Detention - Cyprus

Overview

Content updated and validated on: 5/09/2025

Relevant EU legislation

Cyprus is bound by the recast Reception Conditions Directive, the recast Asylum Procedures Directive and the Dublin III Regulation and has transposed their provisions through the Refugees Law 2000 (6(I)/2000), Ο περί Προσφύγων Νόμος του 2000 (6(I)/2000) and further amendments.

National legislation

14 October 2016: Cyprus transposed the recast Reception Conditions Directive by the Refugees (Amendment) Law of 2016 No 105(I)/2016 | Ο περί Προσφύγων (Τροποποιητικός) Νόμος του 2016

14 October 2016: Cyprus transposed the recast Asylum Procedures Directive by the Refugees (Amendment) Law of 2016 No 105(I)/2016 and No 106(I)/2016 | Ο περί Προσφύγων (Τροποποιητικός) Νόμος του 2016

The provisions of the Dublin III Regulation were directly applicable in Cyprus since 20 July 2013 (see Article 49 of the Regulation). Reference to the regulation and further provisions were included in the Refugee Laws on 14 October 2016 through Refugees (Amendment) Law of 2016 No 105(I)/2016.

The Refugee (amended) Law foresees in Article 9ΣΤ.(1) the possibility for the competent authority (Ministry of the Interior) to issue an administrative order to detain an asylum applicant when necessary and on the basis of an individual assessment, and if other less coercive alternative measures cannot be applied effectively. It is explicitly prohibited to detain asylum seekers and unaccompanied asylum-seeking children solely based on their status.

Competent authority and stakeholders

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Area	National authority/ stakeholder	Assistance to competent authority
Detention decision	Deputy Ministry of Migration and International Protection	N/A
Administration and management of detention facilities	Ministry of Justice, Police	Immigration Police
Information provision in detention	As per Article 9ΣΤ(8) of the Refugee Law, the minister shall immediately and in writing inform each detained applicant of the possibility of applying for free legal aid and representation.	Immigration Police
Interpretation services in detention	Yes. However, only for formal interactions about the appeal application process, which is paid by the state.	N/A
Access to the procedure and provision of asylum information in detention	Asylum Service	N/A
Detention for the Dublin procedure	Deputy Ministry of Migration and International Protection	Immigration Police
Processing of asylum applications of applicants who are in detention	Asylum Service	N/A

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Area	National authority/ stakeholder	Assistance to competent authority
Legal assistance and representation in detention	Usually provided by NGOs	N/A
Review of detention	International Protection Administrative Court (IPAC)	N/A

Grounds for detention during the asylum procedure

Grounds for detention in national law

Detention in the context of identification or verification of identity

According to Article 9ΣΤ.(2), if it is not possible to effectively apply other less restrictive alternative measures and if it is deemed necessary after an individual assessment of each case, the minister may issue a written decree to detain an applicant to:

- establish identity or citizenship.

This type of detention is not applied in practice.

Detention to determine elements on which the application for international protection is based, in particular where there is a risk of absconding

According to Article 9ΣΤ.(2), if it is not possible to effectively apply other less restrictive alternative measures and if it is deemed necessary after an individual assessment of each case, the minister may issue a written decree by which to detain an applicant to:

- determine those elements on which the application is based, the acquisition of which would otherwise be impossible, in particular where there is a risk of absconding by the applicant.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

The risk of absconding is defined in Article 9 ΣΤδις of the Refugee Law (introduced in the Refugee Law by amendment Law No 80(I) 2018, July 2018). It includes the following objective criteria to determine a risk of absconding:

- Non-compliance with a previous return decision under the Aliens and Immigration Law;
- Non-compliance with a transfer decision or interference with the implementation of a Dublin transfer;
- A reasonably established intention not to comply with the transfer order under the Dublin provisions;
- Providing false or misleading information;
- Conviction recorded in a public registry of another state which creates a conjecture that the person in question could abscond;
- Prior expulsion or return or removal;
- False declaration of the address of habitual residence;
- Previous disappearance or absconding;
- Abandonment of reception or accommodation centre;
- Upon investigation, failure to be located in the declared address of residence and telephone number or not complying with the provisions and obligations for declaration of a new address according to the Refugee Law;
- Unfounded statements in the course a Dublin interview;
- Intentional destruction of identity or travel documents upon or after arrival in Cyprus and non-cooperation with the authorities to prove with a reasonable degree of certainty identity or nationality.

