



EMN FOCUSED STUDY 2014

The use of detention and alternatives to detention in the context of immigration policies in Malta

Top-line "Factsheet" (National Contribution)

National contribution (one page only)

Overview of the National Contribution – introducing the study and drawing out key facts and figures from across all sections of the Focussed Study, with a particular emphasis on elements that will be of relevance to (national) policymakers.

The legal structure of the Republic of Cyprus for Detention in the context of immigration policies is governed by the Aliens and Immigration Law Chapter 105 (as amended until 2014) the Refugees Law (No 6(I) of 2000) as amended until 2014, the other relevant laws, such as the Law against the trafficking and exploitation of persons and the protection of victims [No 87(I) of 2007, repealed by Law No 60(I) of 2014] and at the same time it closely adheres to the European Directives and other relevant international Conventions to which the Republic is a party on issues of detention. The grounds for detention of an applicant for asylum can be subsumed in two categories. The first is to determine or verify identity, nationality and in case of destroyed or use of forged documents at his/her arrival in the Republic with intention to misguide the proper authorities. The latter refers to the investigation of new data that can be used as proof of his/her asylum application when the application was rejected in first and second degree and a deportation decree has been issued.

Third Country Nationals as denoted in the Aliens and immigration Law Chapter 105, can be detained by the police for up to 24 hours in order to identify their status. With the completion of that specific time period the TCNs will be released except if the competent authorities issue detention and deportation orders. In daily practice individuals are not detained when they apply for asylum. Certain exceptions defined in the relevant legislation exist for the case of **unaccompanied minors whose detention is forbidden**. Similar practice is followed for the case of **families with minors**; in exceptional cases only the head of family may be detained, while the rest of the family will be accommodated into the community. In practice, an individual assessment takes place and a number of criteria apply according to the specific articles to decide the detention. **Pregnant women and elderly people will not be detained** in case their medical needs cannot be accommodated in the available detention facilities.

In more detail for a detention order to be issued there will be a collaborative initiative among the Asylum Service, Civil Registry and Migration Department and Police analogously. For certain categories, the support and assistance of Social Welfare Services will be asked as well. The individual assessment of risks is based on actions of past behaviour, the existence of a legitimate address, phone number or any other means of communication and the specialised case of each person (forged documents etc. the vulnerability condition of the Third Country National is also taken into consideration during the individual assessment.

Executive Summary (Synthesis Report)

Synthesis Report (up to three pages)

Executive Summary of Synthesis Report: this will form the basis of an EMN Inform, which will have EU and National policymakers as its main target audience.

Section 1: Overview of EU *acquis* (Maximum 2 pages)

*This section of the Synthesis Report will briefly outline the EU legal framework guiding national legislation in relation to detention and alternatives to detention. It will provide a mapping of the substantive and procedural provisions in the EU *acquis* that regulate immigration detention and apply to different migration situations. The section will also highlight how the EU *acquis* relates to the broader international legal framework on immigration detention.*

This section will be developed by the EMN Service Provider and no input from the EMN NCPs is required.

Section 2: Categories of third-country nationals that can be detained, national provisions and grounds for detention (Maximum 3 pages)

This section aims at providing an overview of the categories of third-country nationals that can be placed in detention in (Member) States according to national law and practice. The section also examines whether the possibility to detain each category of third-country national is enshrined in national legislation, the grounds for detention that apply and whether national legal frameworks include an exhaustive list of grounds. EMN NCPs are asked to provide their answers to these questions in the table provided overleaf. The section considers whether special provisions regarding detention are in place for persons belonging to vulnerable groups, including minors, families with children, pregnant women or persons with special needs. Finally, the section examines national provisions on (re-)release of detention of persons who cannot be returned and/or are granted tolerated stay.

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Q1. Please complete the table below with regard to the categories of third-country nationals that can be detained in your Member State. Children and other vulnerable groups are not included in this table as they are a cross-cutting category; instead, they are dealt with in a separate question (Q2) after the table.

Categories of third-country nationals	Can third-country nationals under this category be detained? (Yes/No)	If yes, is the possibility to detain laid down in legislation? (Yes/No)	If the possibility to detain third-country nationals exists in your (Member) State but is not laid out in national legislation, please explain whether it is outlined in 'soft law' or policy guidelines	Please list the grounds for detention for each category of migrant that can be detained in your (Member) State. Is there an exhaustive list of grounds outlined in your national framework?
Applicants for international protection in ordinary procedures	<p align="center">No</p> <p>The common practice is not to detain them when they apply for asylum. However, there are certain exceptions defined in the relevant legislation</p>	<p align="center">Yes</p>		<p><u>Refugees Law (2000) as amended until 2014, Article 7(4b)</u></p> <p>The detention of an applicant for asylum is allowed only in order to</p> <p>(i) Determine or verify identity, nationality or country of previous usual residence. In case of destroyed or relieved travel documents or made use of forged documents at his/her arrival in the Republic with intention to misguide the proper authorities, provided that he/she did not reveal these actions and his/her true identity at the submission of the application</p> <p>(ii) to investigate new data that can be used as proof of his/her asylum application when the application was rejected in first and second degree and a deportation decree has been issued.</p> <p>Please refer to article 12Δ which determines exhaustive grounds to reject application for international protection in fast track and normal procedures</p> <p>The national legislation closely follows the European Directives on issues of detention .</p>
Applicants for international protection in fast-track (accelerat-	<p align="center">No</p> <p>apart from excep-</p>	<p align="center">Yes</p>		<p>Please refer to the above section for further explanations and legislation understanding</p>

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ed) procedures	tions defined in legislation			
Applicants for international protection subject to Dublin procedures	No apart from exceptions defined in legislation	Yes		Please refer to the above section for further explanations and legislation understanding
Rejected applicants for international protection	No apart from exceptions defined in legislation	Yes		Please refer to the above section for further explanations and legislation understanding
Rejected family reunification applicants	No apart from exceptions defined in legislation	Yes	Aliens and Immigration Law Chapter 105 (as amended until 2014)	<p>The Refugees Law (2000) as amended until 2014 - Article 25(9) states that application and examination for family reunification must take place while the family is residing outside the boundaries of the Republic</p> <p>The Aliens and Immigration Law Chapter 105 (as amended until 2014) - Art.6 (1) denotes that for cases of forbidden entry in the Republic, Third Country nationals can be detained by the police for up to 24 hours to identify their status. With the completion of that specific time period the TCNs will be released except if the competent authorities</p>

