

## EMN FOCUSSED STUDY 2012

### Establishing Identity for International Protection: Challenges and Practices

#### National Contribution from CYPRUS

*Disclaimer: The following responses have been provided primarily for the purpose of completing a Synthesis Report for the above-titled EMN Focussed Study. The contributing EMN NCPs have provided information that is, to the best of their knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of an EMN NCPs' Member State.*

#### Top-line 'Factsheet'

(National Contribution)

#### Executive Summary

(Synthesis Report)]

#### **National Contribution (one page only)**

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

The aim of this study is to provide an overview of the important challenges that the Republic of Cyprus face in its effort to establish, in the absence of credible documentation, the identity of applicants for international protection (i.e. asylum and subsidiary protection) and for the return of rejected applicants. This study will be most useful to national and EU policymakers with a view to allowing the EU Member States, Norway and the Commission for the identification of possible steps towards further (joint) actions.

The following report is divided into 3 sections. Section 1 analyses the challenges and scope of the issue, the extent to which the process for establishing identity is laid down in legislation, and the institutional framework for this process. Establishing identity in the absence of credible documentation is considered an important challenge by the national authorities of Cyprus. It is important to note that, there is a lack of data regarding this matter contributing to the overall difficulties the competent authorities face. There is no central competence centre responsible both for the determination and verification of documents. Regarding the determination of the identity, the Asylum Service is the competent authority, although the procedure of identification is not obligatory by the national legislation. The efforts to establish identity are part of the Refugee Status Determination Procedure and more specifically this is implemented during the interview. The Criminalistics Service Department is the competent authority for issues related to the verification of documents. Some of the challenges faced, include delays in the decision making process and also delays on the return procedure of rejected applicants. This issue concerns applicants coming from specific countries, mainly from Africa and Asia.

Section 2 elaborates on the definition of identity, the documents required for establishing identity and the methods used in the absence of documentary evidence of identity. No definition of identity is laid down in the Cyprus national legislation. Within the framework of the examination of the asylum application, the national authorities accept any kind of identification documents, while much more weight is given to official documents. With regards to the procedure of the return of rejected applicants, the national authorities use passports and travel documents. The national practises regarding the establishing identity are limited to an interview and to an age assessment, based on an interview, in the case of a minor within the Refugee Status Determination Procedure.

Section 3 examines how the outcomes of the efforts to establish identity are used in making a decision on international protection and forced return. The national authorities pay great attention to the

establishment of identity with regards to taking a relative decision on the asylum claim. However, if identity cannot be established, this is not de facto leading to a decision rejecting the application for international protection, as other factors, such as gender issues, might be given more weight in the examination procedure.

**Synthesis Report** (up to 3 pages)

Although an application for international protection is addressed to the Asylum Service, other departments of different Ministries get involved in the process. In particular, the application is submitted at all entry points of the Republic upon arrival of the applicant or at any Police Station within the Republic, and in case the applicant is detained or imprisoned, at the detention centers or prisons where s/he is held.

Within this process, the Aliens and Immigration Service of the Cyprus Police which is under the Ministry of Justice and Public Order accepts the application, provides a number to the file of the applicant and takes the fingerprints of every applicant aged at least 14. Within three days from the submission of the application, the person in charge of receiving applications, grants to the applicant a confirmation of submission of application which serves as a legal status for asylum seekers towards any authority of the Republic. The officer in charge at the place of submission of the application immediately sends the application to the Asylum Service of the Ministry of Interior for examination.

The Asylum Service takes the application and arranges for an interview in order to examine the claim for international protection. During this interview, the Asylum Service, as the competent authority, determines the identity of the applicant using mainly as a resource, country of origin information. It implements also an age assessment process for minor applicants, based on an age determination interview.

The Asylum Service issues a letter with the decision which is submitted to the applicant. If it is a negative decision the applicant has the right to an administrative appeal before the Refugee Reviewing Authority which is an independent body, within twenty days from the date of the receipt of this letter. In addition, the rejected applicant has the right to have an access to the outcome of the decision within ten days from the date of the receipt of the decision letter. Furthermore, the applicant has the right to appeal before the Supreme Court of Justice, within 75 days from the notification of the decision.

