

Accurate, timely, interoperable? Data management in the asylum procedure in Cyprus

EMN Study 2020

1 BACKGROUND AND RATIONALE FOR THE STUDY

A smooth and fast registration and identification procedure and ensuring the accuracy of the information collected, are **essential aspects of a functioning asylum procedure**. Several Member States have recently taken a wider range of measures to also improve interoperability to assist operational efficiency.¹ An **effective** asylum system relies on the collection of timely information that could appropriately channel asylum applicants into the right track, as well as on accurate and reliable information that could inform subsequent asylum decisions. Similarly, the smooth transmission of information to relevant authorities as well as the interoperability of databases where this information is collected avoid duplication and contribute to the **efficiency** of the asylum system. Finally, the use of information collected during different phases of the asylum procedure to inform further related steps of the process (including the Dublin procedure) reception conditions, and to inform future planning for the migration system (including integration and possibly return) increase the **preparedness** of the migration system overall.

Changing circumstances in asylum applications in recent years, including increases and decreases in the volume and types of applications, has led to several procedural changes in how Member States manage the asylum process. In many Member States this has also impacted on how data is collected, managed and shared throughout the process. In particular, the following policy developments have been registered.

1. In the years of high influx of asylum seekers in the EU (2015–2016) several Member States experienced major **challenges with regard to their capacities to register asylum seekers as well as with subsequent data management** across different databases within their respective asylum authorities and with regard to other authorities linked to the asylum procedure and reception of asylum applicants.² In several Member States there were backlogs and delays in the asylum procedure. Asylum applicants were not always able to make their application upon arrival and once their application was registered, it sometimes took months before they could finally lodge the asylum application.³ Furthermore, multiple registrations occurred in some Member States

¹ MPI, Chasing Efficiency: Can Operational Changes Fix European Asylum Systems? March 2020:

<https://www.migrationpolicy.org/sites/default/files/publications/MPIE-ChasingEfficiency-EuropeAsylum-Final.pdf>

² EMN, Synthesis Report, Changing Influx of Asylum Seekers 2014-2016, August 2018: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_eu_changing_influx_study_synthesis_final_en.pdf

³ ECRE, Access to protection in Europe. The registration of asylum applications, 2018:

http://www.asylumineurope.org/sites/default/files/shadow-reports/aida_accessii_registration.pdf; EMN, Annual Report on Migration and

due to a lack of interoperability of databases and a lack of technologies to digitalise the individual information and make it accessible to the different authorities. With regard to the high numbers of asylum applicants, several Member States experienced a need for automation, digitisation and innovation (such as the implementation of artificial intelligence) of various processes within the asylum procedure in order to cope with the large numbers by saving resources, to limit double work, to ensure accuracy and transferability of individual information among different data systems.

2. With regard to the making, registering and lodging of an asylum application, a **trend towards shifting the collection of additional information of asylum seekers forward** (frontloading) in the asylum procedure may be observed in several EU Member States in recent years.⁴ One reason is another development in several Member States, namely the introduction of channelling systems in their asylum procedures. Based on different pre-defined profiles, asylum applicants are channelled into different “first-instance procedures (prioritised procedures; accelerated procedures; border procedure; admissibility procedure”.⁵ In many cases, this had an impact on the asylum process as relevant information on asylum seekers needed to be collected at an earlier phase in order to allocate them to these different channels. In some Member States, information collection was also frontloaded for other reasons. Amongst other things, in order to shorten lengthy processing times in the asylum procedure (e.g. by limiting the need for paper and double work by digitising the collected information and implementing data quality assessments from the very beginning). A frontloaded information collection in some Member States again serves to better plan and coordinate reception facilities, estimate the need for integration and language courses for asylum seekers (e.g. number and types of courses needed in different regions) as well as other integration measures (e.g. labour market integration by asking for information on individual qualifications of the asylum seekers).
3. Last but not least, by further interlinking processes, actors and IT systems, **challenges occurred with regard to the interoperability of data systems and databases**, as well as with regard to data protection. However, several Member States introduced a range of measures to enhance interoperability on a federal and regional level or implemented larger reforms with regard to their data management, raising questions again with regard to safeguards of the individual data and ‘legal’ limitations of the data collection and processing mechanisms. The question of interoperability has also been discussed at EU-level in recent years with regard to the EU large scale IT systems. The Interoperability Regulation provides for future tools to enhance intra-EU data sharing and has as one of its aims to assist in the assessment of international protection applications.

Against this backdrop, the objective of this study is to examine how data is managed in the different phases of the asylum procedure and to identify any recent trends. In particular, it will (i) map Member States’ data management approaches in the asylum procedure, (ii) examine whether there have been any procedural changes to enhance data sharing within the asylum authorities and beyond and how these have impacted on data management in these processes, and (iii) challenges and good practices that have arisen in relation to data management.

