Detainees in Cyprus have a legal right to medical care during detention, not limited to emergencies. Upon entering Menogia, only basic screenings for infectious diseases are conducted, thorough physical and mental health assessments are often lacking. Medical files are often incomplete, fragmented, and lack cross-referencing. In Menogia there is a full-time General Practitioner, 24/7 nursing staff and psychological support though quite limited. Emergency cases are transferred to local hospitals, during transport and sometimes during examination detainees are usually handcuffed. Interpretation during medical exams is inadequate, often relying on fellow detainees. Police station detainees have also the right to access public hospitals, but practices vary.

²² CoE Commissioner for Human Rights, Report by Nils Muižnieks, Commissioner for Human Rights of the Council of Europe following his visit to Cyprus from 7 to 11 December 2015, 31 March 2016, para 1.3.2, available at: [https://rm.coe.int/ref/CommDH\(2016\)16](https://rm.coe.int/ref/CommDH(2016)16)

²³ See KISA, Abuse of power is leading detained migrants to desperate acts, 5 April 2016, available at: <https://kisa.org.cy/abuse-of-power-is-leading-detained-migrants-to-desperate-acts/>

Chapter 2. Borders on the island

This second chapter provides an in-depth analysis of the island's various borders—the UK SBAs, the Green Line and the sea—and the different regimes governing them. Through case studies of asylum seekers and irregular migrants, it examines how different border zones create distinct experiences of navigation, control, violence and violations of human rights.

2.1 The UK's Sovereign Base Areas on Cyprus

According to the official SBA website²⁴, the Sovereign Base Areas (SBAs) of Dhekelia and Akrotiri, usually referred to as Western Sovereign Base Area (WSBA) and Eastern Sovereign Base Area (ESBA), are those parts of the island which remained under British jurisdiction on the creation of an independent Republic of Cyprus in 1960. Article 1 of the Treaty of Establishment of 1960 provides that:

The territory of the Republic of Cyprus shall comprise the Island of Cyprus, together with the islands lying off its coast, with the exception of the two areas defined in Annex A to this Treaty, which areas shall remain under the sovereignty of the United Kingdom. These areas are in this Treaty and its Annexes referred to as the Akrotiri Sovereign Base Area and the Dhekelia Sovereign Base Area.²⁵

The article states that His Majesty's Government retained sovereignty over the SBAs, which cover 3% of the land area of Cyprus, a total of 98 square miles (47.5 at Akrotiri and 50.5 at Dhekelia), around 250 km². However, only 20% of the land is owned by the Crown (which includes forests, roads, rivers and Akrotiri Salt Lake). About 60% is privately owned and some 20% is owned by the UK Ministry of Defence or leased land. In addition to the Sovereign Bases themselves, the Treaty of Establishment also provides for the continued use of Retained Sites, i.e. certain facilities within the Republic of Cyprus, used by the British Government for military purposes and specified training. In 1960 the boundaries of the SBAs were drawn trying to include the major military installations and to exclude villages and towns.

²⁴ sbadministration.org [accessed on 10/04/2025]

²⁵ Treaty of Establishment available at:

<https://peacemaker.un.org/sites/default/files/document/files/2024/05/cy600816treatynicosia.pdf>



Figure 9. Map of Cyprus with the Sovereign Base Areas, www.sbaadministration.org.

Nonetheless, three Republican “enclaves” were encapsulated within the Dhekelia SBA; Ormidhia, Xylotymbou and Dhekelia power station. As a result of the events in 1974 and other developments over the years, about 10,000 Cypriots now live in the SBAs. In addition, approximately 3,800 military and UK-based civilian personnel and their dependants work or live on the Bases²⁶.

Attached to the Treaty of Establishment (ToE) there is a “Declaration by Her Majesty’s Government Regarding the Administration of the Sovereign Base Areas”, it is known as Appendix O and it states the UK’s intention “[n]ot to develop the Sovereign Base Areas for other than military purposes” and “[n]ot to set up or permit the establishment of civilian commercial or industrial enterprises except in so far as these are connected with military requirements, and not otherwise to impair the economic, commercial or industrial unity and life of the Island”²⁷. The exclusive military purpose of the SBAs is clear, even though civilians live on the Areas. The SBAs administration authority also points out that these areas are not to be considered as “colonial” territories²⁸. This constitutes an international law oddity, given its exclusive military purposes, the SBAs fall under the responsibility of the UK

²⁶ sbaadministration.org [accessed on 10/04/2025]

²⁷ Treaty of Establishment, Appendix O, pag.162 available at:

<https://peacemaker.un.org/sites/default/files/document/files/2024/05/cy600816treatynicosia.pdf>

²⁸ sbaadministration.org [accessed on 10/04/2025]

Ministry of Defence, instead of the Foreign Office, as it is the case for other British Overseas Territories, such as Gibraltar or the British Virgin Islands (Hadjigeorgiou and Skoutaris, 2019).

Although the Republic of Cyprus and the SBAs have different laws and institutions regulating them, in accordance with the Treaty of Establishment they are not separated by hard borders. There are no passport or customs checks for people and goods that transit through the “borders” between the RoC and the SBAs, people don’t even realise that they are changing jurisdictions. In fact, the Treaty of Establishment prohibits the implementation of custom posts or frontier barriers between the Republic and the Areas²⁹.

The SBAs in Cyprus are subject to British sovereignty and are treated as military bases, however, as mentioned earlier, they are home to civilian populations. Consequently, the Administration, the civil government of the SBAs, addresses a broad spectrum of civilian issues such as education, healthcare, taxation, welfare, public safety, and environmental protection through legal instruments known as Ordinances. Legislative and executive authority lies with the Administrator, who is also the Commander of the British Forces in Cyprus. However, this authority is limited by Section 3(2) of Appendix O³⁰, which mandates that “[t]he laws applicable to the Cypriot population of the Sovereign Base Areas will be as far as possible the same as the laws of the Republic”³¹. As a result, SBA Ordinances typically align substantively with the laws of the Republic of Cyprus. Judicial powers within the SBAs are similarly constrained. The SBAs maintain their own court system for non-military offences, applicable to all individuals within the Areas, including British personnel and residents. However, Cypriot citizens are granted access to the courts of the RoC under Sections 3(12) and 3(13) of Appendix O³². Further specificity is provided through both RoC laws and SBA Ordinances, which implement Appendix O's requirements. While the two legal frameworks are not entirely identical—raising potential concerns over access to justice—the general rule is that SBA Courts do not handle cases involving Cypriot citizens.

In reality, given the small size of the SBAs and limited powers of the British Administrator, most aspects of the civil life of the population residing and working in the Areas are delegated to be regulated by the RoC. Provision of this is made in Section 3(4) of Appendix O, which states that:

²⁹ Treaty of Establishment, Appendix O, Section 2(iii) and 3(7), pag.162, available at:

<https://peacemaker.un.org/sites/default/files/document/files/2024/05/cy600816treatynicosia.pdf>

³⁰ Treaty of Establishment, Appendix O, pag.162–164

³¹ Ibid.

³² Ibid.

The Republic will be invited to provide a wide range of public services to be performed for Cypriots in the Sovereign Base Areas. These will include Education, Agriculture, Co-operative Development, Labour and Social Insurance, Social Welfare, Health and Medical Services, Postal Services, Forestry Services and Statistics. In addition Cypriot public utility services will be free to operate in the Sovereign Base Areas.³³

Although RoC officers need written authorisation from the Administrator to access land or premises occupied, controlled or restricted by the Crown, in practice, functions are carried out seamlessly thanks to the close collaboration of the Republic and the SBAs (Hadjigeorgiou and Skoutaris, 2019). To put it in a simpler way, day-to-day lives of the people residing and/or working in the SBAs are essentially the same as those living in the RoC. However, the situation is more complex, Cypriots officers are allowed to provide their services and guarantee their duties only because they have been invited and authorised by the British Administrator of the Areas. Legally, these technical distinctions might have huge implications when things do not go well, especially in relation to asylum seekers and other migrants. Notwithstanding the significance of the legal problems that might arise from this phrasing in the Treaty of Establishment, this research will not analyse this issue further in detail. What is much more interesting about this issue are the echoes that recall the legacy of British colonialism. The ToE essentially serves as a telling artifact of post-colonial power relations. Beneath its apparent legal neutrality lies a calculated preservation of British strategic interests—which remained virtually intact despite the formal end of colonial rule (Constantinou and Richmond, 2005). Through carefully constructed legal language and diplomatic euphemism, the treaty masked continuity as change, allowing Britain to maintain a military and geopolitical foothold in the Eastern Mediterranean under the guise of decolonization. The SBAs were portrayed not as remnants of the empire but as “sovereign” territories serving broader regional stability. This narrative was central to the imperial reasoning: that these bases would operate as a “safe haven” in a volatile region, from which order could be maintained, crises managed, and British global interests projected. In essence, the bases functioned as imperial outposts rebranded under international legal respectability (Constantinou and Richmond, 2005). This framing allowed Britain to legitimize its ongoing control while muting local and international criticism. By embedding its military privileges within the fabric of Cyprus’s post-independence legal order, Britain secured a strategic continuity cloaked in the language of cooperation, sovereignty, and mutual benefit. Yet, at its core, the ToE reflects how the empire adapted to new realities—not by vanishing, but by

³³ Ibid.

transforming itself through legal forms that obscure rather than erase the underlying asymmetries of power (Constantinou and Richmond, 2005).

2.1.1 The Status of SBAs under EU law

When the Republic of Cyprus joined the EU in 2004, the Protocol No 3 of the Act of Accession 2003³⁴ on the Sovereign Base Areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus became the legal framework depicting the special regime of the SBAs in relation to EU law. It contains references to the Treaty of Establishment and to the UK Act of Accession to the EU of 1972, the main goal is to guarantee that the residents of, and those working in, the SBAs have the same treatment—to the extent this is possible—as those persons resident or working in the RoC. The UK is mainly responsible for applying EU rules related to customs, taxes, and trade for goods moving in or out of the Sovereign Base Areas (SBAs) in Cyprus. This includes handling things like licences and certificates for the UK forces' imports and exports. When it comes to EU agricultural payments, it's the Republic of Cyprus that is responsible for managing and reporting those to the EU. Most importantly, Article 6 of the Protocol provides the legal basis for the Green Line Regulation, a piece of legislation that regulates the area called buffer-zone, which is discussed abundantly in its dedicated chapter.

Crossing of persons

When it comes to crossing of persons and goods, the Republic of Cyprus is not required “to carry out checks on persons crossing their land and sea boundaries with the Sovereign Base Areas and any Community restrictions on the crossing of external borders shall not apply in relation to such persons”³⁵. However, the Eastern SBA of Dhekelia shares its borders not only with the RoC, but also with the internationally unrecognized TRNC and with the so-called Green Line (UN Buffer zone). In this case, in order to comply with Article 5(2) of Protocol No 3, the UK should exercise controls on persons crossing the external borders of the Areas, in accordance with the undertakings set out in Part Four of the Annex of the Protocol³⁶. The UK is responsible for the verification of travel documents, and therefore the identity, of persons crossing the “external borders” of the SBAs, i.e land, air and sea boundaries that are

³⁴ Act of Accession of Cyprus, Protocol No 3 available at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12003T/PRO/03>

³⁵ Act of Accession of Cyprus, Protocol No 3, Article 5(1).

³⁶ Part Four of the Annex of Protocol No 3.

not shared with the RoC³⁷. It is also important to mention that Article 2 of the Annex³⁸ states that entrance to SBAs through external borders is permitted only at “crossing points”, which are points of entry officially approved by UK authorities.

While crossing these borders may be a relatively straightforward process for some individuals, for others it presents significant challenges and hardships.

Nationals of third countries are only allowed to cross the external borders of the Sovereign Base Areas if they meet the following conditions:

- (i) they have a valid travel document,
- (ii) they hold a valid visa for the Republic of Cyprus, if required,
- (iii) they are involved in defence-related activities or are family members of someone who is, and
- (iv) they do not pose a threat to national security.

The UK may waive these requirements only for humanitarian reasons, in the interest of national security, or to meet its international obligations under relevant bilateral or multilateral agreements.

Additionally, as in Article 3 of the Green Line Regulation, Article 5 of Part Four of the Annex to Protocol No 3 requires UK authorities to use mobile units for external border surveillance. This monitoring activity—both at and between crossing points—is intended to prevent people from avoiding official checks. According to the European Commission, the SBA Administration regularly conducts maritime patrols along the sea borders.

The competent authorities of the UK and the Republic of Cyprus are required to cooperate closely to ensure the effective implementation of checks and surveillance. In addition, they must take humanitarian considerations into account especially with regards to asylum seekers and irregular migrants. Article 7 of Part Four of the Annex to Protocol No 3 provides that:

- (a) An applicant for asylum who first entered the island of Cyprus from outside the European Community by one of the Sovereign Base Areas shall be taken back or readmitted to the Sovereign Base Areas at the request of the Member State of the European Community in whose territory the applicant is present.
- (b) The Republic of Cyprus, bearing in mind humanitarian considerations, shall work with the United Kingdom with a view to devising practical ways and means of respecting the rights and satisfying the needs of asylum seekers and illegal migrants in

³⁷ Ibid.

³⁸ Ibid.

the Sovereign Base Areas, in accordance with the relevant Sovereign Base Area Administration legislation.³⁹

Asylum seekers and irregular migrants who enter Cyprus through the SBA territories shall be sent back to the Areas, so one could assume that the UK authority in the SBAs has responsibility over the asylum requests. In practice though, on 20th February 2003, The UK and the RoC signed a Memorandum of Understanding⁴⁰ (MoU) in which the two EU Member States agreed on cooperating on matters concerning “illegal migrants”⁴¹ and asylum seekers. The preamble of this Memorandum expressly states that the UK through the SBAs "has the responsibility for illegal migrants and asylum seekers that enter the island of Cyprus"⁴² by the SBAs. Under section 6 of the Memorandum, the SBA Administration is bound to ensure safe departure of those "illegal migrants" who arrive directly in the SBA and who do not seek asylum or whose applications are rejected. Here, it seems that the UK still bears the responsibility for asylum seekers and irregular migrants. However, Sections 7 and 8 state that:

7. The administrative bodies competent for the examination of asylum applications under the Refugee Law of the Republic of Cyprus will be authorised to examine, under the relevant Sovereign Base Areas legislations and on behalf of the Sovereign Base Areas Administration, applications of asylum seekers arriving directly in the Sovereign Base Areas. To this effect the Administrator of the Sovereign Base Areas will ensure that the necessary legislation is enacted and in so doing, will reflect, to the extent possible, the laws applicable to asylum seekers in the Republic of Cyprus.