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				<p>issue detention and deportation orders.</p> <p>The same Article 6.-(1) describes a list of criteria that may result to the denial of entry to immigrants.</p> <p>Families that have entered illegally in the Republic are subject to detention under specific circumstances as defined in the Aliens and Immigration Law Chapter 105 (as amended until 2014) - Art.18ΠΗ (2) where families are to be kept in an individual accommodation which will ensure sufficient private life in anticipation of the deportation decision to be carried out.</p>
<p>Other rejected applicants for residence permits on basis other than family reunification (Please provide details)</p>	YES	Yes		<p>Art.6(1) of the Aliens and Immigration Law Chapter 105 defines prohibited immigrants as</p> <ol style="list-style-type: none"> 1. any person with no funds or resources to sustain oneself 2. any deranged or mentally handicapped person or any person who is incapable to cater for oneself 3. any person which has been certified from medical specialist that suffers from contagious or infectious disease which at his opinion would constitute danger for the public health or person that denies to conform with Public Health regulations 4. any person that has been found guilty for murder or criminal offence (and hasn't been given pardon) for which he has been sentenced for any time in prison 5. any prostitute or living from prostitution 6. any person who is deemed a persona non grata by the government 7. any person for which the Republic has legitimate testament that might be dangerous for the peace, public safety, legal order, public ethos or could ignite hate in the Republic of Cyprus or conspire against an authority of the Cyprus Republic. 8. Any member of an illegal organization as defined in article 63 of the Criminal Code 9. any person who has been deported from the Republic either under

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				<p>this law or any other law currently in place at the time of his deportation</p> <p>10. any person whose access to the Republic is prohibited based on any active law</p> <p>11. any person who has entered or reside in the Republic in violation of any prohibition, condition, provision or restriction included in this law or any permit that has been provided under this law or these regulations</p> <p>12. any alien who, if he wishes to enter the Republic as immigrant, does not have in his possession immigration permit, provided by the Director under any regulations issued under this law, additional to passport with a consular visa.</p> <p>13. Any person who is considered a prohibited immigrant according to this law.</p>
<i>Persons detained at the border to prevent illegal entry (e.g. airport transit zone) who have not applied for international protection</i>	Yes	Yes		<p>Aliens and Immigration Law Chapter 105 (as amended until 2014) - Article 13 denotes that when it is not possible for the person whose entry was refused to return the person can be apprehended and put in detention or relevant confinement for no more than 8 (eight) days except if a court order decides to extent the detention period for as long that is appropriate to assess the individual case.</p> <p>The person is informed in writing in a language he/she understands, except if there are national security concerns. The applicant has the right to be legally represented before administrative and judicial authorities and be requested the utilization of translation services</p>
<i>Persons found to be illegally present on the territory of the (Member) State who have not applied for international protection and are not (yet) subject to a return</i>	Yes	Yes		<p>The Aliens and Immigration Law Chapter 105 (as amended until 2014) in Article 6(1) describes who is a prohibited immigrant and in Article 14 and 18ΠΣΤ it states that such prohibited immigrants are subject to deportation and detention where necessary to ensure deportation</p>

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decision				
Persons who have been issued a return decision	Yes	Yes The detention is ordered under article 14 and provides justification on real and legal reasons.		<p>Aliens and Immigration Law Chapter 105 (as amended until 2014) - Article 18ΠΣΤ states that</p> <p>Whenever alternative to detention measures cannot be effectively implemented the Minister of Interior issues a decree for the detention of TCN against whom a deportation order was issued ONLY for the preparation and/or the execution of the deportation process when</p> <p>a) there is a risk of absconding</p> <p>b) the particular TCN has or attempts to obstruct or avoid the deportation process</p> <p>This detention has minimum possible duration and is sustained only when the deportation process is executed in a timely manner.</p>
Other categories of third-country nationals (Please specify the categories in your answer)	Yes	Yes Those described in Article 6(1) of the Aliens and Immigration Law.		

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Q2. *Is it possible, within the national legal framework of your (Member) State, to detain persons belonging to vulnerable groups, including minors, families with children, pregnant women or persons with special needs? Please indicate whether persons belonging to these vulnerable groups are exempt from detention, or whether they can be detained in certain circumstances. If yes, under which conditions can vulnerable persons be detained? NCPs are asked in particular to distinguish whether children can be detained who are (a) accompanied by parents and (b) unaccompanied.*

The Refugee Law (2000) as amended until 2014, article 4 (a) and (c) states that **the detention of unaccompanied minor asylum seekers is forbidden**. A refugee or an applicant shall neither be deported nor returned to the borders of any country where his/her life or freedom will be endangered or where he/she will be subjected to torture or inhuman or degrading treatment or persecution for reasons of race, religion, sex, nationality, membership of a particular social group or political opinion.

More specifically, in any case an applicant declares themselves as minor, the authorities before which the application is submitted and/or the competent officer, will immediately notify the Head of this case and the Head shall immediately notify the Director of the Department of Social Welfare Services, who shall act as the guardian of the said minor and shall take all the necessary under this Law and its implementing Regulations measures on his behalf and in his interest (Refugee Law 2000, article 10 (1)). Moreover, the State has taken measures to ease the psychological and all the other traumas that being an unaccompanied minor can bear, through specialised services.

In case for families with minors, other than asylum seekers, the Aliens and Immigration Law Chapter 105(as amended until 2014) apply. In practice, it means that an individual assessment will take place and a number of criteria will apply according to the specific articles that are displayed in the above question. In such case the head of the family may be detained, while the rest of the family will be accommodated into the community. They will be advised to apply for Public Benefits Allowance (which is in the process to be replaced by the Minimum Guaranteed Income) (Law regarding Public Assistance and Services 95(I)/2006 with all the amendments until 2013). That means that the State will to support them to receive the minimum living standards (similar to indigent citizens).

Particular attention is given to single families, where the issue of detention orders is kept to a minimum. In such case the Social Welfare Services will undertake the supervision of the adolescence family members. More specifically, the Director of Social Welfare Services will act as the guardian of the minor involved from the first minute with an obligation to secure all of their basic and developmental needs. Regarding their safety and developmental needs, the Director of Social Welfare Services, ensuring when necessary the consent of an adult person and taking into account the views of the unaccompanied minor, in accordance with his or her age and degree of maturity, places the minor either –

- (a) with adult relatives; or
- (b) with a foster family; or
- (c) in centres specialized in accommodation for minors; or
- (d) in other accommodation suitable for minors.

It is also important to note that, as far as possible, siblings shall be kept together, taking into account the best interests of the minor concerned and, in particular, his or her age and degree of maturity. Changes of residence of unaccompanied minors will be kept to a minimum to secure their rehabilitation and integration to the local society.