After a final decision, the Aliens and Immigration Service is the competent authority for the repatriation of the applicant after an order of deportation issued by the Permanent Secretary of the Ministry of Interior. In the meantime, the Social Welfare Services and the Department of Labour of the Ministry of Labour and Social Insurances are the competent authorities for the social welfare and employment opportunities of the applicant. In case of an unaccompanied minor, the Director of the Department of Social Welfare Services acts as a guardian of the said minor and takes all measures necessary on the minor's behalf and in his interest. At the same time, the Commissioner for the Protection of Children's Rights takes action as soon as possible, in person or through an officer at his Office as representative or assistant of the unaccompanied minor during the examination of the application of the said minor.

The Asylum Service and the Aliens and Immigration Service face most challenges in their efforts to establish, in the absence of credible documentation, the identity of applicants for international protection and rejected returnees respectively. No definition of identity is foreseen by national legislation and the process to determine identity is not laid down in the national legislation. The responsibility, according to the Refugee Laws (2000-2009), to provide information related to identity, lies upon the applicant. Furthermore, according to article 4(b) of the Cyprus Refugee Laws, the detention of an asylum seeker is permitted, after a relevant Court Order is issued, for the purpose of establishing the applicant's identity or nationality.

The challenges faced by the national authorities arise either from the complete absence of identification documents or the submission of false identification documents by the applicant. Also, difficulties arise when during the overall procedure multiple identities come into surface. Such challenges relate to delays in the process of decision making on the asylum claim and delays within the return process. The absence of identification documents in case of forced returns is of vital importance, since the return of

undocumented persons is extremely difficult and sometimes impossible.

No statistics are available regarding the main nationalities for which the establishment of identity was a challenge for the authorities. From practical experience, the nationalities for which establishing identity is a particularly complex task, either within the process of the examination of the asylum claim or within the procedure of forced returns are Iranians, Nigerians, Cameroonians, Afghans, Pakistani and Palestinians. In the absence of any data concerning this issue, the national practices in handling these challenges are limited.

In particular, the Asylum Service is the competent authority to determine the identity of an applicant via an interview scheduled for examining the claim for international protection and an age assessment for minors. During this process, country of origin information is used as a resource. Within the Refugee Status Determination procedure, any kind of identity document is accepted though much more weight is given to official documents.

The Criminalistics Service Department is the competent authority for issues related to the verification of documents. In cases where applicants for international protection are rejected, the Aliens and Immigration Service of the Police, is responsible for the forced return of the rejected applicant. The nationality of the returnee taken into consideration by the Aliens and Immigration Service, is the one stated on the Rejection Letter issued by the Asylum Service. The submission of identification documents is vital for the return procedure, since the countries of origin do not accept in general a rejected applicant without a passport or travel document. Any other identification document to be used within a return process depends upon the good will of the country of origin.

Establishing identity is very important in making an overall decision especially for certain nationalities. Even so, if identity cannot be established this is not de facto leading to a decision rejecting the asylum claim, as other factors such as gender issues might be given more weight.

## Section 1

### The National Framework

*(National Contribution: Maximum 6 pages, excluding statistics)*

*The Synthesis Report will provide the reader and policymakers, in particular, with insights into the scale and scope of the issue at national and EU level, evidenced by statistics. It will present an overview of which (Member) States consider, in the absence of credible documentation, the establishing of identity of applicants for international protection and for those applicants who have to be forcibly returned an issue and why. It will hence identify the extent to which (particular) challenges are shared across (Member) States.*

*It will subsequently analyse the extent to which the process for establishing identity in those cases is laid down in legislation across (Member) States, and the institutional framework for this process. Differences in the capacity that (Member) States have available to meet the challenges (e.g. in terms of being able to draw on expertise, access databases, or have a legal basis for using certain methods) will be drawn out.*

#### **1.1 The Challenges and Scope of the issue**

***Is the issue of establishing identity in the absence of credible documentation considered an issue within the framework of the procedure for:***