8. Asylum seekers arriving directly in the Sovereign Base Areas may move freely throughout the island of Cyprus and have the right to opt to stay outside the Sovereign Base Areas, subject to any requirements imposed upon aliens by the relevant laws of the Republic.⁴³

It is important to underline the phrasing in Section 7, which indicates that Cypriot competent authorities are authorised to examine, under the applicable Sovereign Base Areas (SBA) legislation and on behalf of the SBA Administration (SBAA), asylum applications submitted by individuals arriving directly in the SBAs. The fact that such authorisation is granted by the

³⁹ Part Four of the Annex of Protocol No 3.

⁴⁰ Memorandum of Understanding available at <https://kisa.org.cy/wp-content/uploads/2015/10/MOU.tif.pdf>

⁴¹ The term “illegal” is used in the original text of the Memorandum.

⁴² Memorandum of Understanding

⁴³ Ibid.

SBAA to the Republic of Cyprus further reflects the enduring legacy of British colonial rule (Constantinou and Richmond, 2005).

Following sections of the MoU establish that the Republic of Cyprus is responsible for providing medical care, welfare benefits, access to education and work permits to these asylum seekers. However, according to Section 13 the UK will indemnify the RoC for the net costs incurred in providing the above mentioned services.⁴⁴

Moreover, in case these persons are granted with international protection, they will be treated—as far as the Cypriot authorities are concerned—as if they have been granted international protection by the Republic of Cyprus⁴⁵. The UK, through the SBAA, will be responsible for resettling persons who have been recognised as refugees or granted any other form of international protection in countries willing to accept those persons, within one year after the decision granting the relevant status has been taken.⁴⁶

In theory, this framework has governed the management of asylum and irregular migration since 2003. However, in practice, its implementation has faced various challenges, and in the post-Brexit context, new legal complexities are likely to emerge.

The analysis so far has made it evident that the status of the Sovereign Base Areas (SBAs) under EU law is highly unique. The SBAs maintain a constitutional connection with a former Member State—the United Kingdom—while sharing land boundaries with another Member State, the Republic of Cyprus. Although the EU Treaties do not apply to the SBAs, they have been part of the EU customs territory since 1 May 2004, coinciding with Cyprus's accession to the EU.

Given this distinctive status, from the very beginning of the UK-RoC negotiations in October 2017, there was a mutual understanding that any future agreement should preserve the special regime governing the SBAs under EU law. This understanding is enshrined in the Protocol on the SBAs, which is annexed to the UK's Withdrawal Agreement. The Protocol ensured that the legal and practical arrangements in and around the SBAs continued uninterrupted after the end of the Brexit transition period. From a legal continuity perspective, the most critical provision is Article 2 of the Protocol⁴⁷. This article explicitly states that the SBAs will remain part of the EU customs territory even after the transition period concludes. As such, the SBAs join the select group of regions belonging to third countries that still form part of the EU customs area.

⁴⁴ Ibid.

⁴⁵ MoU, Section 10.

⁴⁶ MoU, Section 12.

⁴⁷ UK withdrawal agreement from the EU.

Furthermore, while the UK will retain responsibility for border checks at the SBAs' external frontiers—including maritime boundaries, ports, and airports—it will not conduct checks along the land or sea borders shared with the Republic of Cyprus. Notably, the UK authorities will continue to monitor crossings at the Green Line checkpoints of Pergamos and Strovilia in the Eastern SBAs. This aspect holds particular significance, especially in light of past concerns raised by the RoC regarding border control measures, including those along the Green Line, which continues to be a sensitive issue due to the island's long-standing political division. With regard to asylum seekers and irregular migrants, the Protocol annexed to the Withdrawal Agreement reaffirms the provisions set out in the earlier Memorandum of Understanding (MoU).

Since Brexit came into effect, a Special Committee has been established (according to art.165 of the Withdrawal Agreement) to supervise the implementation of the Protocol (Hadjigeorgiou and Skoutaris, 2019). At the time of writing this research no issues concerning the implementation of the Protocol relating to asylum seekers and irregular migrants have been recorded, however future challenges are not excluded.

2.1.2 Cases of asylum seekers trapped in a limbo in the SBAs

Historically, the Sovereign Base Areas (SBAs) have been sites where asylum seekers have encountered discriminatory treatment, often as a result of jurisdictional ambiguities and shifting responsibilities between the United Kingdom and the Republic of Cyprus. These dynamics have, at times, undermined the fundamental rights of individuals fleeing persecution. The following paragraph presents selected cases and events that illustrate how, despite official claims denying the existence of any functional border between the SBAs and the Republic of Cyprus, a *de facto* border persists. For asylum seekers and irregular migrants, this border manifests through differential treatment and systemic discrimination. In this context, borders are not merely geographical demarcations but are actively negotiated and contested through the lived experiences and embodied vulnerabilities of people on the move (De Genova, 2013).

In October 1998, a group of approximately 75 migrants departed Lebanon aboard a decrepit fishing vessel, directed to Italy. Their journey ended prematurely when the vessel's engine failed, prompting the Lebanese crew to abandon the ship in an inflatable dinghy (Kennedy, 2017). Adrift in the Mediterranean, the migrants eventually landed on RAF Akrotiri, one of the British military bases in Cyprus. Many initially believed they had reached Italy. The

group, consisting predominantly of Iraqi and Syrian Kurds, had invested their life savings to reach Europe. Among them were also individuals from Sudan and Ethiopia.

One of the migrants, Layali, was born on the fishing boat on October 7, 1998, shortly after the engine failure, underscoring the perilous nature of their journey (Theodolou, 2014). Following their arrival, the British administration of the Sovereign Base Areas (SBAs) attempted to transfer responsibility to Cypriot authorities. However, at that time, the Republic of Cyprus maintained that the responsibility for the migrants lay squarely with the United Kingdom, given the territorial status of the SBAs. Back then, the Memorandum of Understanding of 2003 had evidently not been signed yet, therefore the UK had not delegated Cyprus with the responsibility for asylum seekers and refugees present in the SBAs. The British response was to relocate the group to the Eastern SBA of Dhekelia, and house them in an isolated area named "Richmond Village" (Panayides, 2022). Though initially conceived as a temporary solution, the stay became indefinite for several families, such as those of Said and Farhad (Cyprus Mail, 2024). While many of the initial migrants were able to move on over time, Said, Farhad, and their families were denied asylum in the UK on the basis that they failed to establish a "well-founded fear of persecution" under the 1951 Refugee Convention. Nonetheless, they were not returned to Iraq, which remained unstable and unsafe.

These individuals were issued SBA identification numbers but received no formal immigration status (Cyprus Mail, 2024). They were not permitted to integrate into Cypriot society or into the life of the British bases, and instead lived in a state of exclusion, reliant on modest stipends from the UK government. A notice of eviction was first served in 2007, leading to a protracted legal battle that culminated in a forced eviction in late 2024 (Cyprus Mail, 2024). The exclusion from meaningful participation in local society, coupled with sustained economic dependency on the provisions of local authorities, imposes significant constraints on individuals' lives. These constraints function as social boundaries that obstruct their integration and full inclusion (Fassin, 2011).

Later on, a subset of the group, including Bashir and other plaintiffs, challenged the UK government's refusal to grant them resettlement in the UK. They argued that, under the 1951 Refugee Convention, the United Kingdom bore legal responsibility for their protection and integration. The UK countered by asserting that its obligations under the Refugee Convention did not extend to the SBAs in Cyprus, and that the group could be resettled within the Republic of Cyprus. Furthermore, the Home Secretary maintained that the refugees had no ties to the UK that would justify resettlement there (Kennedy, 2017).

However almost 20 years later, in a significant 2017 ruling, the Court of Appeal found otherwise. It ruled that the 1951 Refugee Convention does indeed apply to the British SBAs on Cyprus (ECRE News, 2017). Consequently, the UK is obligated to offer a durable solution to the affected individuals, which entails facilitating their resettlement within UK territory. The court emphasized that such resettlement must be enabled "rapidly" by the Secretary of State⁴⁸.

Two years prior to this court decision, in late 2015, history repeated itself, two wooden boats carrying 114 refugees from Syria—including 28 children—washed ashore on British military territory at RAF Akrotiri in Cyprus. The individuals, Syrians and Palestinians, had fled war-torn Syria and refugee camps in Lebanon, seeking safe passage to mainland Europe. Abandoned offshore by people smugglers, they were rescued by the Cypriot coast guard and transported to a temporary reception facility within the Sovereign Base Area (SBA) (McVeigh, 2016). While British officials quickly asserted that the responsibility for the refugees lay with Cyprus, human rights advocates and legal experts, including the UN High Commissioner for Refugees (UNHCR), pointed to clear legal frameworks indicating that the UK retained responsibility for asylum seekers who land directly on SBA territory. This time though, central to the dispute is the 2003 Memorandum of Understanding (MoU) between the United Kingdom and the Republic of Cyprus (Weaver et al., 2015). As mentioned in earlier paragraphs, this agreement stipulates that asylum seekers arriving directly on SBA territory are the responsibility of the UK, although the Republic of Cyprus may be delegated to provide services at the expense of the British SBA administration. The UNHCR reaffirmed that the UK must process the claims of asylum seekers landing in its territories, including the SBAs, and further underscored the UK's obligation to resettle recognized refugees within one year of their status being granted.

Despite these obligations, the UK Ministry of Defence (MoD) stated that the refugees would either have to seek asylum in Cyprus or face potential deportation to Lebanon, their point of departure. British officials argued that their interpretation of the 2003 MoU allowed them to delegate practical responsibilities to Cyprus, though legal experts contest this as a misreading of the agreement. Human rights lawyers and non-governmental organizations criticized the UK's response as both legally inadequate and morally questionable. Tessa Gregory, of the law firm Leigh Day, representing several of the affected families, argued that the UK had

⁴⁸ The original Court of Appeal Judgment is available at <https://www.statewatch.org/media/documents/news/2017/may/uk-r-bashir-others-v-home-office-refugees-cyprus-judgment-25-7-17.pdf>

“outsourced its obligations under international law to Cyprus” and had thereby committed a “clear breach” of the 1951 Refugee Convention. She announced that her firm would pursue judicial review of the UK government's actions (McVeigh, 2016). Chai Patel, Legal and Policy Director at the Joint Council for the Welfare of Immigrants, described the government's approach as a “shameful” attempt to use coercion and outsourcing to sidestep responsibility. Patel noted that Britain was effectively paying Cyprus to host the refugees, despite their presence on UK territory. The result, according to Patel, was a situation where asylum seekers were trapped in limbo and faced threats of deportation if they refused to apply for asylum in Cyprus (McVeigh, 2016). Among the newly arrived group was Ibrahim Maarouf, a Palestinian English teacher who fled first from Syria and then from Lebanon with his wife and two children. Maarouf described his despair and the humiliating conditions in which they were held: “We are being fed and we have a room with a common toilet we share with 15 families. It’s very humiliating to be stuck here... the days are passing and no one will say anything to us” (McVeigh, 2016). His statement encapsulates the psychological toll of prolonged uncertainty and statelessness. He further described how one sick woman was denied access to medical care unless she agreed to apply for asylum in Cyprus, suggesting a coercive use of humanitarian aid to pressure asylum applications. The location of RAF Akrotiri—used by the UK to launch airstrikes against Islamic State (ISIS) targets in Iraq and Syria—adds a complex layer of geopolitical concern. Some Cypriot officials and unnamed sources expressed concerns that housing Syrian refugees near a military facility could present security risks or provoke public unease. Nonetheless, Cypriot authorities maintained that they had no legal jurisdiction over the refugees and that responsibility remained with the UK (Weaver et al., 2015). Statements from the UK Ministry of Defence and the Home Office maintained that, under their interpretation of existing agreements, namely the 2003 MoU, responsibility had been appropriately delegated. However, the UNHCR and legal analysts argue that this interpretation undermines both the spirit and the letter of the 1951 Convention and associated protocols.

These two cases of the refugees stranded at UK SBAs in Cyprus highlight the complex intersections of colonial legacies, international refugee law, and humanitarian obligations (Constantinou and Richmond, 2005). They reveal ongoing and unresolved tensions between legal obligation, humanitarian duty, and political expediency. They raise critical questions about the extraterritorial application of legal instruments like the 1951 Refugee Convention and emphasise the urgent need for durable solutions in protracted refugee situations. The UK

Court of Appeal’s 2017 ruling establishes a legal precedent, affirming that obligations to refugees apply also to UK sovereign military territories, extending beyond the mainland, and that legal responsibility cannot be geographically compartmentalized when vulnerable lives are at stake. Failure to do so undermines the international refugee protection regime and sets a dangerous precedent for the treatment of vulnerable populations fleeing persecution. As the global movement of refugees continues, both the UK and EU’s handling of such cases remains a critical test of its commitment to international law and humanitarian values.

2.2 The Buffer Zone - The Green Line

The Green Line is a demarcation line originally drawn by a British officer in 1964 during the first intercommunal clashes. It takes its name from the color of the pencil he used to draw it on a map of Nicosia. The Turks call it the Attila Line, after Attila Say, commander of the Turkish occupation forces in 1974 (Clochard, 2008). As previously mentioned in the chapter dedicated to the historical background of Cyprus, after 1974 the territory of the island was divided, de facto separating the Greek and the Turkish communities. The division line is controlled by the UN Peacekeeping Force in Cyprus (UNFICYP), it is often referred to as “buffer zone”, “Green Line” and more colloquially “no man’s land” or “dead zone”⁴⁹ and it is one of the oldest demilitarized zones in the world (Hadjigeorgiou, 2023; Pouillès Garonzi, 2020).

