

EN

ANNEX 1

**Memorandum of Understanding**

**between**

**the Government of the Republic of Cyprus**

**and**

**the European Commission,**

**the European Union Agency for Asylum, the European Border and Coast Guard  
Agency and Europol**

**on the implementation of the EU-Cyprus Action Plan for Migration Management**

**I. Purpose and scope**

Given the persisting migratory challenges the Republic of Cyprus is confronted with, the Cypriot government and the European Commission consider that ensuring effective migration management in the country is a key priority and a common EU objective. In this respect, the European Commission, together with the European Union Agency for Asylum (EUAA), the European Border and Coast Guard (Frontex) and the EU Agency for Law Enforcement Cooperation (Europol) aim to continue and further step up, where necessary, the EU financial and operational support to Cyprus, within their respective mandates, to establish a well-functioning, future-proof migration management system, in line with relevant reception standards<sup>1</sup> and Union law.

Joint mapping exercises conducted so far, with particular focus on registration and identification, asylum, reception and return aspects, support the need for a holistic approach to migration management in Cyprus, in order to sustain an effective, efficient and sustainable response to both current and potential future migratory challenges.

Cyprus is pursuing structural reforms and stepping up coordination and cooperation efforts internally and externally with a view to sustaining a futureproof national migration management system. At the same time, the European Commission continues to provide significant operational and financial support to the Republic of Cyprus in the context of a dedicated EU-Cyprus Action Plan on migration management, firstly agreed in 2019, including through the deployment of staff and experts from the Commission's Directorate-General for Migration and Home Affairs and the European Union Asylum Agency (EUAA), the European Border and Coast Guard (Frontex) and the EU Agency for Law Enforcement Cooperation (Europol) (hereinafter 'the relevant EU agencies'). In particular, EUAA, Frontex and Europol

---

<sup>1</sup> European Asylum Support Office (EASO) Guidance on reception conditions: operational standards and indicators – September 2016; and EASO Guidance on reception conditions of unaccompanied children: operational standards and indicators – December 2018.

have significantly enhanced their operations in Cyprus over recent years via their respective operating plans and programming agreements. As a result, the relevant EU agencies' deployments on the ground in support of the national authorities to manage migration have now reached around 160 experts, to be adapted according to the needs.

This Memorandum of Understanding (MoU) is without prejudice to the provisions of the existing bilateral arrangements concluded between the relevant Agencies and the Republic of Cyprus and is not intended to limit the existing and future operational support to Cyprus provided by the Agencies on matters falling in the wider scope of their respective mandates.

In this context, this MoU sets out the cooperation framework for the consolidation and implementation of the EU-Cyprus Action Plan (the Action Plan), as updated in 2022 and annexed to this MoU. The MoU is concluded between, on the one side, the Government of the Republic of Cyprus and, on the other side, the European Commission and the relevant EU agencies. Both sides will work together on all key strategic issues regarding the set-up and implementation of the Action Plan.

The MoU is without prejudice to the competences of the Cypriot authorities for the taking of decisions in the areas of migration management, fight against migrant smuggling, public order, public interest, public health and/or national security. Equally unaffected remain the existing division of competences, tasks, and responsibilities under EU law. Relevant EU and national rules on the management of EU funding will continue to apply.

The situation faced by Cyprus underlines the need for a fair and effective European asylum and migration system that is able to respond to different situations, equipped to provide protection for people in need, and capable of managing migration – in normal times, in times of pressure, and in times of crisis. The implementation of the Action Plan, which is based on existing national and EU law, is setting an example for solidarity in action. This principle should be the pillar for a holistic approach to migration, as reflected in the Pact on Migration and Asylum<sup>2</sup>.

The Action Plan constitutes an effective roadmap for all actions needed throughout the entire migration chain, from screening, reception and asylum procedures to integration, return and readmission. Some progress towards this approach has already been made and will continue through a number of tangible measures already under implementation, aiming at achieving an efficient migration management system at national level, in full compliance with EU standards.

## **II. Specific objectives and coordination structure**

The **overarching objective** of the MoU is to channel the necessary support to the Cypriot authorities for ensuring an effective, sustainable and fair system of managing migration and asylum in line with the EU Charter of Fundamental Rights obligations and EU acquis and standards, through the reinforcement of existing cooperation structures between the Government of the Republic of Cyprus, the European Commission and the relevant EU Agencies.