***a) international protection? (Whether the process of establishing identity in the absence of credible documentation is considered an issue);***

***b) the forced return of a rejected applicant to their (presumed) country of origin (Whether the process of establishing identity in the absence of credible documentation is considered an issue); yes/no?***

***If Yes, briefly outline for either or both of the two cases above, the main issues, challenges and difficulties within your (Member) State (e.g. no identification documents, false documents, multiple identities, applicants from certain third countries)***

**Reply:** The issue of establishing identity in the absence of credible documentation is considered an issue for both the Refugee Status Determination procedure and the procedure for forced returns of rejected applicants. The national authorities keep no data about applicants or rejected applicants whatsoever upon this matter which contributes to the complications the competent authorities face.

Many challenges arise due to this issue, as no identification documents or false documents create difficulties during the procedure for the examination of the claim for international protection. Also, problems occur when, during the overall procedure, multiple identities come into surface. Such challenges relate to delays in reaching a decision on the claim and delays in repatriating the rejected applicant. The national authorities witness such problems with applicants coming mainly from the African continent (i.e. Nigerians, Cameroonians), from Asia (i.e. Iranians, Pakistani, Afghanis) and with Palestinians.

**The establishment of identity in case of forced return of a rejected applicant is of vital importance since no country accepts undocumented returnees. A number of rejected applicants of international protection, also coming from the above-mentioned countries, cannot be repatriated**

in a reasonable period of time because of the absence of identification documents.

As mentioned before no particular data are available thus the countries mentioned above are based on estimations from practical experience.

*If **Yes**, please also indicate which of the following factors listed below contribute to the issues. Please support your answers with reference to statistics (e.g. those presented under Question 1.2 below), research or any other sources of information (e.g. media debates, case-law, policy documents, practitioners' views).*

- *The volume of cases where no credible documentation is available to substantiate an applicant's identity is considered to be large and/or growing.*

**Reply:** N/A (no data kept)

- *The measures used to establish an applicant's identity in the absence of credible documentation are resource-intensive.*

**Reply:** In the absence of credible documentation within the framework of an interview for the examination of a claim, country of origin information is used as a resource to examine the origins of the applicant.

- *The measures used to establish identity are not always successful.*

**Reply:** Yes, but in rare occasions

- *Decision-making on applications for international protection is difficult due to the fact that measures used to establish identity are not always successful.*

**Reply:** Yes, in rare occasions the decision making is difficult

- *A significant proportion of rejected applicants for international protection cannot be returned to their country of origin due to the fact that measures used to establish identity are not always successful.*

**Reply:** A number of rejected applicants for whom measures used to establish identity are not successful cannot be returned to their country (no data available)

List the countries of (claimed) origin for which establishing identity is particularly difficult, (i) when considering asylum applications; (ii) for implementing return

**Reply:**

On both occasions the countries of origin for which establishing identity is particularly difficult are the following:

Africa: Nigeria, Cameroon

Asia: Iran, Afghanistan, Pakistan

Middle East: Palestinians

The countries mentioned above are based on estimations from practical experience (no statistical data kept).

➤ ***Other (Member) State specific factors***

**Reply:** N/A

***If No, please provide reasons why the question of establishing identity in the absence of credible documentation is not considered an issue within the framework of the procedure for:***

***a) international protection; and***

***b) the forced return of a rejected applicant to their (presumed) country of origin.***

[Insert responses here]

## 1.2 Statistics on the Scale of the Issue

Please provide, to the extent possible, the following statistics (with their Source) along with, if necessary, an explanatory note to interpret them if, for example, the statistics provided are partial, had to be estimated (e.g. on the basis of available statistics that differs from the below, or of first-hand research) or if they reflect any particular trends (e.g. a change in policy, improved methods of establishing identity, a change in the country of origin of applicants or of rejected applicants, etc.) If statistics are not available, please try to indicate an order of magnitude. Where available, statistics from Eurostat should be used and presented annually covering the period between 2007 and 2011 inclusive.