⁴⁹ *Nekri zoni* in Greek.



Figure 10. Green Line Map available at cyprusalive.com.

It extends approximately 180 km across the island, in some parts of old town Nicosia it is only 4 meters wide, while in other areas it can reach up to 346 square kilometres. The lines that constitute the southern and northern limits of the buffer zone are located where the belligerent military forces stopped following the ceasefire of 16th August 1974 as recorded by UNFICYP. Moving eastward the Green Line is interrupted by the British SBA of Dhekelia, a sovereign area that falls out of the UK control. Inside the buffer zone there are several inhabited villages or special areas (called Civil Use Areas) where more than 10 thousand people live and work, many parts of the land are also designated for farming purposes. These areas can be accessed freely by civilians, in the rest of the territory of the Green Line, UNFICYP must give authorization for civilian movement and activities. UNFICYP maintains constant surveillance of the buffer zone through regular patrols conducted by vehicle, on foot, by bicycle, and by helicopter. In addition, a highly mobile unit is always on standby to respond swiftly to any emergencies within the area.

Starting from April 2003 and until November 2018, along the Green Line, 9 authorised crossing points were opened (see fig.11).

Crossing Point Name	District	Date of EU Authorisation	Date of Opening
Ledra Palace	Nicosia	1.5.2004	23.4.2003
Agios Dhometios/Metehan	Nicosia	1.5.2004	30.4.2003
Pergamos/Beyarmudu	Pergamos/ Beyarmudu	N.a. Under the authority of Sovereign Base Areas Administration	23.4.2003
Strovolia/Akyar	Famagusta	N.a. Under the authority of Sovereign Base Areas Administration	26.4.2003
Ledra Street/Lokmacı	Nicosia	18.4.2005	3.4.2008
Astromeritis/Zodhia	Morphou	18.4.2005	31.8.2005
Kato Pyrgos – Karavostasi/ Yeşilirmak	Kato Pyrgos/ Yeşilirmak	3.8.2005	14.9.2010
Kato Pyrgos - Kokkina	Kato Pyrgos	3.8.2005	Not opened
Kokkina - Pachyammos	Kokkina	3.8.2005	Not opened
Lefka-Apliki/Lefke-Aplıç	Lefka/Lefke	26.8.2015	12.11.2018
Deryneia/Derinya	Deryneia/Derinya	26.8.2015	12.11.2018

Note 15 Pergamos and Strovolia crossing points are not authorised under Annex I because they allow access across the Green Line via the British Sovereign Base Area, which are external borders of the RoC. Nevertheless, according to Article 2(5), crossings from these two points are still legal and the EU cooperates with the SBA administration for application of terms and conditions of the GLR on those crossing points.

Figure 11. Crossing Points along the Green Line. Credits to Ersözer, 2019.

This “neutral zone” encapsulated by the two ceasefire lines has been posing legal and political challenges due to the fact that its legal status, its regulations and its operation are extremely ambiguous (Christodoulidou, 2008).

Effective sovereignty over the buffer zone in Cyprus, remains highly contested. The three principal actors involved in its administration are: the internationally recognized Republic of Cyprus (RoC), the self-declared and internationally unrecognized Turkish Republic of Northern Cyprus (TRNC), and the United Nations Peacekeeping Force in Cyprus (UNFICYP), and they each adopt divergent interpretations of their rights, responsibilities, and authority within the zone. These differing perspectives have led to a persistent lack of consensus regarding permissible activities, access rights, and the legal and administrative responsibility for occurrences within the buffer zone. This ambiguity has significant implications, particularly for asylum seekers and migrants, who are often caught in a legal and humanitarian limbo as a result of the unclear jurisdiction and limited coordination among

the three actors. In the following sections, an attempt will be made to examine how each of these entities perceives its role and negotiates its position with respect to the Green Line, highlighting the tensions and challenges that arise from their competing claims.

The UN position

The UNFICYP was first established by SC Resolution 186 in 1964 to intervene in the first series of intercommunal fights after the island got its independence in 1960. Ten years later, when Türkiye started its military intervention on the island, SC Resolution 353 and the subsequent “Geneva Declaration” provided that:

a security zone of sizes to be determined by representatives of Greece, Turkey and the United Kingdom in consultation with the United Nations Peace-keeping Force on Cyprus (UNFICYP) should be established at the limit of the areas occupied by the Turkish armed forces at the time specified in paragraph 2. This zone should be entered by no forces other than those of UNFICYP, which should supervise the prohibition of entry. Pending the determination of the size and character of the security zone, the existing area between the two forces should be entered by no forces.⁵⁰

Since then, the military status quo assessed by UNFICYP is considered to be the standard by which it was judged whether any violations of the ceasefire were committed (Christodoulidou, 2008). Despite no formal agreement for a ceasefire has ever been reached by the two belligerent parties, the existence of the buffer zone has never been questioned or challenged by any of the actors involved in the conflict which granted it implied consent and acquiescence. In practice, UNFICYP is the supervising power in the area. Its initial mandate was amended with SC Resolution 364 in order to expand and adapt its role and tasks to the changing circumstances, the need of its presence on the island was reiterated to maintain the ceasefire and search for a peaceful settlement⁵¹. It is generally accepted that Resolution 364 constitutes the legal basis for the buffer zone and for the responsibility of UNFICYP towards it (Christodoulidou, 2008). Therefore, UNFICYP is mandated to assess and decide which activities are allowed in the buffer zone. Generally, any activities by either of the two armed forces and all civilian activities that might endanger the ceasefire or the military status quo are prohibited. Furthermore, demonstrations, hunting and activities which are bound to provoke the other side are prohibited inside the buffer zone, while innocent civilian activities and the exercise of property rights are usually permitted. Essentially, it is argued that no

⁵⁰ Geneva Declaration on Cyprus available at:

<https://www.gov.cy/pio/en/documents/agreements/agreements-geneva-declaration-on-cyprus-30-july-1974/>

⁵¹ Resolution 364 (1974) of 13 December 1974 available at: <https://digitallibrary.un.org/record/93478?v=pdf>

activities can happen within the buffer zone prior to UNFICYP approval (Christodoulidou, 2008). Despite the fact that UNFICYP decisions and acts have paramount force over the zone, the RoC and the TRNC hold different points of view over the Green Line.

The Turkish position

On the one hand, the TRNC does claim neither sovereignty nor control over the buffer zone, however it maintains that until the Cyprus issue is solved that area must remain devoid of any human activities (Hadjigeorgiou, 2023). Officially, the self-proclaimed and unrecognized Turkish Republic of Northern Cyprus asserts that the ceasefire lines delineate the borders of two distinct states—the TRNC and the RoC—and that the United Nations have exclusive control over the buffer zone separating them. This position is explicitly outlined on the TRNC Ministry of Foreign Affairs website.

However, this official position does not fully align with reality. In practice, Turkish Cypriot civilians do access and use areas within the buffer zone. The most prominent example is the village of Pyla, located inside the buffer zone, where around 400 Turkish Cypriots live. Additionally, the UN Secretary-General frequently reports on various instances of Turkish Cypriot activity within the zone, further highlighting the discrepancy between official policy and on-the-ground practices (Hadjigeorgiou, 2023).

The Greek-Cypriot position

On the other hand, the RoC considers the buffer zone as an integral part of its territory in which it exercises effective control, however it claims that it is deliberately choosing not to send any armed forces in the area in order to prevent any new escalations of violence (Hadjigeorgiou, 2023). In the buffer zone the RoC jurisdiction is *de jure* exercisable and should also be *de facto* exercisable. To put it differently, the buffer zone is not particularly different to any other part of the island's southern territory: the area is within both its sovereign territory and its actual control. As a result, many governmental functions are carried out in the area, with RoC officials visiting it, either alone or aided by UNFICYP. This is, for instance, the case in villages in the buffer zone, where all administration is conducted by the RoC. In practice, therefore, the RoC is responsible, among other things, for organising elections, issuing building permits, operating schools, and collecting taxes in the buffer zone (Hadjigeorgiou, 2023).

2.2.1 The EU position and the Green Line Regulation

The European Union was forced to face the issue of the buffer zone when Cyprus decided to join the EU. However, the EU Law that was adopted did not contribute to a clarification of the legal status of the buffer zone and who exercises effective control there (Hadjigeorgiou, 2023). When Cyprus joined the EU, Article 1 of Protocol 10 of the Act of Accession⁵² provided that the RoC would join the EU as a whole, yet the application of the *acquis* would be suspended in the northern areas of the island where the Government of the Republic of Cyprus does not exercise effective control until a comprehensive solution would be reached. The Protocol does not explicitly define the buffer zone, though it does mention the “line” between the areas under RoC effective control and those which are not. The EU had to deal with the political consideration of avoiding the buffer zone to become a possible external border, therefore they simply referred to it as a line (Ersözer, 2019). For political reasons the EU did not want to completely abandon Turkish Cypriots, preventing them from enjoying the benefits from the EU accession. The prevailing view was that by ending the isolation of Turkish Cypriots and supporting their economic growth, the divide between the two sides would narrow, allowing the north to catch up with the south. This, in turn, would make reunification more feasible, as less financial support would be needed from the south to develop the north. Furthermore, since the *acquis communautaire* was suspended in the north, the EU was legally obliged “to provide for the terms under which the relevant provisions of EU law shall apply to the line”⁵³. Therefore, on 2nd March 2004 the European Commission proposed “the Green Line Regulation” (GLR)⁵⁴ and the final version was adopted on 29th April 2004, before the island’s EU accession. The Regulation acknowledges the existence of the buffer zone, but does not clarify what law will apply there (Hadjigeorgiou, 2023). As EU Law does not apply northward of the Green Line, the mandate of the Regulation is one directional, meaning it only regulates movements from north to the south. All movements and activities in the opposite direction remain under the control of the internationally unrecognized Turkish Republic of Northern Cyprus. The Republic of Cyprus bears the responsibility for the implementation of the GLR, with the exception of those areas under the sovereignty of the UK⁵⁵. The next paragraphs are explaining in more detail the new legal

⁵² Article 1 of Act of Accession of Cyprus, Protocol No 10 available at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12003T/PRO/10>

⁵³ Article 2 Protocol No 10 Act of Accession

⁵⁴ Green Line Regulation available at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32004R0866>

⁵⁵ Article 8 Green Line Regulation

framework regulating the movement of goods, services, and persons established with the GLR.

Movement of goods

Article 4 of the GLR stipulates a special regime, terms and conditions regarding the movements of goods from the north to the south of the island. Since the EU explicitly stated that the Green Line does not represent one of its external borders, the GLR does not use terms such as “imports” or “exports”, which could lead to assume that TRNC is a recognized third country. The movement of goods is only allowed at the official crossing point of Ledra Palace and Agios Dhometios and the crossing points of Pergamos and Strovilia under the authority of the Eastern Sovereign Base Area⁵⁶. The range of goods that can cross the GL is limited to domestic products from north Cyprus, however animals and animal products are excluded⁵⁷. As mentioned before, the GLR is unidirectional, therefore all movements from south to north are subject to the External Trade Law of the TRNC, though it essentially mirrors the provisions in the GLR. The fundamental difference is that the TRNC recognises the Green Line as an external border (Ersözer, 2019).

Movement of Services

When it comes to the movement of services the GLR is extremely ambiguous and provides no defined scope, there is a lack of clear definitions and specifications about what can constitute a service. As a result, the structural shortcomings of the Green Line Regulation (GLR) impose inherent constraints on the development of economic activity across the Green Line, particularly in relation to the provision of services. The absence of a legal framework to facilitate interaction between service providers—combined with the non-recognition of the authorities in the north—renders the movement of services virtually impossible. Only limited, small-scale services are able to operate, typically under the guise of the movement of persons (Ersözer, 2019).

Movement of Persons

Article 2-3 of the GLR regulate the movement of persons from the north to the south:

Check on Persons

⁵⁶ Article 4 Green Line Regulation

⁵⁷ Art.4(9) Green Line Regulation

1. The Republic of Cyprus shall carry out checks on all persons crossing the line with the aim to combat illegal immigration of third country nationals and to detect and prevent any threat to public security and public policy. Such checks shall also be carried out on vehicles and objects in the possession of persons crossing the line.
2. All persons shall undergo at least one such check in order to establish their identity.
3. Third country nationals shall only be allowed to cross the line provided they:
 - (a) possess either a residence permit issued by the Republic of Cyprus or a valid travel document and, if required, a valid visa for the Republic of Cyprus, and
 - (b) do not represent a threat to public policy or public security.
4. The line shall be crossed only at crossing points authorised by the competent authorities of the Republic of Cyprus. A list of these crossing points is laid down in Annex I.
5. Checks on persons at the boundary between the Eastern Sovereign Base Area and the areas not under effective control of the Government of the Republic of Cyprus shall be carried out in accordance with Article 5(2) of Protocol No 3 of the Act of Accession.⁵⁸

The RoC is obliged to carry out checks on all persons at the crossing points in order to establish their identity. In addition, Article 3 stipulates that:

Effective surveillance shall be carried out by the Republic of Cyprus all along the line, in such a way as to discourage people from circumventing checks at the crossing points referred to in Article 2(4).⁵⁹

Under Article 2(3), third country nationals are subject to stricter rules. For a significant proportion of the population in the north, these articles of the GLR mean that they are not allowed to cross to the south. All citizens of the self-proclaimed TRNC who have Turkish origins, as well as all international students, migrants, foreign workers and their children residing in the north are prohibited from accessing the RoC territory. RoC authorities do not recognize the air and sea ports in the north as legal, nor they accept the residence permits issued by the Turkish Cypriot authorities. People entering the island of Cyprus via air and sea ports in the north could be charged by the RoC police force for illegal entry into the country (Hürriyet, 2003), this used to be true also for EU citizens⁶⁰. According to Article 2(4), people can cross exclusively at the authorised crossing points. Initially only two crossing points were open in 2003, since 2018 the number has been raised up to 9 (see fig.11). As for the movement of goods, the GLR controls the crossing of people from north to south, the movement of persons in the opposite direction is subject to provisions adopted by the Turkish

⁵⁸ Article 2 Green Line Regulation

⁵⁹ Article 3 Green Line Regulation

⁶⁰ Information obtained during the traineeship at CyRC

Cypriot authorities⁶¹ in 2003. This decision opened the checkpoints allowing the movement of persons during the pre-accession period, on 23 April 2003, and its terms and conditions continue to regulate the movement of persons from the south to the north. According to the provisions, Greek Cypriots, other EU citizens, and third country nationals can cross to the north once they provide a form of identification to the Turkish Cypriot police (Ersözer, 2019). There are some important considerations regarding the current practices around the Green Line. Firstly, although the Republic of Cyprus officially treats the Green Line as an internal “line” within the country, rather than an external border, the procedures in place—such as identity checks and surveillance—closely resemble those applied at the external borders of the European Union. This way of managing the movement across the line does not promote a sense of community or shared national identity. Instead, it reinforces feelings of division and separation between the two communities. Furthermore, while the Republic of Cyprus is responsible for ensuring effective surveillance of the Green Line to combat so-called “illegal immigration”, the Green Line Regulation does not establish any mechanism for cooperation between the two sides on security matters (Ersözer, 2019). This lack of coordination further complicates efforts to manage the line in a balanced and unified way.