Scope

As for its **scope**, the study will cover different phases of the asylum procedure, beginning from the moment a person makes his or her asylum application until the first instance decision is made. It will

Asylum 2017, May 2018: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_annual_report_on_migration_2017_highres_en.pdf

⁴ EASO, Workshop Discussion Paper, Workshop 2: Registration procedure, 9th Consultative Forum, 12th November 2019, Brussels: <https://easo.europa.eu/sites/default/files/Workshop2-Discussion-Paper.pdf>

⁵ EASO, Workshop Discussion Paper, Workshop 3: channelling based on the profile of the applicant and the identification of special needs, 9th Consultative Forum, 12th November 2019, Brussels: <https://easo.europa.eu/sites/default/files/Workshop3-Discussion-Paper.pdf>

focus, on the one hand, on data collected by various actors involved in the asylum procedure (e.g. border police registering an asylum application upon arrival; main authority for the asylum procedure; authorities responsible for unaccompanied minors etc.). On the other hand, the study will also cover data collected in the context of the asylum procedure but meant for other purposes than the asylum procedure itself (e.g. information on language skills used to better plan and coordinate integration and language courses; information on previous qualifications in order to smoothen labour market integration etcetera).

2 EU LEGAL FRAMEWORK

Directives and regulations

The functioning of the Common European Asylum System is based upon a series of EU legal instruments governing the asylum procedure. However, the management of personal data is only marginally regulated. With the exception of the **recast Eurodac Regulation (Regulation No 603/2013)**, analysed below) that concerns the processing of biometric data of applicants of international protection for Dublin-related purposes, the registration of personal data in the asylum process is governed by national law. The **recast Asylum Procedures Directive (Directive 2013/32/EU)** sets out some rules in that respect, namely that the applicants must inform the competent authorities of their current place of residence and of any changes thereof as soon as possible, which suggests that this information is collected by the competent authorities. Competent authorities are also allowed to take a photograph of the applicant; however, this is not compulsory under EU law. Crucially, Article 30 of that Regulation proscribes national authorities from disclosing information regarding individual applications or the fact that an application has been made to the alleged actor(s) of persecution or serious harm.

From a privacy and personal data protection perspective, the **General Data Protection Regulation (EU) No 2016/679** is applicable to the processing of personal data in the asylum procedure. This entails the application of a series of data protection safeguards in the collection and further processing of personal data, such as the principles of lawfulness, purpose limitation, data minimisation, accuracy, storage limitation and integrity and confidentiality. The data protection regime specific to the handling of personal data in the Eurodac system is covered in the Eurodac Regulation 603/2013.

EU centralised information systems

The abolition of internal borders in the Schengen area has required strong and reliable management of the movement of persons across the external borders, including through robust identity management. In that respect, three centralised information systems have been developed by the EU, which are currently operational: the Schengen Information System (SIS), Visa Information System (VIS) and Eurodac, all of which assist in verifying or identifying third-country nationals falling in different categories and who are on the move. SIS, VIS and Eurodac were originally envisaged to operate independently, without the possibility of interacting with one another. Progressively, the need has emerged to provide technical and legal solutions that would enable EU information systems to complement each other. To that end, the **Interoperability Regulations 2019/817 and 2019/818** adopted on 20 May 2019 prescribe four main components to be implemented: a European Search Portal (ESP), a shared Biometric Matching Service (BMS), a Common Identity

Repository (CIR) and a Multiple Identity Detector (MID). An EU agency, eu-LISA, is responsible for the operational management of these three systems.⁶

The most relevant EU information system in this regard is **Eurodac**, a biometric database storing fingerprints of applicants for international protection and irregular immigrants found on EU territory. Its primary objective is to serve the implementation of Regulation (EU) No. 604/2013 ('the Dublin Regulation'). Eurodac may also be accessed by national law enforcement authorities and Europol for the purposes of preventing, detecting and investigating terrorist offences and serious crimes. A recast proposal⁷ tabled since May 2016 is currently negotiated as part of the revised Common European Asylum System (CEAS), with the aim of expanding the purpose, scope and categories of personal data stored in the system.

The **Visa Information System (VIS)** is also relevant for the purposes of the study not only in the context of further interoperability but also because it is used in the asylum procedure. The VIS processes personal data (both biographical and biometric) of short-stay (Schengen) visa applicants and to allows immigration, border control and asylum authorities to exchange such data for various purposes, including the implementation of the common EU visa policy and the assistance in the identification of the Member State responsible for an asylum claim in line with the Dublin rules. The current legal framework consists of Regulation 767/2008⁸ governing the use of the system for immigration control purposes, and Council Decision 2008/633/JHA⁹ on law enforcement access. A proposal is currently negotiated¹⁰ that among other things, lowers the threshold age for fingerprinting (six years).

As for the **Schengen Information System (SIS)**, it aims at ensuring a high level of security in the Schengen area by facilitating both border control and police investigations. To those ends, the SIS registers alerts on various categories of persons including third-country nationals to be refused entry or stay in the Schengen area, as well as alerts on objects, such as banknotes and identity documents. Failed asylum seekers may be registered in the SIS in accordance with the SIS rules. In 2018, the SIS legal framework was revised with a view to adding certain categories of alerts.¹¹

The aforementioned information systems will be complemented in the future by three new ones that are currently under development: **the Entry/Exit System (EES)** that will register the border crossings, both at entry and exit, of all third-country nationals admitted for a short stay, irrespective of whether they are required to obtain a Schengen visa or not;¹² **the European Travel Information**

⁶ Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011, OJ L 295, 21.11.2018.