However, it is important to note that The Aliens and Immigration Law Chapter 105 - Article ΠH provides to the State the possibility of detaining family members:

Unaccompanied minors and families with minors are held only as the ultimate solution and for the minimum

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amount of time. The families that are held under deportation orders are detained in a special segment of the detention facility which ensures adequate family life. The detained minors have the freedom to free time activities according to their age needs and depending on their stay duration access to education (games, entertainment activities).

Families with minors can be detained but must be provided with special facilities in order to maintain the family livelihood

Pregnant women and Elderly people will not be detained in case their medical needs cannot be accommodated in the available detention facility. However, it has to be noted that there is no legal provision prohibiting the detention of pregnant women.

The Aliens and Immigration Law Chapter 105 - Article ΠΖ states that special care is given in cases of vulnerable people who are provided with emergency health care and necessary medical prescriptions

Q3. *Concerning persons, who cannot be removed and/or are granted tolerated stay, please provide information on any provisions in your (Member) State regulating the release from detention of this category of third-country nationals.¹*

In principle, a person can only be detained (for deportation purposes) in case there exists a prospect of effective removal. The national legislation was amended [Article 18ΠΣΤ (6)] to clearly state that when it becomes obvious that a prospect for return is no longer applicable for legal or other reasons the detention is no longer justifiable and the person is immediately discharged.

According to the individual case, certain criteria may apply. For example it may be decided that a temporary status of international protection be given to a TCN with no prospect of removal (i.e. Syrians because of Syria crisis). Also a residence permit extending the stay in Cyprus for an additional period of six months may be granted at the expiration of which the case will be reconsidered.

¹According to Article 15(4) of the Return Directive, in situations when it appears that a reasonable prospect of removal no longer exists for legal or other considerations detention ceases to be justified and the person concerned shall be released immediately.

*The Use of Detention and Alternatives to Detention in the Context of Immigration Policies*Section 3: Assessment procedures and criteria for the placement of third-country nationals in detention (Maximum 5 pages)

This section examines the assessment procedures and criteria/benchmarks that are used by (Member) States in order to decide whether detention is justified in individual cases. It begins with a series of questions which explore the extent to which individual assessment procedures (e.g. interviews) are used in all cases before placing third-country nationals in detention, or whether individual assessment procedures are only used in the case of certain categories of third-country national. Where individual assessments are used, EMN NCPs are asked to describe the procedures involved and whether they include an assessment of the vulnerability of the individual in question. Finally, EMN NCPs are asked to provide information on the challenges associated with the assessment procedures in their Member States and to identify any elements of good practice.

*Q1. Please indicate whether an **individual assessment** procedure is used to determine the appropriateness of detention in the case of any of the categories of third-country nationals selected in Section 2 (Table Q1). Yes/No.*

If yes, please list the categories of third-country nationals where individuals are subject to individual assessments.

If individual assessment procedures are not used, please indicate the mechanism used to determine the appropriateness of detention e.g. are all individuals within a particular category of third country national automatically placed in detention?

The Aliens and Immigration Law Chapter 105 states the criteria according to which a detention order can be issued. Definitely individual assessment is taking place from the competent authorities. In most of the cases there will be a collaborative initiative among the Asylum Service (in the case of an asylum seeker), the Civil Registry and Migration Department and the Police. For certain categories, the support and assistance of the Social Welfare Services will be asked as well.

However, there is no standard individual assessment procedure foreseen in law to determine the appropriateness of the immigration detention. It can be argued that every decision is taken on a case-by-case basis. Whether the CRMD decides to issue a deportation order against a TCN accompanied by a detention order or not, depends on the category of people's involved, individual aspects of the case, return possibilities, elements of vulnerability, practical considerations and policy priorities.

The individual assessment of risks is based on actions of past behaviour, the existence of a legitimate address, phone number or any other means of communication and the specialised case of each person (forged documents etc)

A number of criteria apply, such as

- Individual aspects and considerations of vulnerability: The CRMD also examines the existence of elements that can hinder or obstruct a removal as well as the existence of other factors that should be taken into consideration, like vulnerability
- Policy priorities
- Existence of minors

*Q2. Where individual assessment procedures are used, and specific criteria exist to help the competent authorities decide whether particular grounds for detention apply, please indicate the **legal basis** on which these individual assessment procedures are exercised (for example legislation, soft law/guidelines).*

The individual assessments are based on the legal basis that is derived from the Aliens and Immigration Law Chapter 105 (as amended until 2014) -. Furthermore, the decision of the risk of absconding will be determined on additional criteria and conditions such as:

1. Court sentence

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2. Compulsory session at a public health care service

3. Attendance to a public psychiatric hospital

Q3. Where individual assessments are used, does the third-country national receive detailed information on the consequences of the interview before the individual assessment procedure? If yes, is there an emphasis on all possible options/outcomes of the assessment?

Yes the TCN is informed in detail both verbally and in written format about the detention procedure in her/his language. Additional information is provided in the detention facility.

*Q4. Where individual assessments are used, please indicate whether the procedure includes an assessment of the **vulnerability** of the individual in question. (Yes/No) If yes, please describe the vulnerability assessment procedure used.*

Yes, the vulnerability of the TCN is definitely included in the individual assessment procedure.

First of all, a number of relevant questions about additional needs are raised. In such cases, written proofs may be requested or issued, such as official medical papers from hospitals, NGOs and relevant professionals.

Moreover, the assistance of Social Welfare Service and/or Public Mental Health Services may be requested to contribute to the psycho-emotional and physical vulnerability of the individual.

However, currently no standardized assessment toolkit has been adopted to support such procedures.

*Q5. Please provide more detailed information on **the criteria /indicators** used to decide whether particular grounds for detention apply in individual cases. EMN NCPs are asked to answer this question by listing the criteria / indicators that are used to determine the circumstances in which the following grounds for detention, permitted in EU law, apply. However, if the grounds for detention are not applicable in your (Member) State, EMN NCPs may identify the criteria/indicators that are used to determine the circumstances in which other grounds for detention apply.*

a) Ground 1: If there is a risk of absconding

The risk of absconding is assessed on the basis of (as those criteria have been defined in the Aliens and Immigration Law Chapter 105):

a previous escape or attempt to escape from detention, a statement about the person's reluctance to return to their home country, a previous breach of temporary release or non-compliance with an alternative to detention, lack of a valid passport, lack of address or residence, previous declaration of false identify, previous violation of voluntary departure or entry ban, etc.