As previously noted, the movement of persons across the Green Line officially commenced on 23 April 2003, approximately one year prior to Cyprus’s accession to the European Union. The unexpected opening of the crossing points generated considerable excitement and urgency among Cypriots from both communities. Many individuals tried to take immediate advantage of the opportunity to return to their abandoned homes, revisit towns and villages from which they had been displaced, and reconnect with members of the other community—actions that had been impossible for decades. This initial wave of movement was marked by a symbolic significance, reflecting both a desire for reconciliation and a concern that the decision to open the checkpoints might be reversed (Ersözer, 2019). Nevertheless, a clear asymmetry in the frequency of crossings has persisted between the two communities. Empirical data consistently demonstrate that Turkish Cypriots cross the Green Line at approximately twice the rate of Greek Cypriots—a trend observable not only in recent years but across the entire period for which data is available⁶². This disparity may be attributed to a variety of socioeconomic and political factors, including differing motivations for crossing, economic incentives, and relative accessibility. Despite the sustained and

⁶¹ TRNC Official Journal. (2003a). Kuzey Kıbrıs Türk Cumhuriyeti, Resmi Gazete, Bakanlar Kurulu Kararları, Ek IV, Sayı:40, Karar Numarası: E-762-2003, 22.4.2003.

⁶² Annual Reports from the EU Commission to the EU Council available at: eur-lex.europa.eu.

significant level of movement across the divide—considerably surpassing the volume of goods traded through the Green Line—the opening of the checkpoints has not resulted in substantial social reintegration between the two communities. While the physical barriers to movement have been partially lifted, deep-seated divisions and a lack of institutional support for intercommunal engagement have limited the potential for meaningful social cohesion. As such, the Green Line continues to function not only as a point of crossing but also as a symbolic and practical boundary between two estranged communities (Ersözer, 2019).

Human rights obligations and violations

Since the focus of this dissertation is on people on the move and the dynamics of the island borders, after having discussed the legal status of the buffer zone and the different claims made in relation to the area, practical questions naturally arise; who, if anyone, is responsible for asylum seekers, people on the move in the buffer zone and who can be held accountable for any human rights violations that take place there?

The starting point is that jurisdiction is primarily territorial, meaning that a state is allowed to exercise its jurisdiction within its borders. Given the fact that the buffer zone is *de jure* within the territory of the RoC, it would logically follow that the RoC (and only the RoC) has jurisdiction there. However, this issue must be added onto the list of exceptions and exceptionalities that occur throughout this Mediterranean island. One should question if the jurisdiction-territoriality principle does apply even in situations where a state does not, totally or partially, exercise control over its territory (Hadjigeorgiou, 2023). In addition, what if other actors have some form of control within the buffer zone, who ultimately could be found responsible for the human rights violations? Unfortunately, there is no abstract legal analysis that could lead to a decisive conclusion, answers will depend on the facts of each specific case. In cases of human rights violations, accountability will depend on several factors, such as the specific location within the buffer zone where the violation occurred. For example, accountability could be influenced by whether the alleged violation took place in a civilian area, near one of the ceasefire lines, or within the Nicosia International Airport—an area with a unique status for housing UN staff. Additionally, even the party responsible for the alleged violation plays a critical role in determining liability.

In fact, the buffer zone is interesting not because no one exercises jurisdiction there, but because of the possible existence of concurrent jurisdictions by more than one state (Hadjigeorgiou, 2023).

The European Court of Human Rights (ECtHR) upholds the principle that a sovereign state retains jurisdiction over its entire territory, even if it is not in full control of certain areas. This general rule applies to situations where a state is prevented from exercising its authority due to external factors, such as military occupation, acts of war, rebellion, or foreign intervention supporting separatism. However, this does not imply that the state's jurisdiction is entirely excluded in these areas. For example, in cases where the Republic of Cyprus (RoC) does not exercise effective control over northern Cyprus, particularly in the buffer zone, it still retains positive obligations to take appropriate actions within its capabilities to address human rights violations. Meaning that the state is required to proactively take measures to protect individuals from human rights violations, rather than merely refraining from infringing on those rights. When the RoC signed and ratified the European Convention on Human Rights (ECHR) in 1961, it did so with regard to the entire territory, including areas under TRNC control and the buffer zone. While the RoC maintains legal sovereignty over the whole island, the extent of its responsibility for human rights violations in the buffer zone depends on whether it exercises effective control in the specific area where the violation occurred. If the RoC exercises effective control, it is held accountable for any violations in the same manner as it would be within areas it controls directly. Conversely, if it does not have effective control, the ECHR will assess whether the RoC took all reasonable steps within its capacity to safeguard human rights. Therefore, while the RoC always retains jurisdiction in the buffer zone, its legal obligations will vary depending on its degree of control in the specific area where the alleged violation took place.

In conclusion, an examination of the Court's jurisprudence reveals that the Republic of Cyprus, as the sovereign state, consistently exercises jurisdiction over the entire territory, including the buffer zone. However, the extent of its human rights obligations depends on whether it exercises effective control in the specific area where the alleged violation occurred. If the RoC exercises both sovereignty and effective control within the relevant part of the buffer zone, it bears the same human rights responsibilities as it does in the rest of the country. Conversely, if the RoC does not exercise effective control in a particular area of the buffer zone, while it retains jurisdiction, its liability for any human rights violations will be substantially reduced. This distinction underscores the nuanced nature of the RoC's obligations under the European Convention on Human Rights, contingent on the degree of effective control it exercises in the territory in question. It is of paramount importance to examine the legal status of the buffer zone and the various claims associated with it in order to answer questions regarding the responsibility for asylum seekers and other migrants

present in the area. According to the analysis it still remains unclear who bears legal and humanitarian responsibility for individuals within the buffer zone, and who can be held accountable for any potential human rights violations that occur there. This issue is especially pressing in the context of people on the move who present themselves in the buffer zone as the following paragraph will show.

2.2.2 Case of asylum seekers stranded in the buffer zone

Since the Republic of Cyprus joined the Union, the Green Line that separates it from the TRNC-controlled part of the island has seen numerous irregular crossings by people on the move from the Turkish Republic of Northern Cyprus into the southern part of the island.

The European Commission has repeatedly called on the Greek Cypriot authorities to take the necessary measures to combat irregular immigration from the northern part of the island. However, the RoC has always tried to avoid establishing controls along the Green Line similar to those in place at other EU external borders because it would amount to indirectly recognizing the TRNC—something it is not willing to do. Nonetheless, they state that the RoC must exercise “effective surveillance along the entire line of demarcation in order to discourage people from circumventing checks at crossing points.”⁶³ Thus, the RoC is responsible for enforcing these rules regarding passage through the buffer zone. Moreover, it is obliged to monitor the Green Line beyond the crossing points opened since 2003, by establishing controls that should be similar to those applied at the EU’s external borders (Clochard, 2008).

As it was presented above, in theory, the Republic of Cyprus retains jurisdiction over the buffer zone, thereby implying that EU asylum law should, in principle, be applicable there. Accordingly, asylum seekers should have the right to submit their claims to the competent RoC authorities. The following paragraph will present case studies in which asylum rights were initially denied. It’s also important to keep in mind that, due to the suspension of the EU *acquis* in the northern part of the island, EU asylum law does not apply there, placing asylum seekers at risk of *refoulement* via Türkiye and, ultimately, return to their countries of origin. This legal grey zone highlights a significant gap between de jure obligations and de facto practices, raising urgent concerns about the protection of fundamental rights of the most vulnerable people within the buffer zone.

⁶³ Article 3 Green Line Regulation

In the early hours of May 24, 2021, three Cameroonian nationals—Grace, Daniel and Emil—found themselves stranded in the United Nations-patrolled buffer zone of Nicosia, Cyprus, after an unsuccessful attempt to cross from the Turkish-occupied north into the Republic of Cyprus. Misled by smugglers and unaware of the complex geography and political divisions of the island, the asylum seekers had leapt from the Venetian walls separating the Arab Ahmet district in the Turkish Cypriot north into what they believed was the southern, EU-governed part of the capital. Instead, they landed in the demilitarized Green Line monitored by UNFICYP (Smith, 2021).

All three individuals originate from the Anglophone regions of Cameroon, where violent conflict and civil war between secessionist forces and the central Francophone government has produced widespread human rights abuses, displacement, and a deepening humanitarian crisis since 2017. The three Cameroonians sought refuge within the European Union, mistakenly assuming that physical entry into the southern part of the island would grant them access to the Republic of Cyprus's asylum system (Rakoczy, 2021).

However, upon entry into the buffer zone, they were apprehended not by immigration authorities but by UN peacekeepers who escorted them to the RoC police at the Ledra Palace checkpoint (AIDA/CyRC, 2022). Despite repeated attempts, their access to asylum procedures has been denied by the Cypriot government, which maintained a policy of non-admission for individuals entering from the north through irregular means. Consequently, the three were stranded in legal and humanitarian limbo, surviving in tents and relying on the United Nations High Commissioner for Refugees (UNHCR) and local goodwill for basic sustenance and protection for a period of 6 months (AIDA/CyRC, 2022). This was the first time in recent years that asylum seekers were denied access to the RoC territory, remaining stuck in the “no man's land” for such a long period of time. Eventually, in autumn 2021 one of the Cameroonians entered the areas under the effective control of the RoC irregularly, whereas the other 2 were included in the group of 50 persons to be relocated to Italy by Pope Francis, following his visit to Cyprus in December 2021 (France 24, 2021). In December 2021, there was a report of a 18-year-old Nigerian woman who approached the RoC police at the Ledra Palace crossing point to seek asylum and was pushed back into the buffer zone. She returned to the areas not under the effective control of the RoC (AIDA/CyRC, 2022).

The Cyprus Refugee Council (CyRC) has documented continued instances of pushbacks at the land borders of Cyprus, particularly along the Green Line, throughout 2022 and 2023. These pushbacks involve the denial of access to the territories under the effective control of the Republic of Cyprus and, crucially, to the asylum procedure, even when third-country

nationals attempt to cross through official checkpoints (AIDA/CyRC, 2023). In one notable case from December 2022, two Turkish nationals of Kurdish origin were refused entry by Greek Cypriot police at the Ledra Palace checkpoint despite explicitly seeking international protection. As a result, they were left stranded in the UN-controlled buffer zone, without support from state authorities. Humanitarian assistance, including tents and food, was initially provided by UNHCR and foreign embassies, with UNFICYP later assuming responsibility for food provision. One of the individuals remained in the buffer zone for approximately nine months and was only granted access to the asylum procedure in September 2023 (AIDA/CyRC, 2024).

Additionally, in November 2023, CyRC recorded a separate incident involving an asylum seeker from Iran who approached the police at the same checkpoint to request international protection. She too was denied access to the asylum procedure and remained in the buffer zone for three days. Eventually, she was permitted entry into areas not under the control of the RoC and subsequently returned to Türkiye (AIDA/CyRC, 2024). These cases reflect a pattern of systematic barriers to asylum access at the Green Line, raising significant concerns regarding compliance with international refugee and human rights obligations.

In May 2024, Cypriot authorities intensified efforts to deter irregular arrivals from the northern areas of the island, resulting in the denial of entry to a number of individuals attempting to cross the Green Line into the territories under the effective control of the Republic of Cyprus (AIDA/CyRC, 2025). These individuals were forced to remain in the United Nations-controlled buffer zone, where conditions were extremely precarious. Reports also indicated that some individuals who managed to enter RoC-controlled areas and reached the First Reception Centre at Pournara in an attempt to lodge asylum claims were subsequently returned by police to the buffer zone, raising serious concerns about potential violations of the principle of *non-refoulement* (AIDA/CyRC, 2025). Between May and November 2024, a total of 147 individuals, including children and vulnerable persons with physical and mental health conditions, were trapped in the buffer zone. The majority originated from countries and territories with well-documented protection needs, such as Syria, Afghanistan, Sudan, and Gaza. Living conditions were extremely harsh, particularly during the summer months with temperature over 40 degrees, with individuals residing in tents provided by UNHCR on land infested with mosquitoes, rats, and snakes (UNHCR, 2024). Basic necessities such as food, water, clothing, and sanitation were supplied through the United Nations Peacekeeping Force in Cyprus (UNFICYP) with the support of UNHCR. Although the RoC provided emergency medical care in state hospitals, individuals were

returned to the buffer zone upon discharge, further exacerbating their precarious situation (UNHCR, 2024).