---

<sup>2</sup> COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS on a New Pact on Migration and Asylum  
COM/2020/609 final

The **specific objectives** of the Action Plan to improve the general cohesion and efficiency of migration management in Cyprus, are in particular:

- Enhance capacities on **first reception** (screening, debriefing, registration and fingerprinting, document checks and access to asylum procedure) in line with EU standards and legal framework and agreed Standard Operating Procedures on access to international protection procedures, promoting the timely and correct identification and referral of special needs;
- Achieve an overall improvement in the level of **material reception conditions** (in particular access to housing) and service provision for applicants for international protection in line with EU standards. This includes a dignified standard of living, increased open reception capacity for asylum seekers (which would also alleviate pressure from the Pournara centre and allow it to actually operate as a first reception centre) and additional specific reception infrastructures and conditions for vulnerable groups (such as unaccompanied minors, families with small children, single women, or victims of trafficking), in order to fulfil the standards established by EU law, based on a comprehensive **national reception strategy** currently under development with the support of EUAA;
- Implement timely and effective **asylum procedures** and tackle the backlog of asylum applications at first and second instance, in line with EU standards and legal framework and while respecting the right to asylum and the principle of non-refoulement;
- Improve the **efficiency and effectiveness of the return system**, following a strategic and sustainable approach, including through the endorsement and implementation of the Standard Operating Procedures for return, the establishment of an IT return case management system, increased pre-removal detention capacity, reinforce voluntary return and reintegration and better use of existing EU-level readmission tools and increase the use of Frontex support on return, including through the implementation of the bilateral Action Plan agreed by Frontex and Cyprus on 6 December 2021;
- Establish and implement a comprehensive and effective strategy with regards to the **integration** of third-country nationals, including vulnerable categories (e.g. unaccompanied minors) and beneficiaries of international protection.

At the same time, the Commission and the Cypriot government will continue working together to make best use of **EU funding** to meet the specific needs of Cyprus in the area of asylum and migration policy in line with EU *acquis*, in particular through the increased Home Affairs Funds allocated to Cyprus for the period 2021-2027. The Commission will also support Cyprus in seeking solidarity contributions from EU Member States, including in the form of relocation and support to return operations.

#### *Coordination, information exchange, monitoring*

Against this background, and building upon the guidance and best practices developed across the EU, this MoU sets out dedicated **communication and coordination structures**, including the distribution of tasks between the EU and Cypriot authorities, for the implementation of the Action Plan. It also states that communication towards external stakeholders and partners should be fully coherent.

To be able to perform the operational part of the Memorandum of Understanding as effectively as possible, the Taskforce set up within the Commission's Directorate-General for Migration and Home Affairs (DG HOME) and chaired by DG HOME at the level of Deputy Director-General will be the main interlocutor on the EU side. On the part of the Cypriot government, the main interlocutor is the Ministry of Interior at the level of the Secretary General. The Ministry ensures the necessary coordination and cooperation by and between all competent Cypriot authorities, including the Ministry of Justice and Public Order, Ministry of Health, Ministry of Foreign Affairs, Deputy Ministry of Social Welfare including their competent authorities.

A **dedicated Steering Group** under the already established Operational Cooperation Platform for migration management support to Cyprus (OCP), composed of representatives of the Commission, relevant EU Agencies and the Cypriot Authorities should oversee the overall implementation of the Action Plan.

To this end, regular (on-line and/or in person) meetings of the OCP Steering Group will be held at the appropriate level. These meetings are to be coordinated by the Commission and co-chaired with the Cypriot authorities. The OCP Steering Group will be the primary forum for the proper monitoring of the state of progress of the Action Plan and assess the need for corrective actions, on the basis of a commonly agreed set of indicators aimed at ensuring, among others, that reception conditions are in line with EU standards for the various categories of persons and procedures are correctly and effectively carried out.

The Commission will coordinate at EU level the provision of targeted strategic, operational and financial support to the Cypriot authorities, within the available EU budget, in the context of the implementation of the Action Plan. The Commission should in particular ensure the necessary coordination among all actors involved at EU level, namely Commission services, relevant EU Agencies and other EU Member States, with a focus on the allocation of responsibilities for various tasks. Together, the Commission and the Cypriot authorities should ensure a coordinated approach and coherent communication and allocation of tasks with key partners, such as international organisations and civil society organisations, as appropriate.

### **III. Revision**

This MoU should be reviewed regularly by the two sides and updated, as necessary.

This Memorandum of Understanding is not intended to create rights or obligations under international or domestic law.

Annex II: EU-Cyprus Action Plan on Migration Management

Signed in Nicosia on 21 February 2022

For the Government of the Republic of Cyprus

.....

Minister of Interior

Nicos Nouris

For the European Commission

.....

Commissioner for Home Affairs

Ylva Johansson

For the European Union Agency for Asylum

.....

Executive Director

Nina Gregori

For EUROPOL

.....

Executive Director

Catherine De Bolle

For the European Border and Coast Guard Agency

.....

Executive Director

Fabrice Leggeri