⁷ COM (2016) 272final.

⁸ Regulation (EC) 767/2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas, OJ L 218, 13.8.2008, as amended by Regulation (EC) 810/2009, OJ L 243, 15.9.2009..

⁹ Council Decision 2008/633/JHA concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences, OJ L 218,13.8.2008.

¹⁰ COM (2018) 302final.

¹¹ Regulation (EU) 2018/1860 of the European Parliament and of the Council of 28 November 2018 on the use of the Schengen Information System for the return of illegally staying third-country nationals, OJ L 312, 7.12.2018, p. 1–13; Regulation (EU) 2018/1861 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006, OJ L 312, 7.12.2018, p. 14–55; Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU. OJ L 312, 7.12.2018, p. 56–106.

¹² Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011, OJ L 327, 9.12.2017.

and Authorisation System (ETIAS) that will enable to identify whether the presence of a visa-free traveller in the territory of the Member States would pose a security, irregular migration or high epidemic risk;¹³ the **European Criminal Record Information System for third-country nationals (ECRIS-TCN)** that will enable the exchange of criminal records on convicted third-country nationals and stateless persons.¹⁴ All six information systems will be part of the interoperable data processing environment.

3 RELEVANT CASE LAW FROM THE COURT OF JUSTICE OF THE EU

CJEU, Case C-670/16 *Mengesteab*, Judgment of 26 July 2017: One of the questions referred to the CJEU involved the relationship between the two-time limits for take charge requests set out in Article 21 of the Dublin III Regulation. The Court clarified that the two months allowed to notify a Member State after a Eurodac hit may not result in a take charge request being issued more than three months after the application is lodged.

EU centralised systems have not generated any relevant case law before the CJEU in relation to their substance. However, more generally, case law on centralised storage of personal data for immigration-related purposes in the broader sense that may be relevant for the present study is the following:

- **CJEU, Opinion 1/15 of 26 July 2017:** In this case, the Grand Chamber of the CJEU evaluated the draft PNR Agreement between the EU and Canada. The Court elaborated on a series of safeguards as regards to data management, in particular: the need for clarity in specifying the scope of the data to be processed; the transfer of sensitive data requires a precise and solid justification; automated processing of personal data should take place under pre-established models and criteria that are specific and reliable; the authorities accessing the personal data are specified; any transfer of personal data to third countries must take place only if that third country ensures an essentially equivalent level of personal data protection; and the exercise of individual rights by persons whose personal data is processed is ensured.
- **CJEU, Case C-70/18, *Staatssecretaris van Justitie en Veiligheid v A and Others*, Judgment of 3 October 2019:** This case involves the processing of personal data of residence permit holders in a Dutch centralised database. The CJEU highlighted that the processing of 10 fingerprints and a facial image, besides providing a reliable way of identifying the person concerned, is not of an intimate nature and does not cause any particular physical or mental discomfort for the person concerned.

Since the objective of the retention of data is to prevent and combat identity and document fraud, a five-year retention period establishes a satisfactory connection between the personal data to be retained and the objective pursued and thus is proportionate.

4 DEFINITIONS

The following key terms are used in the Common Template. The definitions are taken from the EMN Glossary v6.0¹⁵ unless specified otherwise in footnotes.

¹³ Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226, OJ L 236, 19.9.2018.

¹⁴ Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726, OJ L 135, 22.5.2019.

¹⁵ Available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/docs/interactive_glossary_6.0_final_version.pdf

'Application for international protection' is defined as a request made by a third-country national or a stateless person for protection from a Member State, who can be understood to seek refugee status or subsidiary protection status, and who does not explicitly request another kind of protection, outside the scope of Directive 2011/95/EU (Recast Qualification Directive), that can be applied for separately.

'Asylum procedure': see definition for 'Procedure for international protection'.

'Beneficiary of international protection' is defined as a person who has been granted refugee status or subsidiary protection status.

'Channelling' of the asylum procedure (also 'triaging'): "The core premise of accelerated and simplified procedures is the differentiation between caseloads for their channelling into distinct case processing modalities. The triaging process is therefore the central tenet of the process. [...] Depending on the results of the analysis, claims will be channelled into appropriate case processing modalities, or as is already done in several Members States [...] into different streams or 'tracks'. Groups, as well as any specific profiles, with high and very low protection rates would be channelled into accelerated and/or simplified procedures, while other cases would be adjudicated under the regular procedure."¹⁶

'Country of origin' is the country or countries of nationality or, for stateless persons, of former habitual residence.

'Data management' is understood as the administrative process that includes all operations that are performed on data or on sets of data, through automated or other means, such as collection, recording, storage, retrieval, use, disclosure by transmission, dissemination or erasure.¹⁷

'Examination of an asylum application': see definition for 'Examination of an application for international protection'.