Returning to the northern areas posed significant legal risks, as there is no functioning asylum system and individuals risk prosecution for illegal entry, potentially leading to imprisonment (AIDA/CyRC, 2025). While some individuals were eventually permitted access to RoC-controlled areas, others remained trapped for prolonged periods. In October 2024, the Council of Europe Commissioner for Human Rights, Michael O’Flaherty, publicly expressed concern about the conditions of the approximately 30 individuals who had been left stranded in the buffer zone for several months. He highlighted the potential for violations of the European Convention on Human Rights (ECHR), specifically regarding the prohibition of inhuman or degrading treatment and the right to private and family life. The Commissioner also raised alarms over reports of boats carrying migrants, including those in need of international protection, being denied disembarkation in Cyprus and, in some cases, being violently returned without access to asylum procedures—actions that could constitute breaches of the ECHR and the 1951 Refugee Convention (Council of Europe, 2024). Legal action was initiated before the International Protection Administrative Court (IPAC), and interim measures were requested before the European Court of Human Rights (ECtHR) under Rule 39⁶⁴. The ECtHR subsequently requested that the Cypriot government clarify whether the affected individuals had access to asylum procedures and whether there was a risk of indirect refoulement to unsafe areas (Antoniou, 2024). In November 2024, the remaining individuals in the buffer zone were granted entry into the areas controlled by the RoC (Philenews, 2024). The Deputy Minister of Migration and International Protection announced that all persons had been “temporarily and exceptionally” transferred to the Kofinou reception center, pending procedures for either relocation to third countries or deportation⁶⁵. In response, the ECtHR annulled the extension previously granted to the Cypriot government and demanded an immediate reply to its outstanding questions. It was subsequently confirmed that all individuals had been granted access to the asylum procedure upon arrival in the RoC-controlled areas (AIDA/CyRC, 2025). In defense of its policies, the President of the Republic of Cyprus emphasized the government’s commitment to preventing the

⁶⁴ The application to the ECHR was made in collaboration with the Cypriot Non-Governmental Organization "Movement for Equality, Support, Anti-Racism" (KISA) and the Italian Non-Governmental Organization "Rule 39 Initiative" and the applicants are represented by lawyers Nicoletta Charalambidou and Daria Sartori.

⁶⁵ Gov CY, Announcement of the Deputy Ministry of Immigration and International Protection on the issue of irregular migrants in the Dead Zone, 16 November 2024, available in Greek <https://www.gov.cy/metanastefsi/anakoinosi-tou-yfypourgeiou-metanastefsis-kai-diethnous-prostasias-gia-to-the-ma-ton-paratypon-metanaston-sti-nekri-zoni/>

normalization of irregular crossings through the Green Line, asserting that such efforts were being conducted in accordance with international and European legal obligations. He further reaffirmed the government's dedication to providing international protection and aligning with the EU *acquis*, citing a range of measures undertaken in support of this commitment (Kathimerini, 2024).

A final consideration regarding these occurrences is necessary. As illustrated by the case of the UK Sovereign Base Areas, ambiguities often arise concerning jurisdiction and accountability within special territorial zones, where multiple actors may assert competing claims to sovereignty. However, what becomes evident is that, when it comes to safeguarding the rights of people on the move, no actor assumes clear responsibility. Instead, there is a recurring tendency to deflect accountability and shift blame onto others.

2.3 The sea: the natural “border” of the island

Besides the SBAs and the Green Line, considered as peculiar border zones, Cyprus is an island, and as such it has a natural border, the sea. Maybe less interesting compared to the special character of the other borders, it is also worth mentioning, since it is no different in that violence, death, pushbacks and exclusions are common features of this border as well.

Cyprus shares structural similarities with other Mediterranean frontline states such as Greece, Italy, Malta, and Spain (notably the Canary Islands) in terms of geographic positioning at the external borders of the European Union and exposure to migratory flows. However, unlike these countries, Cyprus has not experienced significant or concerning levels of irregular boat arrivals directly to the territory of the Republic of Cyprus (see fig.4, chapter 1.2.1).

Nonetheless, since 2020, the Cyprus government has started implementing numerous technologies for coastal surveillance, such as the Integrated Coastal Surveillance System. Over the past 20 years, the Joint Rescue Coordination Center has received in total €20 million in EU funding, for projects such as the coastal surveillance system, drones, boats and the establishment of the Zenon Coordination centre in its premises (Nikolaou, 2024). The Zenon centre is responsible for various tasks, including the control and early warning of migratory movement flows, aiming “to manage a complete surveillance, location, identification, prevention, command and control system, covering the maritime area of responsibility and jurisdiction of the RoC” (BVMN, 2024). These terms are often code language for interception and removal of people seeking asylum from the territorial waters, preventing them from the right to seek asylum and in violation of the principle of *non-refoulement*. As a

matter of fact, for the first time in 2020, the Cypriot authorities carried out pushbacks of boats carrying mainly Syrians, Lebanese and Palestinians who had departed from Türkiye or Lebanon (UN Secretary-General, 2021). A total of nine pushbacks were conducted with an additional attempt in December 2020, but due to damages the boat was eventually rescued. The practice persisted into 2021, with reports indicating that another nine boats—primarily carrying Syrian and Lebanese nationals—were subjected to pushbacks (AIDA/CyRC, 2025). In 2022, an increase in maritime arrivals was recorded, with 40 boats arriving in the areas under the control of the Republic of Cyprus. Six boats all departing from Lebanon, were identified as intercepted by the Cypriot authorities, however there may be more cases of *refoulement* which were not identified or located. There were reports that four boats were returned to Lebanon, carrying approximately 354 persons (AIDA/CyRC, 2025). Allegedly, among them there were three Syrians, who were eventually returned to Syria. The other two boats continued the journey after having been intercepted by the RoC; after having disembarked two people in Cyprus, one of the boats ultimately reached Greece, and the second was reported to have reached Türkiye⁶⁶.

Overall, the number of arrivals saw a significant decrease in 2023, dropping by half compared to 2022. Despite this decline, the government stressed the need to implement a European Union action plan for the Eastern Mediterranean, citing continuous concerns over the rising of migrants detected along this route (Reuters, 2023). In 2023, two incidents of pushbacks were reported in July and August, involving three boats and 109 nationals from Syria. UNHCR expressed its concern over the return of more than 100 Syrian nationals from Cyprus to Lebanon without a screening to determine whether they were in need of legal protection and not considering the risk that they may be deported back to their war-torn homeland. UNHCR representative in Cyprus reminded that deportations and transfers between states “without legal and procedural safeguards for persons who may be in need of international protection” are a violation of international and European law (Hadjicostis and Sewell, 2023).

Surprisingly, in early 2024, for the first time, the arrivals by sea directly to the areas under the control of the RoC were significantly higher than arrivals crossing from the areas not controlled by the RoC, through the Green Line (Philenews, 2024).

During the first months of 2024, multiple interception and subsequent pushbacks of boats were reported, asylum-seekers attempting to reach Cypriot shores risked being returned to

⁶⁶ Information obtained by Cyprus Refugee Council.

Lebanon and from there forcibly removed to Syria (Kades, 2024). Furthermore, two Cypriot police boats were sent to patrol off the coast of Lebanon to intercept migrant boats, this was the first mission of Cypriot ships to international waters following a mutual understanding reached with Lebanon (Shkurko, 2024).

In September 2024, Human Rights Watch published an extensive report on pushbacks and pull backs of Syrian refugees in Lebanon and Cyprus. According to the report:

“Cypriot authorities have collectively expelled hundreds of Syrian asylum seekers without allowing them access to asylum procedures, forcing them onto vessels that traveled directly back to Lebanon. People expelled said that Lebanese army officers handed them directly to Syrian soldiers and unidentified armed men inside Syria.”⁶⁷

In October 2024, the European Court of Human Rights (ECHR), in the case of M.A. and Z.R. v. Cyprus found that Cyprus violated the European Convention on Human Rights when it returned to Lebanon two Syrian citizens who wanted to apply for asylum. The case concerns Syrian nationals who were intercepted at sea by the Cypriot authorities and immediately returned to Lebanon. The ECHR found unanimously, that there had been, on account of the applicants’ return to Lebanon, a violation of Article 3 (prohibition of inhuman or degrading treatment) of the Convention, a violation of Article 4 of Protocol No. 4 (prohibition of collective expulsion of aliens), a violation of Article 13 (right to an effective remedy) and, on account of the applicants’ treatment by the Cypriot authorities, a violation of Article 3 of the Convention. According to the ECHR, the Cypriot authorities had essentially returned M.A. and Z.R. to Lebanon without processing their asylum claims and without all the steps required under the Refugee Law. The Government’s submissions made it clear that the national authorities had not carried out any assessment regarding the risk of inadequate access to a fair and effective asylum procedure in Lebanon or the living conditions faced by asylum seekers there. Additionally, no evaluation had been taken regarding the potential risk of *refoulement*, no examination of the individual circumstances of the person were conducted⁶⁸.

In March 2025, another three boats with approximately 80 Syrians onboard were reportedly pushed back by Cypriot authorities, and as a consequence the Syrian nationals were forcibly returned to Syria from where they had fled. The UNHCR once again expressed its concern

⁶⁷ Human Rights Watch, Lebanon/Cyprus: Refugees Pulled Back, Expelled, Then Forced Back to Syria, 4 September 2024, available at: <https://www.hrw.org/report/2024/09/04/i-cant-go-home-stay-here-or-leave/pushbacks-and-pullbacks-syrian-refugees-cyprus>

⁶⁸ ECtHR, M.A. and Z.R. v. Cyprus (application no. 39090/20), available at: <https://hudoc.echr.coe.int/eng#%7B%22itemid%22%3A%5B%22001-236141%22%5D%7D>

and repeated its call to states to “refrain from pushbacks and summary returns of individuals without legal and procedural safeguards” and reminded them that any “law enforcement operations” had to be conducted “with the respect of international law, including refugee and human rights law, and should not result in situations incompatible with the prohibition of refoulement” (UNHCR, 2025). The Cypriot government responded by issuing a statement in which it refuted accusations that Cypriot authorities were responsible for human rights violations and said that they had “never ignored a call for help” regarding SAR operations (Philenews, 2025a).

In March 2025, a tragic shipwreck occurred off the coast of Cyprus, resulting in the deaths of at least seven people. The boat, reportedly carrying around 20 people—primarily Syrian nationals—sank near Cape Greco. While two individuals were rescued and are currently assisted by the CyRC, seven bodies were recovered from the sea. The Joint Rescue Coordination Centre (JRCC) confirmed that a search and rescue (SAR) operation was ongoing (Associated Press, 2025). The official response to the tragedy sparked political controversy, specifically concerning whether the Cypriot authorities responded promptly upon receiving the distress alert from the boat. Several political parties called for a “full and independent investigation” (Philenews, 2025b).

To conclude, even the sea, which is often perceived as a natural border, is in fact a highly politicized space where state violence is deliberately enacted. The systematic use of surveillance technologies, pushback practices and the denial of asylum procedures illustrate how the maritime frontier of Cyprus is not a passive geographic feature, but an active site of governance through harm. These occurrences are not random or incidental, they are the outcomes of conscious political decisions aimed at deterring arrivals and legitimizing deeper layers of discrimination. The deaths and suffering at sea and along land borders are not simply humanitarian tragedies, but evidence of a broader strategy in which the management of migration is increasingly defined by coercion, deterrence and erosion of rights. All of the above concurs to the concept of “border spectacle”, which is central to the border studies debate and will be discussed in the next and final chapter. The creation of increasingly fortified, militarized, and deadly borders, represents only the beginning of a broader process of proliferation of borders, which fosters a permanent state of migrant illegality, deportability, precarity, and disposability (De Genova and Roy, 2020).

Chapter 3. Border studies and the Cyprus experience

After presenting the physical borders on the island of Cyprus and their respective governing regimes, following the debate developed within the border studies field, the discussion will focus on how borders—and different versions of the polymorphic nature of borders (Burrige et al., 2017)—are scattered a bit everywhere within the territory of the nation-state. A proliferation of borders that can be seen in policies regulating access to employment, housing, education, and eligibility for various social welfare benefits (Chavez, 1994). The lived experiences of borders by people on the move reinforce the idea about the fluidity of borders, leading to a broader discussion that framed borders as part and parcel of regimes of social control, determining who lives where and under which conditions (Walia, 2022).

The first part of this chapter underlines the types of borders that people on the move have to keep crossing once they have entered the RoC. Whereas the second part will retrace the main arguments of the debate around border studies and apply them to the case of Cyprus, showing how it perfectly fits within this analysis.

3.1 Boundaries in society

Even after crossing the borders, people on the move never reach a finish line. They find themselves in a constant liminal space. Limitations to accessing social life in the country of destination constitutes new barriers. In Cyprus, these new boundaries are all the more evident for asylum applicants, yet even for BIPs and subsidiary protection holders some obstacles will forever remain. The information contained in this chapter was collected by the author during the internship period at CyRC, most of it is also publicly available in the AIDA annual report⁶⁹ which the NGO drafts under the supervision of ECRE.

As previously described in chapter 1.2.2, third-country nationals that cross any of the RoC “borders” and wish to apply for asylum are referred to Pournara First Reception Centre. Barriers are in place all around the camp and within it, in order to separate different zones. The Reception Centre consists of a main camp, an Emergency Zone, and four designated Safe Zones for vulnerable groups. The Safe Zone is divided into four sections (A, B, C, and D) and is intended for unaccompanied and separated children (UASC), vulnerable women, and families. Admission is managed by a coordinator based on daily reports from the EUAA vulnerability assessments, though some are admitted beforehand if vulnerabilities are

⁶⁹ AIDA Country Report Cyprus 2024.

apparent. Notably, men—including vulnerable men and LGBTIQ+ individuals—are not permitted to stay in the Safe Zones.

- **Zones A & B** (newest): Host UASC girls and vulnerable women; total capacity is 88 persons. There are 20 containers (16 for accommodation, 4 for offices), each housing 6 beds. Infrastructure includes 9 showers and 9 toilets.
- **Zone C**: Formerly for UASC boys (90 capacity) with 17 rooms and limited facilities (2 toilets, 1 shower). As of January 2025, this zone is no longer in use.
- **Zone D**: Now accommodates both UASC boys (relocated from Zone C) and families with young children, though male guardians are not allowed to stay. It includes 26 rooms (8 people per room), with overcrowding issues—some women and girls sleep on mattresses on the floor.