In practice, an individual assessment based on the criteria set out in Article 9 ΣΤδις of the Refugee Law is carried out and a report is issued concluding on the risk of absconding.

Detention in the context of a procedure to decide on the applicant's right to enter the territory

According to Article 9ΣΤ.(2), if it is not possible to effectively apply other less restrictive alternative measures and if it is deemed necessary after an individual assessment of each case, the minister may issue a written decree by which to detain an applicant to:

- decide, in the context of a procedure, the applicant's right of entry into the territory.

This ground for detention is not applied in practice.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

There is no border procedure in Cyprus.

Detention in the context of a return procedure

According to Article 9ΣΤ.(2), if it is not possible to effectively apply other less restrictive alternative measures and if it is deemed necessary after an individual assessment of each case, the minister may issue a written decree by which to detain an applicant:

- when detained as part of the return procedure pursuant to Articles 18ΟΓ to 18ΠΘof the Aliens and Immigration Law, to prepare the return or carry out the removal process, and the minister documents on the basis of objective criteria, including the fact that the person has already had the opportunity to access the asylum procedure, that there are reasonable grounds to consider that the person is applying for international protection, in order to merely delay or prevent the execution of a return decision.

Related cases where IPAC has ruled on this specific clause:

- Υπόθεση Αρ. ΔΚ 35/2020, ECLI:CY:DDDP:2020:45.
- Υπόθεση αρ. ΔΚ 39/20, ECLI:CY:DDDP:2020:55.
- Υπόθεση Αρ. ΔΚ 73/2020, ECLI:CY:DDDP:2021:15.

Detention in the context of national security and public order

According to Article 9ΣΤ.(2), if it is not possible to effectively apply other less restrictive alternative measures and if it is deemed necessary after an individual assessment of each case, the minister may issue a written decree by which to detain an applicant:

- when it is necessary for the protection of national security or public order.

Related cases where IPAC has ruled on this specific clause:

- Υπόθεση Αρ. ΔΚ 86/2021, ECLI:CY:DDDP:2021:413.

Detention for the purpose of a Dublin transfer

[Ground corresponding to Article 8(3f) RCD: in accordance with Regulation (EU) No 604/2013 of the European Parliament, Article 28 and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged by a third-country national or a stateless person]

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

According to Article 9ΣΤ.(2), if it is possible to effectively apply other less restrictive alternative measures and if it is deemed necessary after an individual assessment of each case, the minister may issue a written decree by which to detain an applicant:

- in accordance with Article 28 of Regulation (EU) No 604/2013 when there is significant risk of absconding and an immediate transfer to another EU country is not possible.

The risk of absconding is defined in Article 9 ΣΤδις of the Refugee Law (introduced in the Refugee Law by amendment Law No 80(I) 2018, July 2018.

The ground for detention under this provision has never been applied in Cyprus.

Less coercive measures (alternatives to detention)

Instead of placing the applicant in custody, Article 9ΣΤ(3) envisages that the minister may alternatively impose certain obligations for as long as appropriate to avoiding the risk of absconding, such as:

- Regularly reporting to the authorities;
- Deposit of a financial guarantee;
- Obligation to stay in a designated place, including a reception centre;
- Probation.

There are no implementing regulations or guidelines for the application of alternatives to detention. In practice, the most common alternative to a detention measure is regular appearances before the authorities. According to civil society organisations, a low number of detainees are released by implementing alternatives.

Case law by the Supreme Court of Cyprus related to alternatives to detention:

16 April 2021, ECLI:CY:AD:2021:A334.

Application for international protection and processing while in detention/impact on the asylum procedure

To ensure that, upon release from detention, an applicant receives the documents attesting the lodging of the asylum application, applicants are given

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

copies of the documents submitted in the asylum procedure. They can also request a copy of a document from the Asylum Service' main offices.

It is either the National Ombudsman, or national courts following submission of a complain who might determine if the detention conditions are contrary to the Articles 10-13 of the Reception Conditions Directive.