'Examination of an application for international protection': Any examination of, or decision or ruling concerning, an application for international protection by the competent authorities in accordance with Directive 2013/32/EU (Recast Asylum Procedures Directive) and Directive 2011/95/EU (Recast Qualification Directive) except for procedures for determining the EU Member State responsible in accordance with Regulation (EU) No 604/2013 (Dublin III Regulation).

'Lodging an asylum application': An application for international protection shall be deemed to have been lodged once a form submitted by the applicant or, where provided for in national law, an official report, has reached the competent authorities of the Member State concerned. Member States may require that applications for international protection be lodged in person and/or at a designated place.¹⁸

'Making an asylum application': see definition for "Making application for international protection".

'Making application for international protection': The expression of intent to apply for international protection.

'Refugee status' is defined as the recognition by a Member State of a third-country national or a stateless person as a refugee.¹⁹

¹⁶ UNHCR, Discussion Paper *Fair and Fast – Accelerated and Simplified Procedures in the European Union*, July 2018, pp. 8f. Available at: <https://www.refworld.org/pdfid/5b589eef4.pdf>

¹⁷ Definition for the purposes of this study.

¹⁸ Article 6(2, 3, 4) of Directive 2013/32/EU (Recast Asylum Procedure Directive).

¹⁹ Article 2 of Directive 2011/95/EU (Recast Qualification Directive).

'Registering an asylum application': Record the applicant's intention to seek protection.²⁰ When a person makes an application for international protection to an authority competent under national law for registering such applications, the registration shall take place no later than three working days after the application is made. If the application for international protection is made to other authorities which are likely to receive such applications, but not competent for the registration under national law, Member States shall ensure that the registration shall take place no later than six working days after the application is made.²¹

'Procedure for international protection': Set of measures described in the Directive 2013/32/EU (Recast Asylum Procedures Directive) which encompasses all necessary steps for granting and withdrawing international protection starting with making an application for international protection to the final decision in appeals procedures.

²⁰ EASO, presentation, 9th Consultative Forum, 12th November 2019, Brussels.

²¹ Article 6(1) of Directive 2013/32/EU (Recast Asylum Procedure Directive).

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National Contribution from CYPRUS

Top-line factsheet

*The top-line factsheet will serve as an overview of the **national reports** introducing the study and drawing out key facts and figures from across all sections, with a particular emphasis on elements that will be of relevance to (national) policy-makers.*

Please provide a concise summary of the main findings of Sections 1-7:

In the recent years, the Cyprus Refugee Law has been amended a number of times in order to incorporate the EU acquis and also in order to be more efficient in the management of the refugee crisis affecting Cyprus. The last amendment of the Law took place in 2020. The purpose of the new legislative amendments is to ensure that unfounded or inadmissible applications for asylum are processed more quickly, in order that applications submitted by persons who have good grounds for benefiting from refugee status are processed more efficiently. Improvement of current procedures ensuring a more efficient data collection and management have already been approved and an ongoing database updating process is estimated to be completed by the end of 2021.

Section 1: The asylum procedure

Please note that the data management aspects of each phase of making, registering, lodging and examining an asylum claim will need to be described in more detail in the following Sections. This introductory Section shall serve as a first overview to better understand the following sections on data management within each phase. If your (Member) State has implemented specific procedures (e.g. 'airport procedure') that deviate from the usual procedure(s), please point this out. However, (Member) States may decide on their own, into how much depth they want to go with regard to such specific or more exceptional procedures. In case (Member) States decide not to elaborate in more detail on specific procedures but focus more on their 'general asylum procedure', a reference can be made to the fact that the specific procedure will not be further elaborated in order to reduce the complexity of the study.

1.1 Overview of the asylum procedure

Please provide an overview on the regular asylum procedure in your (Member) State by answering the following questions.

1. Does your (Member) State clearly distinguish in national legislation among the abovementioned phases of **making**, **registering** and **lodging** of an application? (clear distinction – see the background section 7 - Definitions)

Yes

If yes, please elaborate briefly.

Cyprus's national legislation includes definitions and distinguishes these phases in articles 8(1) & 11.

2. a) Does your (Member) State clearly distinguish in practice among the abovementioned phases of **making**, **registering** and **lodging** of an application? (clear distinction – see background section 7 - Definitions)

Yes

b) in practice, are there any differences in the division of the phases based on the different types of entry routes (i.e. land, sea, air)? For Member States implementing the **hotspot approach**, does this distinction hold in the hotspots?

Irregular arrivals to the Republic are transferred to First Reception Center 'Pournara' where those who wish to apply for asylum can enter the asylum procedure (including screening, fingerprinting, information provision, medical checks etc.)

3. a) Does 'channelling' of specific caseloads take place in the asylum procedure of your (Member) State?

Channelling: **Yes**

If yes, please elaborate how the asylum procedure is organised, in relation to the single channels/tracks.

Recent developments and amendments in legislation (October 2020) and the update of the national safe third country of origin list, will allow the Asylum Service to clearly channel specific caseloads to accelerated procedure.

b) Did your (Member) State introduce any changes on 'channelling' since 2014?