Accommodation is provided in container-like structures, that according to the resident complaints are unsuitable for living, especially due to the extreme temperatures on the island—up to 45°C in summer and near 0°C in winter. The Pournara Centre is one more space of confinement, since it is a closed camp, meaning that people inside cannot leave without previous authorization. A further example that demonstrates how even after crossing the border, new borders are put in place to constrain people on the move.

Freedom of movement within the Centre is restricted, creating conditions of de facto detention, as there is no legal basis for these restrictions. Although intended as a short-stay facility (72 hours), average stays in 2024 remained at 30-40 days for adults and 80 days for UASC, with some cases lasting 3-4 months despite a decrease in arrivals.

The Centre is secured by private security personnel, who coordinate with the police when necessary to maintain the integrity of the perimeter, ensuring that foreign nationals remain within the facility while unauthorized individuals are kept out. The centre is surrounded by high barbed wire fencing, reinforcing its restrictive environment. In its May 2024 report⁷⁰, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) observed that individuals within Pournara were, de facto, deprived of their liberty until granted permission to leave—permission that is contingent upon the completion of various mandatory medical and administrative assessments conducted by specialized agencies. The CPT concluded that this practice may constitute arbitrary deprivation of liberty, undermining detainees' access to fundamental safeguards against ill-treatment. Detention

⁷⁰Available at: <https://rm.coe.int/1680afb22c>

durations were found to be indeterminate, often lasting from several weeks to several months and, in some cases, exceeding one year, contributing to prolonged uncertainty and psychological distress.

The situation was particularly concerning for minors subjected to age assessment procedures, whose average length of stay significantly exceeded that of adults. Usually, delays in medical examinations further contribute to the prolonged stay of residents, constituting additional structural barriers to timely release. Although asylum seekers are formally allowed to exit the centre upon the conclusion of all required procedures, they must first provide a valid address within the community. This requirement has proven particularly burdensome for vulnerable groups—such as persons with disabilities and large families—who face considerable challenges in securing private accommodation. Consequently, many are unable to leave the facility in a timely manner. Moreover, the requirement has facilitated exploitation by intermediaries, landlords, and other actors within the community, increasing the risk of homelessness and leading to cases where individuals exit the centre only to discover that their accommodation is unavailable or uninhabitable.

The situation in the other reception centre in Kofinou (chapter 1.2.2) is slightly better, yet not that different. The Reception Centre is located in a remote area (roughly 25km from the nearest city, Larnaca), surrounded by dry fields and sparse vegetation. It is near a village with a population of approximately 1,300 people. The fact that the camp is isolated represents a further barrier towards integration of migrant people within Cypriot society. It is true that there are bus routes connecting the reception centre with cities either directly in the case of Larnaca or through regional bus stations from where connecting transport can be used to reach other destinations, however routes and time schedules are limited. These can be an issue especially for those trying to reach work places. Often asylum seekers living there are forced to take up agriculture and farming jobs nearby the area. The camp is also surrounded by a fence and there is a gate in order to enter the main area, which is where people are hosted (fig.12). Access through the gate is granted upon identification by a security guard. Contrary to Pournara Camp, this is not a closed centre, meaning that residents are allowed to go out when they wish, providing that they do not leave the centre for prolonged periods of time. However, residents are not allowed to leave the premises for more than 48 hours but, in some instances, this can be extended by notifying the Center's administrators.



Figure 12. Satellite image of Kofinou Reception Centre. Google maps, 17/09/2025.

3.1.1 For asylum seekers

Besides borders replicated in reception conditions, asylum applicants in Cyprus often encounter social boundaries when it comes to accessing services such as education, health and employment.

Access to the labour market for asylum applicants is particularly problematic, obstacles and bureaucratic borders are everywhere. In 2023, a new Ministerial Decree/Decision 312/2023⁷¹ was issued according to which asylum applicants are permitted to access the labour market nine months after submitting their asylum application and they have access only to specific permitted fields of employment (see table below).

Sectors of labour market	Permitted occupations
Agriculture - Animal Husbandry - Fishery - Animal Shelters - Pet Hotels	<ul style="list-style-type: none"> ❖ Hotels Labourers ❖ Animal Husbandry Labourers ❖ Poultry Farm Labourers

⁷¹ Available in Greek at:

[https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/47E9A38E774D6884C225809F002C0D2F/\\$file/K.Α.Π.312%20%202023_3.pdf](https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/47E9A38E774D6884C225809F002C0D2F/$file/K.Α.Π.312%20%202023_3.pdf)

	<ul style="list-style-type: none"> ❖ Fishery Labourers ❖ Fish Farm Labourers ❖ Animal Caretakers
Processing	<ul style="list-style-type: none"> ❖ Animal Feed Production Labourers ❖ Bakery and Dairy Production Night-Shift Labourers ❖ Loading / Unloading Labourers ❖ Poultry Slaughterhouse Night-Shift Labourers
Waste management	<ul style="list-style-type: none"> ❖ Sewerage, Waste and Wastewater Treatment Labourers ❖ Collection and Processing of Waste and Garbage Labourers ❖ Recycling Labourers ❖ Animal Waste and Slaughterhouse Waste Processing Labourers
Trade-Repairs	<ul style="list-style-type: none"> ❖ Petrol Station and Carwash Labourers ❖ Loading / Unloading Labourers ❖ Fish Market Labourers ❖ Automobile Panel-Beaters and Spray-Painters
Service Provision	<ul style="list-style-type: none"> ❖ Employment by Cleaning Companies as Cleaners of Buildings and Outdoor Areas ❖ Advertising Material Delivery Persons ❖ Food Delivery Persons ❖ Groundskeepers ❖ Loading / Unloading Labourers

	❖ Pest Control Labourers for Homes and Offices
Food Industry	❖ Food Delivery Persons/Restaurants
Restaurants and Recreation Centers/ Hotels	❖ Kitchen Aides, Cleaners
Other	❖ Advertising Material Delivery Persons ❖ Laundromat Labourers

CSOs, such as CyRC, working closely with asylum seekers and migrants have emphasised numerous obstacles in accessing the Cypriot labour market. First of all, their employment is restricted to specific economic sectors, this policy aligned with national strategies prioritizing EU and Cypriot citizens. While non-EU nationals may be employed in sectors where a persistent lack of local labour is identified, the list of permitted sectors remains narrow, often confined to low-wage, poor-condition jobs. Employers' organizations have long argued for broader access, citing labour shortages in various sectors, but policy changes have not followed. Furthermore, wages in these sectors are typically insufficient to support even basic household needs, especially for asylum applicants with families. Rising rent prices and inadequate material assistance further exacerbate these difficulties. Social Welfare Services now factor employment income into the calculation of material support, often disqualifying low-income working families from receiving any assistance at all. Transportation is another barrier. Many permitted jobs are in remote areas, with shifts starting well before public transportation becomes available. This logistical challenge, combined with limited language proficiency, impedes communication with employers and labour offices. Moreover, the 9-month employment ban introduced in October 2023 has made employers more hesitant to hire asylum seekers, further discouraged by the increasingly fast processing of asylum claims, which reduces the stability and duration of employment. Women face additional obstacles due to both the nature of the jobs permitted—often physically demanding—and cultural or religious factors. Many have never worked before and require tailored support to enter the workforce. Some report discrimination based on religious attire (hijab/niqab), while African asylum seekers also cite racial bias in front-desk positions.

Often, institutional discrimination goes in parallel with direct social hostility and violence. In recent years, Cyprus has registered a surge in violent attacks against racialised people,

including migrants and asylum seekers (ECRE Weekly Bulletin, 2023; Amnesty International, 2023). The most serious incident occurred in Chloraka, a village in the outskirts of the city of Paphos, and subsequently in Limassol, where migrant-owned businesses were vandalized and individuals physically assaulted by organized mobs (AIDA/CyRC, 2025). The pattern of violence persisted into 2024, with numerous reports of racist assaults—particularly against migrants working in sectors such as food delivery (Cleaver, 2024b)—as well as continued hate speech (Cleaver, 2024a) and incidents of law enforcement unlawfully entering private residences in search of undocumented persons. The latest incident recorded happened last April in Oroklini Larnaca, when an attempted forced eviction turned into a violent racist attack with property damage and hospitalized people (Cleaver, 2025a). This wave of violence coincided with a broader increase in racial profiling and discriminatory policing practices (Makrides, 2024). Analysts have linked these developments to the normalization of xenophobic rhetoric in Cypriot political and media discourse, exacerbated by widespread disinformation and a wider European crisis narrative surrounding migration. In its country report on Cyprus, the European Commission against Racism and Intolerance (ECRI) called for the establishment of a comprehensive monitoring mechanism for hate speech and hate crimes, involving cooperation between the police, judiciary, equality bodies, and civil society organisations, especially those supporting migrants and refugees. ECRI also urged Cypriot authorities to actively encourage public figures, including political leaders and religious authorities, to denounce hate speech, promote counter-narratives, and foster intergroup solidarity (ECRI Report, 2023). However, no tangible progress had been made in implementing these recommendations.

A widespread lack of awareness among asylum seekers about their labour rights, employment conditions, complaint mechanisms, and the role of trade unions further increases their vulnerability. Legal recourse is often inaccessible due to high costs and slow processes. Access to Labour Department services is hindered by reliance on digital systems, which are difficult to navigate for many asylum seekers. Technical issues also arise with the "Ergani" online platform, which automatically notifies employers when an asylum seeker's first-instance application is rejected. This leads to immediate dismissal, even before appeal rights are exhausted. There are various cases of asylum seekers going to work and suddenly they are fired by their employer informing them that they are no longer able to work legally in the RoC. These situations occur because the notification of a first-instance rejection is usually handed over manually and in presence to the asylum applicant, so it might take a few days after the issuance date. On the contrary, employers are notified immediately through a

digital system. Asylum seekers have the right to submit an appeal, and therefore, they could still be legally eligible for work, but delays in updating the system following appeal submissions mean some applicants remain unemployed for extended periods. Finally, obstacles to obtaining or renewing a driver's license present another barrier, especially in the food delivery sector—a common employment avenue for asylum seekers. A 2020 circular from the Department of Transportation introduced additional documentation requirements for non-Cypriots, conflicting with national and EU law. While asylum seekers possess a document confirming their application and legal stay—accepted by other state agencies—this is not recognized for licensing purposes, effectively excluding them from one of the few accessible job sectors.

As far as access to education is concerned, under Cypriot Refugee Law, all children seeking asylum are entitled to attend primary and secondary education on equal terms with local citizens, beginning immediately upon applying for asylum and no later than three months after submitting their claim. In practice, most asylum-seeking children do enter the public education system. However, the absence of a formal mechanism to monitor school registration means some children remain out of school beyond the three-month limit. This is often due to challenges families face, such as limited access to nearby schools, a lack of timely information or support, and overcrowding in some school facilities. Official statistics on dropout rates among asylum-seeking children are unavailable.

Children housed at the Pournara Centre—both accompanied and unaccompanied—do not attend school, regardless of how long they stay at the facility. For those already enrolled, turning 18 does not affect their ability to continue in secondary education. However, students who are over 18 and wish to enroll in secondary school for the first time are generally denied entry into public schools, as the final three years of secondary education in Cyprus are not mandatory. Language and cultural differences continue to create serious challenges for many of these students, particularly at the secondary level. Those placed in shelters for unaccompanied minors (UASC) during the school year often miss out on formal education, especially if they are close to adulthood. These students are frequently directed to evening programs instead of regular daytime schooling.

When it comes to accessing the health system, under current legislation, asylum seekers who lack sufficient financial means are entitled to free medical care through public healthcare facilities. This includes, at a minimum, access to emergency services and treatment for

serious illnesses and mental health conditions. Individuals receiving welfare benefits or residing in reception centres are specifically identified as eligible for this support. Basically, all asylum seekers generally receive access to public healthcare services, regardless of whether they benefit from material reception conditions. Since May 2022, asylum applicants can access health services during their first year after applying simply by presenting their Confirmation Letter⁷². After this initial year, they must apply for a medical card through a simplified process. These cards are usually issued immediately on the spot at the Ministry of Health in Nicosia, or sent by post to the address provided and are valid for one year. Despite this access, a significant gap remains in the availability of medication. Free or subsidized medicines are only available through state-run hospital pharmacies, which stock a limited selection. As a result, many asylum seekers are forced to either pay out of pocket or go without crucial medications, including those required for severe medical conditions. Non-governmental organizations often step in to fill this gap but are not equipped to meet the demand consistently. Another major obstacle is the lack of interpretation services in public hospitals. Communication between medical personnel and asylum seekers is frequently hindered by language barriers, and in some instances, healthcare providers have reportedly declined to offer care due to an inability to communicate effectively. Asylum seekers are often left without essential medical information, including for serious pediatric conditions. NGOs are frequently called upon to assist in these cases, though their resources are not always sufficient. Additionally, several asylum seekers have reported instances of discriminatory behavior from healthcare staff, particularly tied to language difficulties. There are repeated instances of complaints of being treated unfairly due to poor Greek skills or staff reluctance to speak English.

3.1.2 For international protection holders

The situation for beneficiaries of international protection and subsidiary protection holders is slightly different and somehow improved. Once their status as refugees is recognized they are granted a residence permit, which is valid for 3 years for BIPs and for 1 year for SP holders, both permits can be renewed for a maximum of further three years. The issuance and renewal of residence permits are commonly characterised by delays (often up to 6 months) leading to numerous issues for people accessing health, social and employment services.

⁷² Document that proves that an asylum application has been lodged at the Asylum Service.

For BIPs and SP holders, access to the labour market is not restricted to specific sectors and positions, essentially they have the same opportunities as Cypriot and EU citizens. However, employers are not adequately familiarised with BIPs rights of full access to the labour market, which places an additional obstacle for beneficiaries to find a job. In order to address this issue, the Cyprus Refugee Council in collaboration with the UNHCR Representation in Cyprus has launched an online platform “HelpRefugeesWork” that connects employers and training providers with beneficiaries and acts as an advocacy tool to familiarise employers with BIPs’ rights of full access to the labour market and engage them in collaborations that promote refugee labour integration. Between 2018 and 2024, more than 1200 International protection holders registered in the platform, applied for jobs and received employment-related guidance and support, whereas more than 350 well-known businesses covering a wide spectrum of employment sectors have registered in the platform (AIDA/CyRC, 2025).