- (a) Prior deportation – return decision, issued by the Civil Registry and Migration Department – Ministry of Interior
- (b) Individual's contact details are unknown – the last written address is not valid.
- (c) Financial despair
- (d) previous escape or attempt to escape from detention
- (e) Criminal convictions
- (f) national security reasons

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(g) Public health reasons

(h) Mental Health issues

b) **Ground 2: If the third-country national avoids or hampers the preparation of a return or removal process**

Yes. Such cause exists in the Aliens and Immigration Law Chapter 105 - Article 18ΠΣΤ (6) (1β). The specific article refers to the intentional effort of a TCN to avoid or hamper the preparation of return or removal process based on a prior deportation order – return decision.

c) **Ground 3: If required in order to protect national security or public order**

Yes. the specific criterion is clearly defined in the Aliens and Immigration Law Chapter 105 - Article (6) (1)

d) **Ground 4: Please indicate any other ground(s) and the respective criteria/indicators considered in the assessment**

Furthermore the Aliens and Immigration Law (Chapter 105) denotes the following situations where the CRMD can decide not to provide a period for voluntary return:

- › when the foreigner did not comply with an earlier return decision within the timeframe foreseen by this decision;
- › when the foreigner did not comply with imposed preventive measures
- › when the residence permit of the foreigner was withdrawn because of the use of false elements, fraud or misleading information in getting it;

When the foreigner has introduced more than two asylum applications without new elements.

Q6. Is the **possibility to provide alternatives to detention** systematically considered when assessing whether to place a person in detention in your (Member) State?

Yes

Q7. Please indicate which **national authorities** are responsible for (i) conducting individual assessment procedures (where these exist) and (ii) deciding on the placement of a third-country national in detention.

The Civil Registry and Migration Department – Ministry of interior, the Police, the Asylum Service (in the case of asylum seekers) and the Social Welfare and Mental Health Services.

Q8. Please indicate whether **judicial authorities** are involved in the decision to place a third-country national in detention, and if so, at which stage(s) of the decision-making process and in what capacity? (e.g. do judicial au-

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thorities make the final decision, do they only make a recommendation, do they only come in if the third-country national appeals against a decision?)

Judicial authorities are not involved in taking the administrative detention decision, but they are competent to do the judicial review of the detention measure that is taken. There is no automatic judicial review of the administrative detention measure, but once a person is detained can file a habeas corpus application for release, under Article 155.4 of the Constitution of the Republic or an application under Article 146 of the Constitution against the deportation and detention orders at the Supreme Court of Cyprus.

The scope of the judicial review is limited to the assessment of the legality of the detention measure (check if the decision was formally taken in conformity with the law). The court is not competent to assess the opportunity (or the appropriateness) of the measure.

*Q9. Please identify any **challenges** associated with the implementation of existing assessment procedures in your (Member) State.*

The assessment procedure is a contradictable issue as it involves the decision of the detention of an individual or the utilization of alternative measures. The State, all these years, has considered all these issues under the lens of human rights, dignity, the value of personal life, independence and freedom of movement. Furthermore, it's efforts are concentrated to take any decisions under the social justice initiative. The tacit and explicit experience gained all these years have led to the identification of a number of challenges that need to be considered and responded appropriately:

- (a) Until recently there was no independent monitoring mechanism to play a central role in improving the conditions of detention by regularly informing the competent authorities and civil society of the existence of structural problems. However, the last few months (since the beginning of 2014), the Ombudsman Office undertook by a decision of the Council of Ministers to monitor the return procedures as well as the detention conditions. It is strongly believed that it's presence and intervention it will support the development of conditions according to the national and European legislations under the above mentioned philosophy.
- (b) The lack of a Coherent vulnerability assessment (lack of standardized assessment toolkit) has been acknowledged. It is believed that the adoption of such toolkit will improve the decision making process.
- (c) The introduction of a sophisticated system of alternative measures to detention (i.e. regular appearance to a police station, entrusting the guardianship of a TCN to a citizen of the Republic, etc.) which will include regular reporting from the competent authorities as well as NGOs, guardianship system and accommodation in special reception units started to be used on a more regular basis following the transposition of the Return Directive in 2011. However this could be further improved by research of available options and best practices of other countries that have established and operate such alternative solutions.
- (d) A systematic and coherent screening process at the time of irregular arrival, detection in the community with irregular status, or lodging of an asylum or protection claim would also contribute to the effectiveness of any detention measures. It is an area that the Republic is giving priority and the recent agreement with EASO (2014) for the implementation of a Special Support Plan, is also including this aspect, through the measure for the early identification of vulnerable groups. This measure includes appropriate training, laying down procedures to be followed step by step by all relevant authorities, at the early stages of the submission of an asylum application.
- (e) Last years' experience has also revealed several challenges which are related to the renewal of TCNs passports or other travel documents. Quite often, a difficulty in collaboration is observed with a number of Embassies and/or Consulates to produce travel documents which are necessary for the TCNs to return back to

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their countries. Cyprus Ministry of Foreign Affairs as well as Police are constantly working to fasten any such procedures or to sign bilateral agreements, in which re-acceptance conditions are highlighted. However this is another problematic area, as there are countries that haven't accepted such agreements.

- (f) The introduction of an Information Centre for Migrants is another challenge that needs to be considered at a strategic level. The operation of such Centre would act as an independent institution that will provide information and legal advice for migrants and explain the procedures for return and/or consequences for extending illegally their presence to the Republic. In an ideal operation, it shall be fully independent, however in close collaboration with the relevant asylum and migration authorities; it shall act as a liaison office among the target group and the Public Services.
- (g) Finally, it is considered as important to setup a migrant post arrival monitoring mechanism to evaluate effectiveness of the return. Such mechanism would help to initiate a number of pre-arrival strategies and/or projects, and potentially will decrease the cost of detention facilities.

*Q10. Please identify any **good practices** in relation to the implementation of assessment procedures (e.g. cited in existing evaluations/studies/other sources or based on information received from competent authorities)*

Detention operational manuals
Assessment procedures
Alternatives to detention

Section 4: Types of detention facilities and conditions of detention (Maximum 5 pages)

This section of the Synthesis Report will provide a factual, comparative overview of the types of immigration detention facilities that exist in the EU and the conditions of detention associated with these. It examines whether there are specialised immigration detention facilities and explores whether different types of detention facilities are available for different categories of third-country national. The section also reviews the conditions of third country nationals in these detention facilities, including average surface per person, existence of separate facilities for families, visitation rights, and access to medical care and legal assistance.

Q1. Are there specialized immigration detention facilities in your (Member) State, which are not prisons? (Yes/No) If yes, please indicate how many exist and how they are distributed across the territory of your (Member) State.

Yes, currently a specialized Detention center for illegal immigrants is operating at Menogia (Regional area).

Third country nationals can be detained under the relevant law (Aliens and Immigration, Chapter 105) at the issue of deportation and detention orders by the Civil Registry and Migration Department – Ministry of Interior.

However, it is important to be noted that Detention as a means of immigration control is only used as a measure of last resort. The competent authority issues a detention order with a view to deportation, following a justification that it is necessary, while less restrictive measures are considered as insufficient for the individual case.