If so, please describe the change(s) and intended purpose. If applicable and feasible, please also refer to findings of studies or evaluations on these changes made.

Yes. In year 2020 we had the introduction of an updated safe country of origin list and the amendment of the relevant legislation regarding the issuing of a first instance decision and the appeal period. This will allow a more efficient application of the accelerated procedure. No data or studies are yet available as this is a recent amendment in order to be able to do a proper evaluation.

4. a) Are there any national time frames/limits for each of the single phases (making, registering, lodging and examining a claim) in the context of Article 6 of the recast Asylum Procedures Directive?²²

Yes

If yes, please describe and specify the time frames/limits for the phases applicable in your (Member) State.

From the date of the making the applicant has 3 to 6 days to register and lodge an application. The latter two phases coincide.

²² Directive 2013/32/EU (NB Denmark and Ireland do not participate in the recast Asylum Procedures Directive).

b) Did your (Member) State introduce any changes in the national timeframes / limits in the years since 2014?

Yes. With regards to the period of issuing of a verification of lodging and also the period between making and registering/lodging an application.

5. a) In practice, how long does the procedure take from an asylum applicant making an application to lodging the application (average days)? **It takes between 6 to 10 days**

Table 1

Year	Average duration (days) from making to lodging a claim ²³
2014	N/A
2015	N/A
2016	6 to 10 days
2017	6 to 10 days
2018	6 to 10 days
2019	6 to 10 days

b) In practice, how long does the procedure take from lodging the application until a first instance decision is made (average days)? If information is not available, please indicate legal time limits and an indication that these are legal limits.

Usually it takes 1 year (365 days).

In case your (Member) State applies 'channelling', please specify the average time for each channel (average days; and please add additional columns in case more Channels apply). If (Member) State rather differentiates between special procedures in place (such as fast track procedures) and/or if these are interconnected with the 'channelling' please add additional columns and elaborate in a footnote what the special procedure is about – if not yet done so in Chapter 1.1).

"Channelling" through accelerated procedure was introduced in late 2020. A first instance decision should be taken within 30 days from the submission of asylum application while there is a 15-day period for submitting an appeal before the Court in case of a first instance rejection of the application.

Table 2

Year	From lodging until first time decision				
	Average days	Channel 1 (please specify)	Channel 2 (please specify)	Channel 3 (please specify)	Channel 4 (please specify)
2014	N/A	N/A	N/A	N/A	N/A
2015	N/A	N/A	N/A	N/A	N/A
2016	N/A	N/A	N/A	N/A	N/A
2017	N/A	N/A	N/A	N/A	N/A
2018	N/A	N/A	N/A	N/A	N/A
2019	N/A	N/A	N/A	N/A	N/A

²³ In case there is no information on the exact average duration, please include estimates about the average duration.

1.2 Authorities involved in the asylum procedure

6. Which authorities are involved in and responsible for the asylum procedure from making an application to first instance decision?

Please indicate whether those authorities are legally competent for registering an asylum application or not. For those authorities which are not, please also see Section 2.1

Table 3

Type of Authority	Specify name of the authority involved in <u>making</u> an application	Legally competent for <u>registering</u> an asylum application (please indicate type of authority and specify name)	Legally competent for <u>lodging</u> an asylum application (please indicate type of authority and specify name)	Legally competent for <u>examining</u> an asylum application (please indicate type of authority and specify name)
Border Police	Immigration Police	-	-	-
Local Police	District and Local Police Stations	=	=	=
(Branch) office for Refugees	=	=	=	=
Ministries (Interior, Justice, etc.)	Civil Registry and Migration Department (CRMD) the Asylum Service of the Ministry of Interior	-	-	ASYLUM SERVICE
Local Citizen's Office/Mayor of a local city/town	=	=	=	=
(Local) immigration office	=	=	=	=
(Shared) accommodation for refugees	=	=	=	=
EU Agency	=	=	-	EASO
International Organisation	=	=	=	=
Detention facility	Menogia, Detention Centre			
Reception centre	=	-	-	-
Others (please specify)	IMMIGRATION POLICE	IMMIGRATION POLICE	IMMIGRATION POLICE	=

1.3 Data collected during the asylum procedure

7. Which information is gathered during the asylum procedure at the different phases and by whom? Please, fill Table 4 below.

Table 4

1. Categories of data collected	2. In which phase(s) is this information collected? (including self-registration) - Registering (1) - self-registration (1.1) - lodging (2) - examination (3) <i>Please use the numbers provided for each phase to indicate the phase the data is collected. In case phases are combined in your state, please indicate it accordingly by using a dash (see example below). If data is re-used but not re-collected in a following phase, data is not collected in that phase. Therefore, if data is not collected in a specific phase but only re-used or not used at all, please do not add any number for that phase.</i>	3. Which organization collects this information in each of the different phases? (whenever possible please refer to the authorities listed in section 1.2)	4. How is this particular category of data /biometric data collected? - online self-registration - written questionnaire (in paper) - oral (interview, face-to-face) - oral (interview via phone/ videocall) - open source (e.g. social media) - analysing documents - analysing content of mobile devices (e.g. phones, laptops) - using automated or artificial intelligence for analysis of data - other: please specify (multiple answers possible) <i>If different data collection tools are used in the different phases, please specify it. If possible, please indicate if any specific technology is used in the process.</i>	5. Where is this particular category of data /biometric data stored? - in an electronic file - in a database - on paper	6. If applicable, please specify the name of the database(s)
Name - current name	1,/2, 3	- IMMIGRATION POLICE and EASO registration Officers	- written questionnaire (in paper) 1,2 - oral (interview, face-to-face) 1,2,3 - oral (interview via phone/ videocall) 3	- in a database (1,2) - on paper (1,2,3)	COMPUTERISED ASYLUM SERVICE SYSTEM (CASS)