	2007	2008	2009	2010	2011	Additional Information (e.g. Source, caveats, reasons for trends, top five nationalities, with numbers for total applicants – see below Table also)
Total Number of applicants for international protection	6789	3922	3199	2882	1770	Source: Yearly Totals from the Asylum Service of the Cyprus Republic. With regard to the top five nationalities each year please find attached relevant table also from the Asylum Service.
Number of applicants for whom <u>identity</u> was not documented at the time of application	N/A	N/A	N/A	N/A	N/A	
Number of applicants for whom <u>identity was wholly or partially established</u> during the asylum process thereby allowing the relevant authorities to reach a particular decision on international application (e.g. grant, refuse, defer)	N/A	N/A	N/A	N/A	N/A	
Total Number of <u>Positive Decisions</u>	36	64	1356	401	54	Yearly Totals from the Asylum Service of the Cyprus Republic. The number of positive decisions in 2009 and 2010 had risen due to the large number of applications from Iraq.
Total Number of Positive Decisions for applicants whose identity was not	N/A	N/A	N/A	N/A	N/A	

documented at the time of application						
Total Number of Positive Decisions for applicants whose identity was considered sufficiently established by the decision-making authorities	N/A	N/A	N/A	N/A	N/A	
Total Number of <u>Negative Decisions</u>	<b>2316</b>	<b>4001</b>	<b>3325</b>	<b>2032</b>	<b>2559</b>	<b>Yearly Totals from the Asylum Service of the Cyprus Republic</b>
Total Number of Negative Decisions for applicants whose identity was not documented at the time of application	N/A	N/A	N/A	N/A	N/A	
Total Number of Negative Decisions for applicants whose identity was not considered by sufficiently established by the decision-making authorities	N/A	N/A	N/A	N/A	N/A	
Total number of (Forced) <sup>1</sup> <u>Returns undertaken</u> of all rejected applicants	N/A	N/A	N/A	N/A	N/A	
Number of (Forced) <sup>2</sup> Returns of rejected applicants whose identity had to be established at the time of return	N/A	N/A	N/A	N/A	N/A	
Number of (Forced) <sup>3</sup> Returns of rejected applicants whose return could not be executed as their identity was not considered to be	N/A	N/A	N/A	N/A	N/A	

<sup>1</sup> While the scope of this Focussed Study (with respect to Returns) includes only the forced return of rejected applicants, it is acknowledged that distinguishing between forced and voluntary returns in official statistics may not be possible. Where possible, do make this distinction.

<sup>2</sup>Idem.

<sup>3</sup>Idem.

sufficiently established by the authorities of the (presumed) country of origin						
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If desired, and it cannot be fitted in the Table, add further details concerning particular trends and/or notable aspects of the statistics provided.

### **1.3 Relevant EU and National Legislation**

*Is the process to be used to determine identity within the procedure for international protection laid down in legislation?*

*If Yes, briefly specify which legislative documents, including their link to relevant EU acquis, regulate the process of identity determination in relation to the procedure for international protection.*

**Reply:** The process to determine identity within the procedure for international protection is not laid down in the national legislation. It is foreseen though that the responsibility to give information related to identity lies upon the applicant. Also, according to article 4(b) of the Cyprus Refugee Laws, the detention of an asylum seeker is permitted, after a relevant Court Order is issued, for the purpose of establishing the applicant's identity or nationality.

*Where possible, please refer to your National Contribution to the Organisation of Asylum and Migration Policies in the EU, rather than repeating the information here.<sup>4</sup>*

**Reply:** N/A

*Is the process to be used to determine identity within the procedure for the forced return of rejected applicants laid down in legislation?*

*Yes, briefly specify which legislative documents, including their link to relevant EU acquis, regulate the process of identity determination in relation to the forced return of rejected applicants.*

**Reply:** N/A

*Where possible, please refer to your National Contribution to the Organisation of Asylum and Migration Policies in the EU, rather than repeating the information here.<sup>5</sup>*

**Reply:** N/A

### **1.4 The institutional framework at national level**

*Which national authorities have the operational responsibility for establishing the identity of applicants for international protection?*

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<sup>4</sup> If however the level of detail is highly relevant, by shedding light on, for example, which elements of identity should be evidenced, what methods can or should be used to do so, what weight is to be given to the outcomes of the use of these methods, etc., it would be useful to insert the information directly in the Template.