Q2. Are there different types of specialised immigration detention facilities for third-country nationals in different circumstances (e.g. persons in return proceedings, applicants for international protection, persons who represent a security risk, etc.)? (Yes/No). If yes, please provide a brief overview of the different types of immigration detention facilities.

Yes, according to the security risk of the detainee.

Q3. Which authorities/organizations are responsible for the day-to-day running of the specialized immigration detention facilities in your (Member) State?

The responsible authority for the day to day running is the Aliens and Immigration Unit of the Cyprus Police and the Police in general for the rest of the Police detention establishments.

Q4. Please describe any measures taken by your (Member) State to deal with situations where the number of third country nationals to be placed in detention exceeds the number of places available in the detention facilities.

The Police does not proceed with the apprehension of illegal migrants if there is no available place at detention facilities and other alternatives to detention are used.

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Q5. Are third-country nationals detained in prisons in your (Member) State? (Yes/No) If yes, under which circumstances?

Only upon conviction to imprisonment.

Q6. If third-country nationals are detained in prisons in your (Member) State, are they held separately from general prisoners? If yes, please provide information on the mechanisms to separate third-country nationals under immigration detention from general prisoners?

N/A

Q7. Please provide the following information about the conditions of third-nationals who have been placed in an immigration detention facility in your (Member) State: (Please indicate if the facilities in question are prisons or specialised immigration detention facilities).

Conditions of detention	Statistics and/or comments
Please provide any statistics on the average available surface area per detainee (in square meters)	
Please provide any statistics on the average number of detainees placed in one room per detention facility	4
Are families accommodated in separate facilities?	Not applicable
Can children be placed separately from their parents? (e.g. in a childcare facility). Under what circumstances might this happen?	Not applicable
Are single women separated from single men?	Yes Currently one wing accommodates only males, while a second is dedicated to the accommodation of women
Are unaccompanied minors separated from adults?	Yes
Do detainees have access to outdoor space? If yes, how often?	Yes. There are certain hours during the morning and during the afternoon on a daily basis

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<p>Are detainees allowed to have visitors? If yes, which visitors are allowed (for example, family members, legal representatives, etc.) and how often?</p>	<p>Yes.</p> <p>Visitors can be the detainee’s family members or friends who are eligible to visit them on a daily basis and even to bring them food.</p> <p>Further to that other groups that can visit them are:</p> <ul style="list-style-type: none"> • Attorneys to prepare an appeal and/or provide with other forms of legal support, • Migrant NGO representatives; they have to make an appointment and request such a permission from the Chief of Police; the procedure is fast, however formal approval is necessary, • Ombudsman office; officers can visit the centre and monitor the conditions, assess the procedures followed, interview detainees and explore any complaints against the facility’s staff; • Consulates representatives to initiate the process of issuing the necessary travel documents, • UNHCR representatives to monitor the overall conditions and consult the Authorities for necessary improvement actions
<p>Are detainees allowed contact with the outside world via telephone, mail, e-mail, and internet? If yes, are in- and/or out-coming messages screened in any way?</p>	<p>Yes.</p> <p>They are allowed to communicate with the external world by using public telephones, private mobiles, regular mail, e-mail and internet.</p> <p>Screening is not common practice, however the use of fax machines is allowed only for formal communication with relevant parties, such as their attorneys, national and international NGOs and humanitarian organisations and their embassies.</p>
<p>Are education programmes provided (e.g. school courses for minors and language classes for adults)?</p>	<p>No.</p> <p>For the former case (minors) is not eligible to be detained. For the latter case language courses are not currently provided.</p>
<p>Do detainees have access to leisure activities? If yes, which leisure activities are provided in the detention facility? And if yes, how often?</p>	<p>Yes.</p> <p>In the outdoor space there is an available infrastructure to exercise themselves.</p>

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	<p>In the inside common space, there is a provision of the following leisure activities:</p> <ul style="list-style-type: none"> • TV set with satellite antenna • Game Consoles • PCs with Internet access
Can persons in detention leave the facility and if yes, under what conditions? Can persons move freely within facility or are their movements restricted to some parts/rooms of the facility?	No , in both cases mentioned
Are detainees entitled to legal advice / assistance? If yes, is it free of charge?	<p>Yes.</p> <p>Free legal assistance is regulated by the relevant Legal Aid Law No 165(I) of 2002 as amended until 2014 and such applications need to be approved by the Court.</p>
Are detainees entitled to language support (translation / interpretation services)? If yes, is it free of charge?	<p>Yes.</p> <p>However, only for formal interactions concerning their appeal application process. In such case the cost is paid by the State.</p>
Is medical care available to detainees inside the facilities? Is emergency care covered only or are other types of medical care included?	<p>Yes.</p> <p>Basic health care is provided.</p> <p>For more serious they are being escorted to the National Hospital.</p> <p>Provision of medicine is free of charge.</p>
Are there special arrangements for persons belonging to vulnerable groups? Please describe	Yes, in case the condition of a person is such that it is problematic to keep him/her in detention, alternative measures to detention are used.
Are there special arrangements for persons considered to be security risks for others and/or themselves? Please describe	<p>Yes</p> <p>Specific attention and priority is given to such cases. In case of security risks for themselves, psychiatrist diagnosis and treatment will be requested by the Public Mental Health Service (i.e depression, suicide attempt etc.).</p> <p>Similar actions will be followed in case of health</p>

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	<p>treatment due to a decease or a permanent health problem (i.e. diabetes)</p> <p>For the case of security risks for others, internal regulation procedures will be followed to a) prevent such actions b) prohibit the repetition of such incident</p>
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*The Use of Detention and Alternatives to Detention in the Context of Immigration Policies*Section 5: Availability and practical organisation of alternatives to detention(Maximum 6 pages)

This section explores the availability of different types of alternatives to detention for different categories of third-country national. It further explores the practical organisation of the alternatives to detention, including information on the authorities/organisations responsible for administering the alternatives; the conditions that must be met by the third-country national who has been provided an alternative to detention; and information on the mechanisms in place in order to monitor the third-country national's compliance with these conditions. EMN NCPs are further requested to provide information on the challenges associated with the implementation of the alternatives, and any examples of good practice in their (Member) State that they may wish to share.

Q1. Please indicate whether any alternatives to detention for third-country nationals are available in your (Member) State and provide information on the practical organisation of each alternative (including any mechanisms that exist to monitor compliance with/progress of the alternative to detention) by completing the table below.