Procedural safeguards

Access to information and interpretation

According to Article 9ΣΤ(2) of the Refugee Law, the authority issuing the detention decision is an administrative authority, the minister.

Per Article 9ΣΤ (5), the decision to detain must list the factual and legal reasons based on which it is issued, and a copy must be served to the applicant.

According to Article 9ΣΤ(8), the minister shall immediately and in writing inform each detained applicant, in a language that the latter either understands or is reasonably presumed to understand, of the reasons for detention, of the judicial proceedings related to the appeal of such a decision, and of the possibility of applying for free legal aid and representation in the context of the procedures, in accordance with the Law on Legal Aid.

Legal assistance and representation

As per Article 9ΣΤ(8) of the Refugee Law, the minister shall immediately and in writing inform each detained applicant of the possibility of applying for free legal aid and representation.

According to Article 6B(7a) of the Legal Aid Law of 2002, the applicant is entitled to legal aid to appeal the detention order before IPAC and for a habeas corpus application before the Supreme Court.

Length of detention

According to Article 9ΣΤ (4a) of the Refugee Law, an applicant's detention must be for the shortest possible duration and only for as long as the reason for

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

detention still applies. Administrative proceedings connected to a reason for detention shall be carried out without undue delay. Delays in administrative procedures which cannot be attributed to the applicant do not justify continued detention.

Individual reassessments to review the continuation of detention take place in regular intervals.

Judicial review of detention

To review the detention procedure and decision, the applicant has the right to appeal. The appeal can be based on Article 9ΣΤ(6a) of the Refugee Law and Article 146 of the Constitution or Article 9ΣΤ(7)(1i) of the Refugee Law (habeas corpus) and Article 155.4 of the Constitution to challenge the lawfulness of the detention only on the grounds of the length of detention.

In the first case, the court's decision must be issued within 4 weeks of the registration of the appeal. In the second case, the court’s decision must be issued within 3 weeks of the registration of the application. The detained applicant is entitled to register more than the one application when the detention is of prolonged duration, when relevant circumstances arise or when new information becomes available which may affect the legality of the duration of the detention.

The deportation order is suspended for asylum applications examined under the regular procedure. However, the deportation order is not suspended for asylum applications examined under the accelerated procedure, as well as for unfounded and inadmissible decisions, subsequent applications, and implicit and explicit withdrawals. A separate application requesting the right to remain must be submitted before IPAC.

In the remainder of cases, the applicant may continue to be detained for as long as the conditions of Article 9ΣΤ(2) and (4) of the Refugee Law are met since the decision to reject the application is not final until the court decides on the appeal.

Specific conditions relating to detention

Conditions of detention

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Open air: There are certain hours during the morning and during the afternoon daily when asylum seekers in detention can go outside. It is generally not allowed to leave the detention facility.

Visitors: Visitors can be family members, friends and attorneys who prepare an appeal or provide other forms of legal support. NGO representatives must make an appointment and request permission from the Chief of Police. Ombudsman officers can visit the centre and monitor the conditions, assess the procedures followed, interview detainees and explore any complaints against the staff.

Access to legal assistance: Yes. Detained asylum seekers have access to free legal advice/assistance, which is usually provided by NGOs. Asylum seekers in detention have the right to legal assistance during habeas corpus proceedings.

Translation/language support: Yes. However, only for formal interactions about the appeal application process, which is paid by the state.

Medical care: Yes. Detained asylum seekers are provided with medical care. Basic health care is provided. For more serious cases, applicants are escorted to the national hospital. Medicine is free of charge. Detainees are given medical examinations for specific contagious diseases, e.g. tuberculosis, HIV and hepatitis tests, but not a full medical examination or an assessment of physical and mental health issues.

Detention of applicants with special needs

Legislative overview

As per Article 9ΣΤ (1) of the Refugee Law, detention of minor applicants is prohibited. During the age assessment, a third country national is considered and treated as a minor. According to Article 18ΠΓ(1) (transposing the Returns Directive) children can be detained as a last resort and for the least possible time.

Detention for vulnerable people, such as victims of torture or trafficked persons, is not prohibited either. Support or special treatment in detention depends on the needs and vulnerability of the individual. In practice the authorities try to avoid detaining applicants with severe vulnerabilities and specials needs, or recognised victims of trafficking.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.