<sup>5</sup>Idem.

**Reply:** In practise the Asylum Service has the operational responsibility for establishing the identity of the applicants within the procedure of examining the claim for international protection.

***Which national authorities have the operational responsibility for establishing the identity of applicants for international protection who have to (be) forcibly return(ed) to their (presumed) country of origin?***

**Reply:** In cases where applicants for international protection are rejected the Aliens and Immigration Service is responsible for the forced return of the rejected applicant. The nationality of the returnee that the Aliens and Immigration Service will take into consideration is the one stated on the Rejection Decision Document issued by the Asylum Service.

***Does your (Member) State have a central competence centre for issues related to the determination of identity and/or verification of documents?<sup>6</sup>***

**Reply:** The Asylum Service is the competent authority for the determination of identity of the applicant via an interview scheduled for examining the application for international protection and an age assessment for minors based on an age determination interview. There is also the Criminalistics Service Department which is the competent authority for issues related to the verification of documents.

***If Yes, what issues does the centre cover:***

***-issues relating to the determination of identity in respect of the procedure for granting international protection OR in respect of the procedure for executing the return of rejected applicants) OR in respect of both of these procedures***

**Reply:** The Asylum Service covers issues related to the procedure for examining the possibility to grant or not international protection.

***-issues relating to the verification of documents in respect of the procedure for granting international protection OR in respect of the procedure for executing the return of rejected applicants OR in respect of both of these procedures***

**Reply:** The Criminalistics Service Department covers issues related to the verification of documents.

***If Yes:***

- ***Has the centre (the Criminalistics Service Department) developed its own database / reference base for***

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<sup>6</sup> This may be a separate body (as in Norway) or a unit within a relevant authority.

- *genuine documents? Yes*
- *false documents? Yes*
- *Does it make use of the database iFADO (iPRADO)<sup>7</sup> for checking false ID documents? Yes*
- *Does it make use of the EDISON<sup>8</sup> system? No*
- *Does its tasks involve:*
  - *Advisory services? Yes*
  - *Development of Methods? No*
  - *Training of frontline officers? Yes*
  - *Support with difficult cases? Yes*
- *Does it have a forensic document unit? Yes*

*If **No**, i.e. your (Member) State does not have a central competence centre, what other institutions / systems are available to provide advisory services/other forms of support to officials responsible for establishing the identity of applicants for international protection?*

[Insert response here]

*Are the officials responsible for determining the identity of applicants for international protection authorised to access EU databases holding identity information about third-country nationals (e.g. EURODAC, SIS II, VIS, etc.)?*

**Reply:** The Fingerprints Laboratory has access to verify the response from EURODAC in an occasion of a HIT. Also has the authorization to access the EU database of EURODAC.

*If **No**, are the officials responsible for determining the identity of applicants for international protection authorised to liaise directly with the officials who do have access to these databases?*

[Insert response here]

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<sup>7</sup> [PRADO](#) Public register of authentic identity and travel documents online

<sup>8</sup> EDISON Travel Documents System

## Section 2

### Methods for Establishing Identity

*(National Contribution: Maximum 8 pages)*

The *Synthesis Report* will provide an overview of the types of documents that are required for establishing identity (preferable in Table format), of the methods that can/should be used in the absence of credible documentation (preferably in Table format), and the relative weight that is given to the outcomes of the methods used (Table or narrative, depending on the responses given) across the (Member) States.

#### **2.1 Definition and Documents required for establishing identity**

What **definition (if any) of identity** is used with regard to (a) applicants for international protection and (b) for the return process.

**Reply:** N/A

What **types of documents and other information** do authorities in your (Member) State accept as (contributing to) establishing the identity for applicants of international protection?