Alternatives to detention	Yes/ No (If yes, please provide a short description)
Reporting obligations (e.g. reporting to the policy or immigration authorities at regular intervals)	<i>Third-country nationals subject to reporting obligations are required to report regularly to a monitoring authority at specific intervals. When reporting, the person has to present an identification document and sign the reporting protocol. The third-country national can reside in an address of his/her own or s/he can be accommodated in an open reception centre. If the person fails to comply with reporting obligations, s/he is subject to prosecution and will be placed in detention facilities.</i>
Obligation to surrender a passport or a travel document	Yes
Residence requirements (e.g. residing at a particular address)	Yes
Release on bail (with or without sureties) <i>If the alternative to detention "release on bail" is available in your (Member) State, please provide information on how the amount is determined and who could be appointed as a guarantor (e.g. family member, NGO or community group)</i>	Yes
Electronic monitoring (e.g. tagging)	No
Guarantor requirements <i>If this alternative to detention is available in your (Member) State, please provide information on who could be appointed as a guarantor (e.g. family member, NGO or community group)</i>	No
Release to care worker or under a care plan	No
Community management programme	No

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Other alternative measure available in your (Member) State. Please specify.	No
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Q2. For each of the alternatives to detention that are available in your (Member) State, please indicate the categories of third country nationals that may be provided an alternative to detention, making use of the list provided below and adding any additional categories as applicable. If there are variations in the practical organisation of any of the alternatives to detention provided to different categories of third country national, please indicate this is the case and briefly illustrate the variations.

- Applicants for international protection in ordinary procedures;
- Applicants for international protection in fast-track (accelerated) procedures;
- Applicants for international protection subject to Dublin procedures;
- Rejected applicants for international protection;
- Rejected family reunification applicants;
- Persons found to be illegally present on the territory of the (Member) State who have not applied for international protection and are not (yet) subject to a return decision)
- Persons who have been issued a return decision;
- Other categories of third-country nationals;
- Vulnerable persons (such as minors, families with very young children, pregnant women and persons with special needs.

No additional comment

Q3. For each of the alternatives to detention that are available in your (Member) State, please indicate the legal basis on which they may be granted to particular categories of third country nationals (for example legislation, soft law/guidelines, other).

No additional comment

Q4. For each of the alternatives to detention that are available in your (Member) State, please indicate the authorities/organisations responsible for (a) deciding and (b) administering the alternative. Please indicate in particular whether the responsible organisation is a non-governmental organisation.

No additional comment

Q5. For each of the alternatives to detention that are available in your (Member) State, please provide information on any consequences if the third-country national does not follow the conditions of the alternative to detention.

No additional comment

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Q6. Please indicate any challenges associated with the implementation of the alternatives to detention in your (Member) State. (based on existing studies/evaluations or information received from competent authorities)

No additional comment.

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Q7. Please provide any examples of good practices regarding the implementation of the alternatives to detention in your (Member) State. Please specify the source (e.g. cited in existing evaluations/studies/other sources or based on information received from competent authorities)

No additional comment.

*The Use of Detention and Alternatives to Detention in the Context of Immigration Policies*Section 6: Assessment procedures and criteria used for the placement of third-country nationals in alternatives to detention (Maximum 5 pages)

This section explores the type of assessments made by the competent authorities when considering whether to place a third-country national in an alternative to detention. It includes a number of questions which explore the timing of this assessment – in particular whether the assessment is conducted on all third-country nationals who are apprehended, or only on those third-country nationals who have completed a period in detention. It also includes questions about the practical implementation of the assessment procedure, in particular whether an individual assessment is conducted, what this involves and which organisations are involved in the assessment procedure.

Q1. In Section 2, Q1, you have identified the grounds on which detention can be authorised for particular categories of third-country national. In what circumstances can those grounds be displaced in favour of an alternative to detention in your (Member) State? Please provide answers in relation to each of the relevant categories of third-country national. If there is a separate set of grounds for providing third-country nationals an alternative to detention in your (Member) State, please indicate this is the case.

No additional comment.

Q2. Which other considerations are made before deciding whether to provide the third-country national concerned an alternative to detention, e.g. considerations regarding the availability of alternatives, the cost of alternatives, and vulnerabilities of the third-country national?

No additional comment.

Q3. Please indicate whether an individual assessment procedure is used to determine whether the grounds on which detention can be authorised can be displaced in favour an alternative to detention. Yes/No. If yes, please list the categories of third-country nationals where individuals are subject to individual assessments.

No additional comment.

Q4. Where individual assessments are used, please indicate whether the procedure includes an assessment of the vulnerability of the individual in question. Yes/No. If yes, please describe the vulnerability assessment procedure used.

No additional comment.

Q5. Are assessment procedures for providing alternatives to detention conducted on all third-country nationals who are apprehended, or only on those third-country nationals who have already completed a period in detention?

No additional comment.

Q6. Please indicate which national authorities are responsible for (i) conducting individual assessment procedures (where these exist) and (ii) deciding on alternatives to detention

No additional comment.

Q7. Please indicate whether judicial authorities are involved in the decision to provide an alternative to detention, and if so, at which stage(s) of the decision-making process and in what capacity? (e.g. do judicial authorities make the final decision, do they only make a recommendation, do they only come in if the third-country national appeals against a decision?)

No additional comment.

Section 7: Impact of detention and alternatives to detention on the effectiveness of return and international protection procedures (Maximum 5 pages)

This section aims at exploring the impact of detention and alternatives to detention on the effectiveness of (Member) State return and international protection procedures. The questions are formulated as a comparison between the impact of detention and alternatives to detention; they do not attempt to compare the impact of detention (or alternatives to detention) on the effectiveness of return and international protection procedures in the case of third country nationals whose freedom of movement is not restricted at all.

Four specific aspects of effectiveness are considered: (i) effectiveness in reaching prompt and fair decisions on the immigration status of the individuals in question, and in executing these decisions; (ii) cost-effectiveness; (iii) respect for fundamental rights; and (iv) effectiveness in reducing the risk of absconding.

Whilst an attempt is made to compare the impact of detention and alternatives to detention on each of these dimensions of effectiveness, it is recognised that the type of individuals placed in detention and in alternatives to detention (and their corresponding circumstances) are likely to differ significantly and therefore the comparisons made need to be treated cautiously.

7.1. Effectiveness in reaching prompt and fair decisions on the immigration status of the individuals in question, and in executing these decisions

7.1.1. Effectiveness in reaching decisions on applications for international protection

Q1. Have any evaluations or studies (including studies of the views of detainees of alternatives to detention) in your (Member) State considered the impact of detention and alternatives to detention on the efficiency of reaching decisions on applications for international protection? (for example, by affecting the time it takes to decide on international protection status). Yes/No.

If Yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report.

Cyprus has not yet prepared any evaluation study regarding the impact of detention and alternatives to detention on the efficiency of proceedings for granting international protection.