BIPs are entitled to access the general education system, as well as opportunities for further training or re-training, under the same conditions as Cypriot nationals. Children of BIPs have full access to all levels of education. However, a significant limitation remains: BIPs are excluded from the government’s student sponsorship scheme, which is available to Cypriot and EU citizens enrolled in accredited tertiary education institutions both in Cyprus and abroad.

People with an international protection status, including both recognized refugees and those granted subsidiary protection, are entitled to access the national social welfare scheme known as the Guaranteed Minimum Income (GMI) on equal terms with Cypriot citizens. One notable distinction is that, unlike nationals, BIPs are not required to meet the condition of five years of continuous legal residence in Cyprus. However, eligibility for GMI remains contingent upon residing within the areas of the Republic of Cyprus that are under effective government control, a requirement that applies to all applicants.

Since June 2019, Cyprus has implemented the General Health System (GESY), marking a significant shift in how healthcare services are organized and accessed. All the people who have access to GESY are assigned a General Practitioner (GP), who acts as the primary point of contact and manages referrals to specialists. The system includes a broad network of private healthcare providers, pharmacies, diagnostic centers, and several private hospitals. Unlike asylum applicants, people with international protection status are entitled to access GESY under the same conditions as Cypriot citizens. However, a persistent challenge arises during the transitional phase before beneficiaries receive their official residence permits—a

process that may extend up to six months. During this period, individuals are expected to rely on asylum seeker provisions for healthcare access (i.e medical card applications). Yet, to do so, they must submit additional documentation confirming their ineligibility for GESY coverage despite having recognized refugee statuses. This requirement has frequently led to prolonged delays and, in some cases, a complete lack of access to necessary health services.

Another limitation for BIPs and SP holders that it is important to note is that the state authority continues to control their mobility and restrict their freedom of movement. According to the Refugee Law, residence permits for both refugees and subsidiary protection beneficiaries provide the right to remain only in the areas under the control of the Republic of Cyprus, therefore excluding beneficiaries from the right to remain or even visit areas in the north of the island that are not under the control of the RoC. Whereas, other third-country nationals who are resident in Cyprus either as visitors or under some form of residence, employment, or student permit have the right to visit the areas in the north (AIDA/CyRC, 2025). The Green Line is the “border”—not recognized as such by the RoC and the EU—that most of the asylum seekers had to cross illegally in order to access asylum rights in the south of Cyprus, and after their refugee status has been recognized they are still barred from crossing it in a legal manner. Furthermore, BIPs and SP holders have their movement limited by the regulations on the issuance of travel documents. Convention Travel Documents are issued to persons granted refugee status with a three-year validity. The only limitation to the areas of travel is the country of origin of the refugee. Up to 2020, the Convention Travel Documents issued did not meet the requirements of the International Civil Aviation Organisation and, although it was not in most cases an obstacle for refugees to travel to the Schengen Area, which is the most common destination, there were often complaints of being stopped by various airport immigration authorities, at times for hours, because of the travel document. From 2020 onwards, new travel documents are issued which comply with the requirements.

In 2024, only 657 travel documents were issued for persons with refugee status with thousands still pending. Up to 2020, beneficiaries of subsidiary protection were issued with a one-page travel document valid for a one-journey trip (*laissez passer*), which was very problematic as the vast majority of countries did not accept this, including the Schengen Area. In mid-2020, the Cypriot Migration Department announced the issuance of the travel documents which led to high demand by Syrian nationals’ holders of subsidiary protection as they had been waiting for many years in order to visit relatives mainly in the EU. Due to an

influx of requests, the Department announced that travel documents would only be issued for subsidiary protection holders who do not have access to a national passport and a preliminary examination would be carried out to examine this prior to issuing travel documents.

Throughout 2022, 2023 and continuing in 2024, the issue remains problematic as in most cases the procedure to apply cannot even be accessed as the application will not be received and the Migration Department does not issue a negative decision because this would require a justification (AIDA/CyRC, 2025). Evidently, to date travel documents are not issued by the Migration Department for beneficiaries of subsidiary protection, including cases of a stateless person, with very limited exceptions mostly for cases of persons with serious medical issues which require transfer for medical procedures out of Cyprus with the support of the Ministry of Health⁷³.

Despite improved access to services and fewer social boundaries compared to asylum seekers, recognized refugees are still not fully equal to other citizens. The process of naturalization in Cyprus is rather complex and has been increasingly hardened in 2023.

Citizenship can only be acquired by descent and not by simply being born on the territory. Foreigners can apply for citizenship and the decision to grant it is issued by the Minister of Interior. Currently the requirements under the Civil Registry Law are the following:

1. Legal and continuous residence in the Republic for the period of the immediately preceding twelve (12) months from the date of submission of his naturalization application. Periods of absence from the Republic that do not exceed a total of ninety (90) days within the 12 month period do not interrupt the above-mentioned time period; and
2. Total residence with physical presence of seven years of legal residence in the Republic within the last ten years before the mentioned twelve-month period. The years of stay as a student, applicant for international protection, holder of supplementary or temporary protection are not counted towards these seven years. The only exception is for persons who reside in the Republic for the purpose of highly skilled employment in companies as determined by a Decision of the Council of Ministers, who can apply at 4 or 5 years depending on the applicant's academic level of the Greek language. And;
3. The applicant is of good character⁷⁴;

⁷³ Information obtained during the traineeship at CyRC.

⁷⁴ For the full list of elements indicating "good character" see AIDA 2024, available at: <https://asylumineurope.org/reports/country/cyprus/>

4. The applicant must have sufficient knowledge of the Greek language at level B1, with the exception of persons who reside in the Republic for the purpose of highly skilled employment.
5. The applicant must have sufficient knowledge of basic elements of the modern political and social reality of the Republic. The process and method of evaluation of this requirement will be determined by a three-member evaluation committee, which is made up from representatives of the Ministry of the Interior, the Ministry of Education, Sports and Youth and the Ministry of Justice and Public Affairs Order.
6. The applicant must have suitable accommodation and stable and regular financial resources sufficient for the maintenance of I and dependent members of their family and for this purpose the following will be taken into account:
 - (i) income from gainful full-time employment and/or income from other sources of a stable and legal nature;
 - (ii) if the applicant is or has been for a long-term unemployed during his stay in the Republic; and
 - (iii) if, as a result of hardship or difficult financial situation, the applicant has received any financial aid or benefit during their stay in the Republic.
7. The applicant has the intention to
 - (i) reside in the Republic; or
 - (ii) enter or continue to serve in the public service of the Republic.

The law is meant to make it extremely difficult for recognized refugees and subsidiary protection holders to meet the requirements, including BIPs that were born in Cyprus or came to Cyprus at a young age and grew up in Cyprus. The 8-year period of legal residence does not count the years of residence as asylum applicants or SP holders. Furthermore, under the requirement of “good character”, a citizenship applicant must not have entered the RoC in an irregular way—i.e. through the territories not under the effective control of the government—which automatically excludes the majority of asylum seekers and recognized refugees. Finally, many have received financial assistance either during their asylum application process or after obtaining protection, which is often seen as evidence of insufficient financial resources. The procedure for the examination of the naturalization applications is always lengthy, reaching up to 3-4 years, and it lacks transparency; for example, there have been instances of applicants being rejected without proven justification (AIDA/CyRC, 2025). Even for children born in Cyprus, by one Cypriot parent and a non-Cypriot one, who entered or remained in Cyprus irregularly, the acquisition of citizenship is impossible unless the Ministerial Council orders otherwise. Previously, this

policy was applied exclusively to Cypriot citizens residing in areas outside the effective control of the RoC, especially those married to or with children from Turkish nationals who settled in Cyprus after the 1974 conflict—individuals whose presence is officially considered unlawful. However, in more recent years, the same approach has been extended to cases involving Cypriot nationals living within the government-controlled areas who are married to third-country nationals, including asylum seekers or beneficiaries of international protection, who may have entered irregularly when they first arrived or at some point stayed irregularly. It is often the case that third-country nationals cannot pass on their nationality, as a consequence, the number of stateless children has increased.

All the above obstacles, barriers, in other words, borders characterise the existence of people on the move, asylum seekers and migrants alike in Cyprus as well as elsewhere. Their lives are constantly under the threat of being removed from the country, from within the border lines of a territory. International protection statuses can be withdrawn or ceased by the authorities that granted them in the first place, asylum applications can be rejected or files can be closed, both occurrences put people in uncertain situations of irregular stay within the country. This usually implies detention and deportation. In 2023 Cyprus, according to the Ministry of Interior, ranked first among EU States for the highest percentage of returns of new asylum applicant applications and ranked 4th among the 27-member bloc in absolute numbers of returns and deportations of irregular migrants (Cyprus Times, 2023).

All these discriminatory policies and exclusionary practices represent different and new forms of borders that the state implements in order to maintain control over people on the move, keeping them under constant surveillance and in situations of marginalization, precarity and disposability.

3.2 Borders and boundaries

This final subchapter will retrace the major theoretical thinking and reasoning of border studies, underlining how the Cypriot case is perfectly framed within this discourse. Traditionally, borders have historically played a central role in demarcating territorial sovereignty, establishing a clear divide between those within the boundaries and those outside, always constructing the "Other" in the process, and this is abundantly clear in the case of Cyprus after the 1974 war and partition of the island on ethnic grounds.

However, today, border management is increasingly framed as a strategy for migration control that views borders not as static lines, but as dynamic and fluid pathways. They still

aim to maintain the full scope of state sovereignty, but they are no longer confined to their peripheral locations at the outer edges of territories (Balibar, 2004). This does not mean dismissing the material contexts of borders, which are ones of tension and conflict, partition and connection, traversing and barricading, life and death; on the contrary, it is from these material circumstances that we can look at borders through a new methodology (Mezzadra and Neilson, 2012). Due to its historical background, the island of Cyprus, is characterized by two physical borders even within its own territory, which constitutes an exceptional element compared to other nation-states. One of these borders is more visible, the Green Line, while the others are mostly invisible, the UK SBAs. Yet, for those people who are not in possession of the right papers, Cypriot borders are definitely present and at times violent, as it was presented in the case of the people on the move stuck in the SBAs or in the buffer zone, neglected by all the actors that are claiming sovereignty rights on those areas, but are refusing to take responsibility for the asylum seekers.

In common imagination, borders have always been perceived as walls. Borders and walls are built up as if they were timeless—as if they have been there since forever and they will live in eternity. Walls would like to deny the evidence that borders change and, sooner or later, they might disappear. History teaches that walls are bound to fall, nowadays many old walls are just tourist landmarks, such as the Venetian walls around the RoC's capital city of Nicosia. Paradoxically, walls have become an attraction to the foreigners they were meant to keep away. Their symbolic significance, though, is much larger than their physical presence (Khosravi, 2010). In recent decades, people on the move, asylum seekers and migrants have revealed two unexpected although predictable “contradictions of globalization” (Ekholm Friedman and Friedman, 2008). First, while goods are allowed to circulate rather freely through international trade agreements, the transnational circulation of persons became increasingly restricted, at least for the majority of the population of the planet (Bauman 1998). Borders are open to capital but closed to people (Walia, 2021). In the case of Cyprus, this is extremely explicit in the functioning agreement of the UK SBAs (see chapter 2.1.1) as well as in the Green Line Regulation (see chapter 2.2.1), facilitating the trade of goods—especially between the two parts of the island—while restricting the crossing of persons. It is evident that in these times of economic globalisation, the reassertion of borders against entry of persons is not meant for foreigners in general, but of undesirable foreigners, as they are perceived and classified as poor (Ambrosini, 2025). Every border is often—to a certain extent—a class border. It is not surprising that the most violent and bloody ones are those separating the rich from the poor. The frontier regime aims at keeping people at their

place within the class hierarchy. Border practices keep workforce mobility under control in order to preserve the wage disparity between citizens and non-citizens, between the Global North and the Global South. Borders represent a problem for the poor, because the rich have access to legal ways to overcome them, such as buying citizenship or investing in businesses and properties abroad (Khosravi, 2010). Up until November 2020, the Cyprus Investment Program, was in place, also colloquially known as the Cyprus Golden Passport. According to this scheme, third country nationals who were able to invest around 2 million euros in the Cypriot economy, especially in the real estate sectors could be granted Cypriot citizenship. The program was discontinued due to the unfolding of a corruption scandal⁷⁵.

The Green Line Regulation is proof that, people with a strong passport, Global North nationalities have zero issues entering the buffer zone, whereas the majority of the people in the world, refugees and asylum seekers will not be able to cross it. Therefore, a better description of borders is necessary. Borders do not function as walls in absolute terms, but rather as filters, within neo-liberal mobility regimes (Ambrosini et al., 2025). The key word to define their meaning is selectivity, rather than absolute closure. Nation-states favour the mobility of some people while prohibiting or limiting the mobility of others. This could be more accurately defined as stratification of the right to mobility, which implies a reference to political regulation and inequality in the allocation of the right to move across borders. Borders make visible the opposition between “citizens and unwanted foreigners, between civilised and barbarian, between legitimate residents and disenfranchised outsiders” (Tsianos and Karakayali, 2010). Another metaphor that could describe borders is a firewall that differentiates between who is allowed to enter and who is not, contributing to the “us vs them” discourse (Yuval-Davis, Wemyss and Cassidy, 2018).