*For example:*

- *Official travel documents: Passports, ID cards;*
- *Other documents: birth certificates, divorce certificates, marriage licences, qualification certificates, etc.*

**Reply:** Any kind of identity document is accepted though much more weight is given to official documents i.e. passports, ID cards, divorce certificates, marriage licences, qualification certificates. In general during the examination of an application documents are considered to have only supportive role.

*Where possible, please indicate whether copies are accepted by relevant authority(ies) and which type of documents are considered by the national authorities as core or supporting documents. Also indicate the major issues faced concerning determining the veracity (or genuineness) of documents.*

**Reply:**

Copies of any kind of identity document are accepted.

Core documents: Passports and other travel documents, ID cards, birth certificates

Supporting documents: divorce certificates, marriage licences, qualification certificates, driving licenses

The veracity of documents affects the credibility of the claim of the applicant

*What types of documents are accepted by national authorities in the (presumed) countries of origin if those applicants for international protection have to be **returned**, because they have received a negative decision, exhausted or abandoned the procedure? Please illustrate any differences between the documents accepted by the authorities of the (presumed) countries of*

*origin and the documents accepted by the relevant authorities of your (Member) State.*

**Reply:** The countries of origin accept only national passports. Whether the return will be accomplished using other documents than the official travel documents or photocopy of them depends on the willingness of the national authorities of the country of origin to accept them.

## **2.2 Methods used in the absence of documentary evidence of identity**

*The aim of this section is to investigate, for cases where aspects of the applicant's statements regarding his/her identity are not supported by documentary evidence, which methods are used by the competent authorities in the (Member) State to check the credibility of the applicant's statements. In the boxes below, a list of methods is provided. For each method listed, please indicate*

*(a) whether it is used within the framework of the procedure for international protection and/or the procedure to forcibly return rejected applicants, or have exhausted or abandoned the procedure for international protection;*

*whether the method is obligatory (i.e. enshrined in law), whether it is part of standard practice (i.e. used in most cases but not enshrined in law) or whether it is optional (i.e. not enshrined in law and used in some cases only). The rationale for selecting some methods as obligatory or optional may relate to national legislation, outlined in Section 1.2 (which the (Member) State can refer to in their replies);*

*Do national authorities make use of:*

*i) Language analysis to determine probable country and/or region of origin?*

➤ Applicants for international protection:

**Reply:** N/A

➤ Return of rejected applicants for international protection:

**Reply:** N/A

*ii) Age assessment to determine probable age<sup>9</sup>*

➤ Applicants for international protection:

**Reply:** Yes in cases of minors through an interview but it is not obligatory by national law

<sup>9</sup> EMN NCPs are asked to update the information provided through the EMN Comparative EU Study on Unaccompanied Minors. EMN (2010), *Policies on Reception, Return and Integration arrangements for, and numbers of, Unaccompanied Minors*, European Migration Network, May 2010. The EMN Synthesis Report, as well as the 22 National Reports upon which the synthesis is based, are available from <http://emn.sarenet.es/Downloads/prepareShowFiles.do?directoryID=115>.

- Return of rejected applicants for international protection:

**Reply:** N/A

*iii) Fingerprints for comparison with National and European databases*

**National Database**

- Applicants for international protection:

**Reply:**N/A

- Return of rejected applicants for international protection:

**Reply:**N/A

**European databases**

- Applicants for international protection:

**Reply:** Within the scope of the Council Regulation(EC) No 343/2003 of 18 February 2003 (Dublin Regulation)

- Return of rejected applicants for international protection:

**Reply:**N/A

*iv) Photograph for comparison with National and European databases*

**National Database**

- Applicants for international protection:

**Reply:**N/A

- Return of rejected applicants for international protection:

**Reply:**N/A

**European databases**

- Applicants for international protection:

**Reply:**N/A

- Return of rejected applicants for international protection:

**Reply:**N/A

*v) Iris scans for comparison with National and European databases*

**National Database**

- Applicants for international protection:  
**Reply:** N/A
- Return of rejected applicants for international protection:  
**Reply:** N/A