Q2. Please provide any statistics that might be available in your (Member) State on the average length of time needed to determine the status of applicants for international protection who are held in detention and who are in an alternative to detention. Please provide the statistics for the latest year(s) available (for example "2013" or "2011-2013") and, if possible, distinguish between the different types of alternatives to detention that are available in your (Member) State (The different alternatives are listed as A1, A2, A3 in the table below; please explain what these represent in a key underneath the table).

Where statistics can be disaggregated by categories of third-country nationals, please do so. Please provide information on the methodology and data collection.

Where no information is available, please indicate "No information" and briefly state why no information is available.

Where it is not applicable, please indicate "Not applicable" and briefly state why.

Applicable year(s)	Detention	Alternatives to detention			
		A1	A2	A3	A4
Average length of time in determining the status of an applicant for international	Up to three months (first and second				

The Use of Detention and Alternatives to Detention in the Context of Immigration Policies

protection	level of decision) in the exceptional case of detaining an asylum seeker				
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Q3. Please provide any other evidence that may be available in your (Member State) on the impact of detention and alternatives to detention on effectiveness in terms of reaching decisions on applications for international protection and provide any examples of good practice in this regard. (e.g. cited in existing evaluations/studies/other sources or based on information received from competent authorities)

No additional comment.

7.1.2 Effectiveness in reaching decisions regarding the immigration status of persons subject to return Procedures and in executing returns

Q4. Have any evaluations or studies in your (Member) State considered the impact of detention and alternatives to detention on:

- The length of time from apprehending an irregular migrant to issuing a return decision? No
- The length of time that transpires from issuing a return decision to the execution of the return? No
- The share of voluntary returns out of the total number of returns? No
- The total number of removals completed? Yes/No

If Yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report

No Information

Q5. Please provide any statistics that might be available in your (Member) State on (i) the average length of time that transpires from the decision to return a person in detention, and in (different) alternatives to detention, to the execution of the return procedure; (ii) the proportion of voluntary returns and (iii) the success rate in the number of departures among persons that were placed in detention and in alternatives to detention. Please provide the statistics for the latest year(s) available (for example "2013" or "2011-2013") and, if possible, distinguish between the different types of alternatives to detention that are available in your (Member) Stat. (The different alternatives are listed as A1, A2, A3 in the table below; please explain what these represent in a key underneath the table).

Where statistics can be disaggregated by categories of third-country nationals, please do so. Please provide information on the methodology and data collection.

Where no information is available, please indicate "No information" and briefly state why no information is available.

Where it is not applicable, please indicate "Not applicable" and briefly state why.

The Use of Detention and Alternatives to Detention in the Context of Immigration Policies

Statistics on the success rate in the number of departures should be provided as the number of persons who were issued a return decision and who have returned to their country of origin, and the number of persons who were issued a return decision and who have not returned to their country of origin. Please provide both the numbers and the share they represent out of the total number of persons issued a return decision.

Applicable year(s)	Detention	Alternatives to detention			
		A1	A2	A3	A4
Average length of time from apprehending an irregular migrant to issuing a return decision	1-10 hours				
Average length of time from issuing a return decision to the execution of the return	Non statistically tracked				
Number of voluntary returns (persons who opted to return voluntarily)	Not Statistically tracked				
Success rate in number of departures	Not Statistically tracked				

Q6. Please provide any other evidence that may be available on the effectiveness in reaching decisions regarding the immigration status of persons subject to return procedures and executing the return, and provide any examples of good practice in this regard. (e.g. cited in existing evaluations/studies/other sources or based on information received from competent authorities)

No additional comment.

7.2. Costs

Q7. Have any evaluations or studies on the costs of detention and alternatives to detention been undertaken in your (Member) State?

No

Q8. Please provide any statistics available on the costs of detention and alternatives to detention in the table below. Please provide the statistics for the latest year(s) available and, if possible, distinguish between the different types of alternatives to detention that are available in your (Member) State (The different alternatives are listed as A1, A2, A3 in the table below; please explain what these represent in a key underneath the table).

Where costs can be disaggregated by categories of third-country nationals, please do so. Please provide information on the methodology and data collection to measure the costs.

Where no information is available, please indicate "No information" and briefly state why no information is available.

Where it is not applicable, please indicate "not applicable" and briefly state why

Applicable year	Detention	Alternatives to detention			
		A1	A2	A3	A4

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Total costs					
Staffing costs					
Medical costs					
Food and accommodation costs					
Legal assistance					
Other costs (This could include any additional costs that do not fall into the categories above e.g. costs of technical tools for administering alternatives to detention, such as electronic tagging). Please specify					

Q9. Please provide any other evidence that may be available in your (Member) State on the cost-effectiveness of detention and alternatives to detention, and provide any examples of good practice in this regard. (e.g. cited in existing evaluations/studies/other sources or based on information received from competent authorities)

Not Available

7.3. Respect for fundamental rights

Q10 Have evaluations or studies been conducted in your (Member) State on the impact of detention and alternatives to detention on the fundamental rights of the third-country nationals concerned (for example, with regard to the number of complaints of detainees or persons provided alternatives to detention)?

No

Q11. Please provide any statistics that might be available in your (Member) State on the number of complaints regarding violations of human rights and the number of court cases regarding fundamental rights violations in detention as opposed to alternatives to detention. Please provide the statistics for the latest year available and, if possible, distinguish between the different types of alternatives to detention that are available in your (Member) State (The different alternatives are listed as A1, A2, A3 in the table below; please explain what these represent in a key underneath the table). Please do the same with any statistics that may be available in your (Member) State on the number of voluntary returns.

Where statistics can be disaggregated by categories of third-country nationals, please do so. Please provide information on the methodology and data collection.

Where no information is available, please indicate "No information" and briefly state why no information is available.

Where it is not applicable, please indicate "Not applicable" and briefly state why.

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Applicable year	Detention	Alternatives to detention			
		A1	A2	A3	A4
Number of complaints of violations of fundamental rights lodged with non-judicial bodies (e.g. Human Rights Commissioners/ Ombudspersons) (where possible, please disaggregate by types of complaints and by categories of third-country nationals).	To be taken from the Office of the Ombudsman				
Number of complaints of violations of fundamental rights upheld by non-judicial bodies (e.g. Human Rights Commissioners/ Ombudspersons) (where possible, please disaggregate by types of complaints and by categories of third-country nationals).	To be taken from the Office of the Ombudsman				
Number of court cases in which there have been challenges to the decision to detain / place in an alternative to detention based on violations of fundamental rights (where possible, please disaggregate by types of violation and by categories of third-country national)	Several hundreds of habeas-corpus applications and applications under Article 146 of the Constitution to the Supreme Court of Cyprus against return decisions and deportation and detention orders each year.				