In separating one from the other, borders are the essential point of reference for a sense of belonging, community and identity. Identity makes use of the border not only to defend itself from the different, but also to assert itself. And so the more the border stands up and opposes on the outside, the more it reinforces internally the allegiance to a common heritage of history, culture, traditions (Milani and Negri, 2025). People on the move, perceived as border transgressors, break the link of nationality and nativity. They break the identity between man and citizen. They question the fiction of sovereignty (Agamben, 1995). In the case of Cyprus, the question of belonging and identity is particularly relevant given the fact that the country has been divided on the grounds of ethnic conflict and identity clashes. In crossing the buffer

⁷⁵ Al-Jazeera Investigation, The Cyprus Papers (2020). Available online at: <https://www.ajunit.com/investigation/the-cyprus-papers-undercover-the-aftermath/>

zone, asylum seekers and migrants force Cypriots to confront their past history, their open wounds. In entering the SBAs they force Cypriots to come to terms with the colonial legacies left by the British empire.

Usually, and Cyprus is no exception as shown in previous chapters, the irregular crossing of a border is characterised by violence, pain and death. This outcome is purposefully intended. These geographies of death experienced by migrants are shaped by state power and border enforcement tactics that deliberately transform landscapes and seascapes into sites of mortality, "deathscapes" (Walia, 2022) or geographies that kill (Heller and Pezzani, 2017). A "Border Spectacle", as anthropologist and migration scholar De Genova named it, constituted by practices that contribute to the creation of a network of images and discursive narratives that consistently portray migrant "illegality" as an unquestionable and almost natural fact (De Genova, 2013).

Asylum seekers, stateless persons and irregular migrants are humiliated, represented as polluted and polluting bodies, excluded and as a consequence they become the waste of humanity, forced to live wasted existences (Rajaram and Grundy-Warr, 2004).

The "illegal" crossing of borders violates the sacred aspect of the rituals and symbols of a frontier, thus it is often codified as a crime prosecuted by law. Governments criminalize a section of the population justifying the need to protect their citizens from anti-citizens, such as the poor, the migrants, the asylum seekers, the homeless. They are perceived as a threat to the welfare of the social body, they are labelled as terrorists, ill, dishonest, disowned, in other words "undesirable" (Khosravi, 2010). A further clarification is due when referring to borders as places of death. The regime of the protection of the frontiers exerts its power not through the right to life or death, but actually through the right to expose to death. Condemning those who violate borders to a lethal vulnerability, confining them into zones where the law and rights are suspended. In other words, border policies do not intend to purposefully kill people on the move, they are willing to accept their death, admitting that there might be victims (Fassin, 2011). People on the move represent the acceptable human sacrifices for the negotiation of our frontiers.

Despite this tragic reality, it is important to note that as towering as they are, walls are not impenetrable. Everyday they are jumped, subverted, crossed (Walia, 2021).

However, the border has been turned into an obstacle course, a test of endurance, "Fortress Europe" has transformed crossing borders into a rite of passage that marks the transition from one way of life to another. Borders are zones of cultural production, spaces where meanings are created and challenged (Khosravi, 2010). People on the move have adapted and changed

their behaviours and strategies to confront the regimes of border control everyday, thus embodying the “autonomy of migration” that De Genova defends as the propelling and unstoppable driver of human mobility (Ambrosini et al., 2025). Crossing a border either reinforces or undermines our social and political status, and involves its own set of rituals: passing security checks, moving through areas designed for surveillance. Since this takes place in a border zone—an intermediate and liminal space—the entire experience, in an anthropological sense, corresponds to a ritual (Khosravi, 2010). Unfortunately though, this rite of passage or transition never reaches an end, binding migrants to remain “liminals” and outsiders (Chavez, 1994). Even when people on the move do ultimately cross an international border and enter the territory of a nation-state, they are continually subjected to new forms of bordering, selective inclusions and expulsions. They cross borders to settle in a new society and discover boundaries through the differential treatment to which they are submitted (Fassin, 2011). Scholars have suggested that these boundaries must be intended as another version of borders, reconceptualizing borders as polymorphic. Admitting that they might be taking on a multiplicity of mutually non-exclusive forms at the same time (Burrige et al., 2017). Whether some people call them borders and some others call them boundaries (Fassin, 2011), their effects and consequences are the same, i.e. control, surveillance, exclusion and exploitation (De Genova, 2016). In other words, crossing the border does not end the struggle of undocumented people, because the border is mobile and can be enforced anywhere within the nation-state. Internal bordering differentiates those within the nation-state who are citizens from those who are not. As a matter of fact, there can be restrictions on undocumented people accessing welfare, healthcare, education, childcare, or even driver’s license (Walia, 2021).

As the case of Cyprus clearly exemplifies, asylum seekers and refugees are subjected to a differential inclusion and access to social services. As explained in paragraph 3.1, they have access to only certain sectors of the labour market, education and social benefits.

Besides these, another very visible and violent form of exclusion and bordering practices is detention and deportation (Walia, 2021). Once people on the move have been illegalized by state practices and legislation for crossing the border, it is much easier to perceive them as threats against the security of the sovereignty and therefore—it almost naturally follows that—they must be surveilled, detained and forcibly deported. In particular, when it comes to asylum seekers, it is worth reflecting on the fact that the brutal aspect about their confinement is that their detention is not the result of a criminal action, it is the consequence of being persecuted by criminal action in their country of origin (Khosravi, 2010). Detention and

deportation are well established practices and promoted political strategies in Cyprus as demonstrated in chapter 1.2 and 3.1.

Mass detention and deportation, and the violent scenes accompanying them such as militarized raids and roundups, are intended to punish, intimidate and deter. However, it must not be forgotten that migrant “illegality” is not an objective fact; people become illegalized—are made illegal—because of state restrictions on entering or remaining without legal authorization (Walia, 2021). Pathways to become a legal permanent resident are shrinking in Cyprus just like elsewhere. There are more and more stricter visa entry impositions, asylum claim rejections, removal of citizenship as a birthright, limits of family reunification, and stripping of residency for dubious security and criminal offences (AIDA/CyRC, 2025).

Migrants live their illegalized status through a palpable sense of deportability, which is to say, the possibility of deportation (De Genova, 2002). People on the move live under the constant threat of removal, coercively expelled from the nation-state. The production of disposability is key to understanding the rise in migrant deaths. The conditions that make mass death during border crossings possible are inseparable from the broader state of disposability that underpins deportation (De Genova and Roy, 2020). Consequently, the looming risk of deportation increases social and labor exploitation (Walia, 2021).

The world is witnessing a proliferation of borders, which is the result of a bordering process, described as “the everyday construction of borders through ideology, cultural mediation, discourses, political institutions, attitudes and everyday forms of transnationalism” (Yuval-Davis, Wemyss and Cassidy, 2018). The creation of increasingly fortified, militarized, and deadly borders, along with the proliferation of various border formations, represents only the beginning of a broader process that fosters a permanent state of migrant “illegality”, deportability, precarity, and disposability (De Genova and Roy, 2020).

In addition, the state also continues to control and impose restrictions on their ability to move freely, even within its own territory—as in the case of Cyprus (see chapter 3.1).

The State impresses the border on the bodies of people on the move (Wilson and Weber, 2008). The border is moving with migrants, like a bubble around their bodies (Hyndman and Mountz, 2008). Thus, migrants' own existence often overlaps with the border itself.

The Cypriot case-study, with its proliferation of polymorphic borders, can be framed perfectly following Balibar’s reasoning, as he suggested, borders are no longer located at the borders, in geographical and political terms. They are invisible, they are everywhere and nowhere (Balibar, 2004). Those who are deemed as undesirable foreigners are forced to

become the new border (Khosravi, 2010). In other words, it is the migrant body that carries around a form of border. Essentially, in our contemporary societies borders manifest themselves in the hijab of a Muslim woman, in the head turban and long beard of a South-Asian man, as well as in the skin colour of non-white people (Del Grande, 2023). People look at migrants through a border perspective—a border gaze—meaning they see and therefore impress a border onto them (Khosravi, 2010).

Before reaching a conclusion, one further critical consideration on borders is due. This time, though, it does not involve people on the move as the main focus. It is the solidarity against borders through civil society activism. As well as people on the move, CSOs, such as the Cyprus Refugee Council, questioned the actual functioning of national borders by providing support to foreigners of uncertain or irregular legal status.

Actions aiming at aiding others challenge the politics of closure in practice, entering into tension with the return to narrow visions of national sovereignty. Even though without generally aiming to subvert the social and political order, and without sharing the ideological framework and rules of conduct of large humanitarian agencies, such solidarity initiatives, upholding human rights as a focal director of engagement, can counter xenophobic impulses and border closures. They also increase political and cultural spaces for the settlement of refugees and migrants in legally and socially weak conditions.

These forms of solidarity mobilisation are to be intended as the capacity to identify with others and to act in unity with them, upholding their claims and fights for justice and recognition (Ambrosini, 2025). Even with their shortcomings, limitations, and unintended consequences, these actions should be understood as manifestations of active citizenship that contest rigid distinctions between legitimate and illegitimate residents, as well as between nationals and marginalized non-citizens. In doing so, they challenge the internal boundaries of national societies and contribute to a redefinition of both borders and citizenship, enriching them with new ideas related to belonging and rights (Ambrosini, 2025).

In order to conclude, at the end of this analysis one might be induced to believe in the ubiquity of borders. The Cypriot case, with its exceptional elements, has shown the intrusions of border processes into everyday life leading to affirm that the border is effectively everywhere. “The entirety of the interior of the space of the state becomes a regulatory zone of immigration enforcement as borders appear to be increasingly ungrounded—both internalized and externalized” (De Genova, 2013). Under these circumstances, control is no longer confined to a specific place or viewed as an extraordinary occurrence separate from everyday life. Instead, the practice of bordering becomes increasingly embedded within the

routines and structures of life in Western developed societies. Rather than tying borders to fixed sites, they are now understood as more mobile, fluid, multifaceted, widely dispersed and sophisticated. Nonetheless, borders are highly selective and are only “everywhere” for certain excluded sections of the population. Borders are powerful tools of segmentation and differentiation (Burrige et al., 2017). The risk here is to believe that the state is endowed with a higher organizational competence, stability and capacity than it actually is. Western governments, for example, have struggled to control their borders for decades. Despite increases in investment technology for surveillance and border management, the scale of the current European so-called refugee crisis has shown once again that people on the move can and do overwhelm border controls. The discourse around the ubiquity of borders sometimes cannot capture the complexity and chaos of border management policies and strategies. It is true that borders may very well feel inescapable to those subject to them, especially in the current climate of protectionism and isolationism. However, border controls have not lost their patchy, makeshift, inconsistent and failure-prone character. The point here is that the apparent diffusion of bordering practices does not translate into an effective, global border enforcement complex (Burrige et al., 2017).

The case of Cyprus has clearly illustrated that borders are manmade, they are created and destroyed over time, they can be closed and opened on demand and for political calculations, but most importantly people will always find a way to cross them.

Conclusion

This thesis has explored the complex and multi-layered nature of borders in the context of Cyprus, arguing that borders are not simply static lines demarcating territorial sovereignty, but dynamic and contested sites of power, exclusion and resistance. The case of Cyprus is characterized by overlapping and fragmented borders, such as the internationally recognized Republic of Cyprus (RoC), the self-proclaimed and unrecognized Turkish Republic of Northern Cyprus (TRNC), the UK Sovereign Base Areas (SBAs) and the UN-administered buffer zone (Green Line). This exceptional environment offers a unique advantage to examine how contemporary border regimes function at the intersection of geopolitical conflicts, colonial legacies and migration control. This project wanted to show how borders do not operate only at the geographic periphery. Instead drawing from the available literature on critical border studies, the thesis tried to contribute to the discussion that sees borders as socially embedded, mobile and diffuse extending deep into the territory of the state and into

the everyday life of people on the move. The border has become a practice, a policy and a tool of hierarchical ordering and selective mobility.

Cyprus exemplifies how sovereignty and border governance are tightly interwoven, especially in contested spaces. As highlighted by the situation in the UK SBAs and across the Green Line, ambiguities over legal responsibility and overlapping claims of sovereignty contribute to a systematic deflection of accountability, particularly when it comes to the rights of refugees and migrants. In these cases borders are not used as a protection mechanism, but rather as technologies of abandonment, where the denial of responsibility is used to justify the lack of humanitarian actions. Furthermore, this thesis has emphasised that borders are not neutral. Rather they are highly selective, they are politically constructed and represent racialized mechanisms that regulate mobility along the lines of race, class and nationality. While a small minority enjoy freedom of movement with almost no restrictions, the vast majority is subjected to pushbacks, detention, deportation and differential inclusion.

Cyprus has proven how the proliferation of borders and bordering practices is affecting the lived experience of people on the move, due to policies regulating access to employment, housing, travelling, education, and eligibility for various social welfare benefits. Moreover, lately, the border has manifested itself, not only through state apparatuses, but also through increasing social hostility and normalized xenophobia with attacks targeting racialized and undocumented individuals. This is proof that violence and violations are recurring features of the polymorphic borders.

Against this backdrop, NGOs and civil society actors working with migrants and asylum seekers in Cyprus serve as crucial sites of resistance, combatting the narrative of borders as inevitable and natural. These actors challenge the logic of exclusion not just through charity, but by advocating for justice, legal accountability, and political recognition. Their work highlights that the struggle over borders is not only about physical passage, but it is about rights, belonging and the transformation of unequal systems.

As writer and activist Harsha Walia writes in his book “Borders and Rule”, borders are not simply a domestic matter of regulation. They are to be understood and framed in the context of globalized asymmetry of power, imperial legacies and capitalist exploitation. Migrants are not simply appearing at our borders—they are actively produced by those global systems of power that at the same time criminalize migration and benefit from the labour of the criminalized. Therefore, a critical analysis of border regimes must move beyond reformist frameworks and engage with questions of restitutions, reparations and systemic change. Ultimately, Cyprus offers a microcosm of global border dynamics: a fragmented and

conflict-ridden place where border practices are shaped by overlapping sovereignties, geopolitical interests and racialized migration control. It is a place where the “non-arrival” of people on the move is not accidental but structurally produced; where humanitarian obligations are undermined by political expediency; and where borders are not just drawn, but lived, resisted and reimagined. By focusing on the experience of those most impacted by these shape-shifting borders, this thesis is an attempt to contribute to a growing body of scholarship that seeks to deconstruct borders and to envision more just and inclusive futures.

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