**European databases**

- Applicants for international protection:  
**Reply:** N/A
- Return of rejected applicants for international protection:  
**Reply:** N/A

**vi) DNA analysis**

- Applicants for international protection:  
**Reply:** N/A
- Return of rejected applicants for international protection:  
**Reply:** N/A

**vii) Interviews to determine probable country and or region of origin (or other elements of identity, such as faith and ethnicity)<sup>10</sup>**

- Applicants for international protection:  
**Reply:** Within a standard procedure for interviewing the applicant for the examination of the claim which is obligatory.
- Return of rejected applicants for international protection:  
**Reply:** N/A

**viii) Other (please describe, e.g. type of co-operation with or contacts in third countries), related to**

- Applicants for international protection:  
**Reply:** N/A
- Return of rejected applicants for international protection:  
**Reply:** N/A

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<sup>10</sup> This would depend on the elements included in your national definition of “identity” used within the procedures covered by this Study. See Section 2.1.

***If possible, outline briefly the rationale behind the method(s) indicated above used in your (Member) State, e.g. why some method(s) been used in preference to others, is there a hierarchy or order of methods followed, any research conducted providing evidence of the method's reliability.***

[Insert response here]

### Section 3

#### Decision-making Process

*(National Contribution: Maximum 3 pages)*

*The Synthesis Report will describe how the different methods are combined to establish an identity and how the outcomes of attempts to establish identity are then used in making a decision on international protection and forced return. To the extent possible, the Synthesis Report will draw out commonalities and differences across (Member) States.*

#### **3.1 Status and weight of different methods to determine identity**

*On the basis of the information gathered by the methods outlined in Section 2, how then is a decision on identification made, e.g. are some methods given more weight on their reliability than others; does there need to be consistency between the results from some of the methods used? Briefly outline whether the results from the different methods will have different status and/or will be given different weights, and whether this is laid down in legislation, policy or practice guidelines.<sup>11</sup>*

*Is a “grading” structure or spectrum used to denote the degree of identity determination (e.g. from “undocumented,” over “sufficiently substantiated” or “has the benefit of doubt” to “fully documented and verified”)? If Yes, outline what this is.*

**Reply:**N/A

*Are any future measures considered with regard to setting up or further elaborating a “grading” structure? If Yes, outline what these are.*

**Reply:**NO

#### **3.2 Decisions taken by competent authorities on basis of outcomes of identity establishment**

##### **3.2.1 For the consideration of the application for international protection**

*What are the potential decisions that can be taken by the competent authorities where identity has been established (even partially) to inform the overall decision taken? For example, does the outcome of identity establishment influence a recommendation to “grant international protection,” “refuse international protection,” “defer decision”?*

**Reply:**All the above

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<sup>11</sup>Member States may differ significantly in how they deal with applicants for international protection whose statements regarding their identity are not supported by valid documentary evidence, not only in the methods they can or should use, but also in the weight they give to the outcomes of some methods. The aim, therefore, is to highlight these differences, should they exist.

*How important is establishing identity relative to other factors used in making an overall decision? For example, if identity cannot be established, does this de facto lead to a rejected decision? Are other factors such as gender, suspected country of origin, given more weighting than identity determination in some cases?*

**Reply:** Establishing identity is very important in making an overall decision and if identity cannot be established this does not lead to a de facto rejected decision as other factors such as gender issues might be given more weight.

### **3.2.2 For the return to country of origin**

*What are the potential decisions that can be taken by the competent authorities where identity has been established (even partially) to inform the overall decision taken? For example, does the outcome of identity establishment influence a recommendation to “defer return”?*

**Reply:** The outcome of the identity establishment influence a recommendation to “defer return”. The decision may change according to new findings.

*Are the results of the work to establish identity during the international protection process available for work to prepare for forced return?*

**Reply:** Yes via a Decision Letter issued by the Asylum Service sent to the rest of the competent authorities on which the nationality is written.