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<p>Number of court cases in which challenges to the decision to detain / place in an alternative to detention based on violations of fundamental rights have been upheld (where possible, please disaggregate by types of violation and by categories of third-country national)</p>	<p>Up to eight or ten each year.</p>				
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Q12. Please indicate if studies exist in your (Member) States which show negative effects of the alternatives to detention in practice. (For example, ankle bracelets can be socially stigmatising and cause physical and emotional distress.)

No additional comment

Q13. Please provide any other evidence that may be available in your (Member) State on the impact of detention and alternatives to detention on the fundamental rights of the third-country nationals, and provide any examples of good practice in this regard. (e.g. cited in existing evaluations/studies/other sources or based on information received from competent authorities)

No additional comment.

7.4. Rate of absconding and compliance rate

Rate of absconding is the share of persons who have absconded from all third-country nationals placed in detention or provided an alternative to detention.

Compliance rate is the share of persons who have complied with the alternative to detention.

Q14. Have evaluations or studies on the compliance rate and rate of absconding of third-country nationals in detention and in alternatives to detention been undertaken in your (Member) State? Please provide details.

No. However it is practically assessed that the rate of absconding of persons in detention is very low as also the rate of compliance to alternatives to detention is very low.

Q15. Please provide any statistics that might be available in your (Member) State on the rate of absconding and the compliance rate of third-country nationals in detention as opposed to alternatives to detention. Please provide the statistics for the latest year available and, if possible, distinguish between the different types of alternatives to detention that are available in your (Member) State (The different alternatives are listed as A1, A2, A3 in the table below; please explain what these represent in a key underneath the table).

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Where statistics can be disaggregated by categories of third-country nationals, please do so. Please provide information on the methodology and data collection.

Where no information is available, please indicate "No information" and briefly state why no information is available.

Where it is not applicable, please indicate "Not applicable" and briefly state why.

Applicable year	Detention	Alternatives to detention			
		A1	A2	A3	A4
Rate of absconding					
Compliance rate					

Q16. Please provide any other evidence that may be available of the impact of detention and alternatives to detention on the rate of absconding and compliance rate of third-country nationals in detention and in alternatives to detention.

No Information

Section 7: Conclusions (Maximum 2 pages)

The Synthesis Report will outline the main findings of the Study and present conclusions relevant for policymakers at national and EU level.

*The Use of Detention and Alternatives to Detention in the Context of Immigration Policies*Annex 1

Statistics from EU-harmonised sources, such as Eurostat and the EMN Annual Policy Report, on inter alia the outcome of international protection applications and return, including voluntary return will be used in the Synthesis Report to contextualise the statistics provided in this annex.

Table 1: Statistics on number of third-country nationals in detention and provided alternatives to detention per category

Please provide the cumulative figures (the number of all third-country nationals that have been detained during the year).

	2009	2010	2011	2012	2013	2014	Source / further information
Statistics on number of third-country nationals in detention per category							
Total number of third-country nationals in detention							
Number of third-country national applicants for international protection in ordinary procedures in detention							
Number of third-country national fast-track international protection applicants (accelerated international protection procedures) in detention							
Number of applicants for international protection subject to Dublin procedures in detention							
Number of rejected applicants for international protection in detention	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	
Number of rejected family reunification applicants in detention	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	
Number of other rejected applicants for residence permits on basis other than family reunification (Please specify)	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	
Number of persons detained to prevent illegal entry at borders in detention	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	

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		cable					
Number of persons found to be illegally present on the territory of the (Member) State who have not applied for international protection and are not (yet) issued a return decision in detention							
Number of persons who have been issued a return decision in detention	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	
Number of vulnerable persons part of the aforementioned categories of third-country nationals - Please, where possible, disaggregate by type of vulnerable persons (for example, minors, persons with special needs, etc.) and by category	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	
Number of other third-country nationals placed in immigration detention	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	
	Statistics on number of third-country nationals provided alternatives to detention						
Total number of third-country nationals provided alternatives to detention							
Number of third-country nationals applicants for international protection in ordinary procedures provided alternatives to detention							
Number of third-country nationals fast-track international protection applicants (accelerated international protection procedures) provided alternatives to detention							
Number of international protection applicants subject to Dublin procedures provided alternatives to detention							
Number of rejected applicants for international protection provided alternatives to detention							
Number of rejected applicants for family reunification provided alternatives to detention							
Number of other rejected applicants for residence permits on basis other than family reunification (Please specify)							

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Number of persons found to be illegally present on the territory of the (Member) State (i.e. such as those who have not applied for international protection and are not (yet) been issued a return decision) provided alternatives to detention who have not applied for international protection							
Number of persons issued a return decision provided alternatives to detention							
Number of vulnerable persons part of the aforementioned categories of third-country nationals - Please, where possible, disaggregate by type of vulnerable persons (for example, minors, persons with special needs, etc.) and by category provided alternatives to detention							
Number of other third-country nationals provided alternatives to detention (Please specify the category(ies))							

Table 2: Average length of time in detention

Please provide information on the methodology used to calculate the average length of time in detention, including whether the mean or the median was used to calculate the average.

Average length of time in detention	2009	2010	2011	2012	2013	Source / further information
Average length of time in detention of all categories of third-country nationals in detention	Not available	Not available	Not available	Not available	Not available	
Average length of time in detention of applicants for international protection in ordinary procedures	Not applicable	Not available	Not available	Not available	Not available	
Average length of time in detention of fast-track (accelerated) international protection applicants (accelerated international protection procedures)	Not applicable	Not available	Not available	Not available	Not available	

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Average length of time in detention of applicants for international protection subject to Dublin procedures	Not Available	Not available	Not available	Not available	Not available	
Average length of time in detention of rejected applicants for international protection	Not available	Not available	Not available	Not available	Not available	
Average length of time in detention of rejected family reunification applicants	Not Available	Not available	Not available	Not available	Not available	
Average length of time in detention of other rejected applicants for residence permits on basis other than family reunification (Please specify)						
Average length of time in detention of persons detained to prevent illegal entry	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	
Average length of time in detention of persons found to be illegally present on the territory of the (Member) State (i.e. such as those who have not applied for international protection and are not (yet) been issued a return decision) who have not applied for international protection	Not Available	Not available	Not available	Not available	Not available	
Average length of time in detention of persons who have been issued a return decision	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	
Average length of time in detention of vulnerable persons part of the aforementioned categories of third-country nationals - Please, where possible, disaggregate by type of vulnerable persons (for example, minors, persons with special needs, etc.) and by category	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	
Average length of time in detention of other third-country nationals placed in immigration detention	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	

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