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		- ASYLUM SERVICE	- analysing documents (1,2,3)		
- <i>birth name</i>	1,/2, 3	<i>idem</i>	<i>idem</i>	<i>idem</i>	<i>idem</i>
- <i>previous name(s)</i>	3	- ASYLUM SERVICE	- oral (interview, face-to-face) 3	<i>on paper (3)</i>	
- <i>pen name (alias)</i>	3	<i>idem</i>	oral (interview, face-to-face) 3	<i>on paper (3)</i>	
- <i>religious names</i>	3	<i>idem</i>	oral (interview, face-to-face) 3	<i>on paper (3)</i>	
- <i>other names</i>	1,/2, 3	- Immigration police - Asylum Service	- written questionnaire (in paper) 1,2 - oral (interview, face-to-face) 1,2,3 - oral (interview via phone/ videocall) 3 - analysing documents (1,2,3)	- <i>in a database (1,2)</i> <i>on paper (1,2,3)</i>	<i>idem</i>
Sex	1,/2, 3	IDEM	IDEM	IDEM	CASS
Biometric data					
- <i>photo</i>	1, 2	- IMMIGRATION POLICE	- written questionnaire (in paper) 1,2 - oral (interview, face-to-face) 1,2 - analysing documents (1,2)	- <i>in a database (1,2)</i>	IDEM
- <i>fingerprints (which fingers, rolled or pressed fingerprints)</i>	1, 2	IDEM	IDEM	- <i>in a database (1,2)</i>	IDEM
- <i>iris scan</i>					
- <i>other</i>					
Eye colour					
Height					

Date of birth	1, 2,3	- IMMIGRATION POLICE - ASYLUM SERVICE	- written questionnaire (in paper) 1,2 - oral (interview, face-to-face) 1,2,3 - oral (interview via phone/ videocall) 3 - analysing documents (1,2,3)	- in a database (1,2) on paper (1,2,3)	IDEM
Citizenship(s)	1, 2,3	IDEM	IDEM	IDEM	IDEM
Country of origin	1, 2,3	IDEM	IDEM	IDEM	IDEM
Place of birth					
- town	1, 2,3	IDEM	IDEM	IDEM	IDEM
- region	1, 2,3	IDEM	IDEM	IDEM	IDEM
- country	1, 2,3	IDEM	IDEM	IDEM	IDEM
- other					
Date of arrival in the (Member) State	1, 2,3	IDEM	IDEM	IDEM	IDEM
Last place of residence in the country of origin	3	- ASYLUM SERVICE	- oral (interview, face-to-face) - oral (interview via phone/ videocall) - analysing documents	on paper (3)	
Last place of residence before entry in the (Member) State	3	IDEM	IDEM	IDEM	
Contact details					
- phone number	1, 2,3	- IMMIGRATION POLICE	- written questionnaire (in paper) 1,2	- in a database (1,2)	CASS

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		- <i>ASYLUM SERVICE</i>	- oral (interview, face-to-face) 1,2,3 - oral (interview via phone/ videocall) 3 - analysing documents (1,2,3)	<i>on paper (1,2,3)</i>	
- <i>email address</i>					
- <i>current address</i>	1, 2,3	IDEM	IDEM	- <i>in a database (1,2)</i> <i>on paper (1,2,3)</i>	CASS
- <i>other</i>					
Civil status	1, 2,3	IDEM	IDEM	- <i>in a database (1,2)</i> <i>on paper (1,2,3)</i>	IDEM
Accompanied by:					
- <i>spouse or civil partner</i>	1, 2,3	IDEM	IDEM	IDEM	IDEM
- <i>children</i>	1, 2,3	IDEM	IDEM	IDEM	IDEM
- <i>parents</i>	3	- <i>ASYLUM SERVICE</i>	- oral (interview, face-to-face) - oral (interview via phone/ videocall) - analysing documents	<i>on paper (3)</i>	
- <i>other relatives</i>	3	IDEM	IDEM	<i>on paper (3)</i>	
Family members in the (Member) State					
- <i>name</i>	1, 2,3	IDEM	IDEM	- <i>in a database (1,2)</i> <i>on paper (1,2,3)</i>	IDEM
- <i>residency</i>	1, 2,3	IDEM	IDEM	IDEM	IDEM
- <i>citizenship</i>	1, 2,3	IDEM	IDEM	IDEM	IDEM