*If ‘yes’: please describe the type of supplementary steps that may be needed with respect to identity documentation before the authorities in the receiving country are prepared to accept the return.*

**Reply:** In case an applicant receives a negative decision, the Aliens and Immigration Service is the competent authority for the returns. This Service receives the decision letter on which the nationality of the applicant is written and launches the procedure for the return.

*If ‘no’: please describe the type of steps that may be needed with respect to identity documentation before the authorities in the receiving country are prepared to accept the return.*

[Insert response here ]

## Section 4

### Conclusions

*(National Contribution: 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.*

***With regard to the aims of this Focussed Study, what conclusions would you draw from your findings? What is the relevance of your findings to (national and/or EU level) policymakers?***

Conclusively, establishing identity in the absence of credible documentation is an issue of significant concern by the Cypriot national authorities. The limited methods that are available for the establishment of the identity and the lack of data on this matter add to the difficulties faced by the competent authorities. Delays in the decision making procedure and in the process of forced returns are the main challenges faced by the Asylum Service and the Aliens and Immigration Service respectively.

As far as the examination of the claim is concerned, the authorities accept any kind of identification documents that may contribute to the establishment of identity and if identity cannot be established this is not considered a de facto a rejection of the claim for international protection, as other factors such as gender issues might be given more weight.

Within the forced return process, official passports and travel documents are considered vital for the successful return and the use of other identification documents depends upon the goodwill of the country of origin.

There is much room for improvement with regards to the procedures related to establishing identity for both the Refugee Status Determination Procedure and the process of forced returns. Additional methods should be introduced so as to have a more accurate decision making outcome. Moreover, specific data should be collected in a form of a systematic examination of the issue which will assist policy makers in allocating budgets and in setting goals. Last but not least, an enhanced cooperation between the different departments would be extremely beneficial.

[Insert response here, including making any distinction between international protection and the forced return process]

**ASYLUM SERVICE STATISTICAL DATA ON APPLICATIONS - TOP TEN NATIONALITIES**

**2005**

	cases	persons
Syrian Arab Republic	1117	1188
Georgia	823	886
Sri Lanka	800	806
Pakistan	592	594
Ukraine	537	587
Iran (Islamic Republic of)	489	565
Bangladesh	496	498
Russian Federation	321	357
India	329	332
China (including Hong Kong)	259	259

**2006**

Syrian Arab Republic	1224	1255
Sri Lanka	379	389
Georgia	305	336
Bangladesh	310	310
Iran (Islamic Republic of)	255	305
Pakistan	266	268
India	252	253
China (including Hong Kong)	174	174
Ukraine	132	144
Iraq	84	132

**2007**

Syrian Arab Republic	1681	1752
Palestinian Territory, Occupied	481	1018
Sri Lanka	655	661
Iran (Islamic Republic of)	399	475
Georgia	331	352
Pakistan	335	339
India	293	294
Bangladesh	263	264
China (including Hong Kong)	213	214
Iraq	134	200

**2008**

Syrian Arab Republic	935	963
Sri Lanka	402	408
Palestinian Territory, Occupied	184	391
India	231	232
Pakistan	218	221

Iran (Islamic Republic of)	167	213
Egypt	193	211
Bangladesh	177	178
Iraq	86	170
Georgia	109	122

### 2009

Palestinian Territory, Occupied	230	493
India	302	303
Sri Lanka	233	248
Syrian Arab Republic	190	224
Pakistan	210	212
Iraq	107	189
Iran (Islamic Republic of)	122	171
Egypt	160	168
Bangladesh	163	165
Nigeria	96	97

### 2010

Iraq	176	338
India	318	321
Viet Nam	227	227
Egypt	189	211
Sri Lanka	185	188
Pakistan	156	156
Bangladesh	146	148
Nigeria	129	132
Turkey	74	123
China (including Hong Kong)	121	122

### 2011

Viet Nam	212	212
Syrian Arab Republic	144	187
Egypt	135	184
Bangladesh	178	182
Pakistan	148	148
India	135	135
Sri Lanka	111	115
Nepal	101	102
Philippines	83	84
Iran (Islamic Republic of)	60	68