- <i>other</i>					
Family members in another (Member) State	3	- <i>ASYLUM SERVICE</i>	- oral (interview, face-to-face) - oral (interview via phone/ videocall) analysing documents	<i>on paper (3)</i>	
Close relatives in the (Member) State	3	IDEM	IDEM	<i>on paper (3)</i>	
Close relatives in another (Member) State	3	IDEM	IDEM	<i>on paper (3)</i>	
Health status					
- <i>specifics on health status</i>	1			<i>on paper (1)</i>	
- <i>reference that a general health check has been carried out</i>	1			<i>on paper (1)</i>	
- <i>other</i>					
Education					
- <i>school attendance</i>	3	- <i>ASYLUM SERVICE</i>	- oral (interview, face-to-face) - oral (interview via phone/ videocall) analysing documents	<i>on paper (3)</i>	
- <i>academic studies</i>	3	IDEM	IDEM	<i>on paper (3)</i>	
- <i>trainings</i>	3	IDEM	IDEM	<i>on paper (3)</i>	
- <i>apprenticeships</i>	3	IDEM	IDEM	<i>on paper (3)</i>	
- <i>non-formal work experience</i>	3	IDEM	IDEM	<i>on paper (3)</i>	

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- <i>other</i>					
Language skills	1 / 2, 3	- <i>Immigration police</i> - <i>asylum service</i>	- written questionnaire (in paper) 1,2 - oral (interview, face-to-face) 1,2,3 - oral (interview via phone/ videocall) 3 analysing documents (1,2,3)	- <i>in a database (1,2)</i> <i>on paper (1,2,3)</i>	CASS
Profession	3	- <i>ASYLUM SERVICE</i>	- oral (interview, face-to-face) - oral (interview via phone/ videocall) analysing documents	<i>on paper (3)</i>	
Criminal record					
Financial resources					
Supporting documents					
- passport	1	- <i>Immigration police</i>	- written questionnaire (in paper) - oral (interview, face-to-face) analysing documents	<i>in a database (1)</i>	CASS
- travel document	1	IDEM	- IDEM	- IDEM	CASS
- other	1	IDEM	IDEM	IDEM	CASS
Reasons for fleeing	2, 3	- <i>Immigration police</i> - <i>asylum service</i>	- written questionnaire (in paper) 2 - oral (interview, face-to-face) 2,3 - oral (interview via phone/ videocall) 3	<i>on paper (2,3)</i>	
Reasons for not wanting to be returned to the competent Member State as part of a Dublin procedure	3	- <i>asylum service</i>	- oral (interview, face-to-face) 3 oral (interview via phone/ videocall) 3	<i>on paper (3)</i>	

Previous applications	1, 3	- <i>Immigration police</i> - <i>asylum service</i>	- written questionnaire (in paper) 1 - oral (interview, face-to-face) 1,3 oral (interview via phone/ videocall) 3	<i>in a database (1)</i> <i>on paper (1,3)</i>	CASS
Information on the route taken	1, 3	- <i>Immigration police</i> - <i>asylum service</i>	- written questionnaire (in paper) 1 - oral (interview, face-to-face) 1,3 oral (interview via phone/ videocall) 3	<i>on paper (1,3)</i>	
Information on exclusion grounds	3	- <i>asylum service</i>	- oral (interview, face-to-face) 3 oral (interview via phone/ videocall) 3	<i>on paper (3)</i>	
Religious affiliation	1, 3	- <i>Immigration police</i> - <i>asylum service</i>	- written questionnaire (in paper) 1 - oral (interview, face-to-face) 1,3 oral (interview via phone/ videocall) 3	<i>on paper (1,3)</i>	
Vulnerabilities					
- <i>Unaccompanied minor</i>	1,3	- <i>Immigration police</i> - <i>asylum service</i>	- written questionnaire (in paper) - oral (interview, face-to-face) analysing documents	<i>in a database (1)</i> <i>on paper (1,3)</i>	CASS
- <i>Pregnant</i>	IDEM	IDEM	IDEM	<i>on paper (1,3)</i>	
- <i>Disabilities (which?)</i>	IDEM	IDEM	IDEM	IDEM	
- <i>Elderly</i>	IDEM	IDEM	IDEM	IDEM	
- <i>Single parent with minor child(ren)</i>	IDEM	IDEM	IDEM	IDEM	
- <i>Victims of human trafficking</i>	IDEM	IDEM	IDEM	IDEM	
- <i>Mental disorders</i>	IDEM	IDEM	IDEM	IDEM	

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- <i>Victims of torture, physical or sexual violence (female genital mutilation)</i>	IDEM	IDEM	IDEM	IDEM	
- <i>other</i>					
Other (please specify)					

8. Has your (Member) State identified any good practice in frontloading information collected by other authorities not directly connected to the asylum procedure? If yes, please elaborate and specify in which phase does the frontloading take place.

YES. Such information is extracted by the Civil Registry and Migration Department Database (such as previous employment or residence status records).

1.4 Data management during the asylum procedure

9. Please fill Table 5 based on the information given in column 6 of Table 4 (filling as many rows as the databases indicated that Table).

Table 5

Database	Overview/definition of the database (please indicate whether it is a regional, national or European database).	National authorities that have access to the databases or access to its data ²⁴			Data shared with other Member States (apart from the data that (Member) States share through EU databases e.g. Eurostat, VIS, SIS)	
		Name of authority/ organisation	In which phase of the asylum procedure	For what purpose	Type of data	For what purpose
CASS	COMPUTERISED ASYLUM SERVICE SYSTEM (NATIONAL)	ASYLUM SERVICE	1,2,3	ACCESS TO DATABASE		
CASS	IDEM	CRMD	2,3	IDEM		
CASS	IDEM	POLICE	IDEM	IDEM		
CASS	IDEM	LABOR OFFICE & WELFARE SERVICES	2,3	IDEM		
CASS	IDEM	HEALTH SEERVICES	1,2	ACCESS TO DATA		
ARS	ALIENS REGISTRATION SYSTEM (NATIONAL)	ASYLUM SERVICE AND POLICE	3	ACCESS TO DATA		

²⁴ Please differentiate between access to database and access to data. 'Access to database' is understood as a national authority being authorised to have direct access to a database without the need to request data to be transmitted to them via other authorities or intermediaries. 'Access to data' is reserved to cases where an authority has access to data contained to a database, through transmission or sharing by another authority.

Section 2: Making an asylum application

This section requests information on asylum seekers making an asylum application to an authority that is not competent to register an asylum application.

'Making an application': The expression of intent to apply for international protection.

2.1 Making an application to an authority not competent to register the asylum application

If your (Member) State does not differentiate between "making an application" and "registering an application", or if these two phases are conducted concurrently, as referred to in Section 1.1, please skip and go to Section 3.

10. What information do authorities who are not competent to register an asylum application provide to the asylum applicants on where to go and what to do?

Asylum Service, NGOs and EU Agencies are providing online and printed informative leaflets and have info points for this purpose.

11. Do the authorities who are not competent to register any asylum application collect any data on the asylum applicant?

No

Section 3: Registering an asylum application

'Registering an asylum application': Record the applicant's intention to seek protection.

This section requests information on the registration of asylum applications.

If the process of registering and lodging of the asylum application are conducted concurrently (according to the law or in practice) in your (Member) State, please make this clear in Section 1 and proceed by skipping this Section and going directly to Section 4. If however, registering and lodging of an asylum application are conducted separately in your (Member) State (e.g. in crisis times or regionally with regard to islands vs. main land, cities vs. rural areas, centralised vs decentralised) please proceed by answering the following questions in Sections 3 and 4.

If the process of registering, lodging and examination of the asylum application are conducted concurrently (according to the law or in practice) in your (Member) State, please make this clear in Section 1 and proceed by skipping this Section and going directly to Section 5.

For Member States implementing **the hotspot approach**, please highlight whether there are differences in the processes applied in hotspots with regard to the standard/general asylum procedure.

3.1 Cross checking of data collected at the registration phase

12. Against which databases at i. local/regional, ii. national, iii. European and iv. international levels is the information collected during registration cross-checked²⁵ (please elaborate, what the purpose is of the cross-checking and if only specific categories of data are cross-checked)?

²⁵ Purpose of cross-checking: Previous asylum applications, Prior legal residence/stay, Illegal border crossing, Illegal stay (overstay), Criminal record, Security risks, Detect counterfeit identity/travel documents, Other (please specify).

13. Does systematic cross-checking against (i) VIS and (ii) SIS take place?

Yes / No

14. What issues has your (Member) State encountered in cross-checking data collected at registration phase?

For each issue mentioned, please describe a) for whom it is an issue, b) why it is considered an issue and c) whether the assessment that this issue based on input from experts (please indicate sources)

3.2 Information provided to asylum applicants in the registration phase

15. Are asylum applicants provided with a processing/privacy notice²⁶ about the personal data collected from them during the registration phase?

Yes / No

If yes, please describe which information is provided (i.e. the purpose for which personal data from the asylum applicant is collected and on what basis, who has access to the information, data protection rights etc).

16. a) Who provides the information mentioned above (under Q15) (public authorities, international organisations, CSO - civil society organisations)?

b) How is this information provided (orally, digitally, in writing or all three)?

Please describe.

c) Where information is provided orally, is interpretation available?

Yes / No

d) Where information is provided digitally, is translation available?

Yes / No

If yes, who provides the digital information (e.g. national authorities, NGOs etc)?

e) Where information is provided in writing is translation available?

Yes / No

If yes, who provides the translation service (e.g. national authorities, NGOs etc)?

17. Is any specific training or guidance (i.e. guidelines) provided for staff responsible for data management with regard to information collected at the registration phase?

²⁶ The obligation to take appropriate measures to provide data subjects with a processing or privacy notice stems from Article 12 GDPR which obliges data controllers to provide "any information referred to in Articles 13 and 14 and any communication under Articles 15 to 22 and 34 relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language." The information referred to in Articles 13 sets out the information to be provided where data has been collected from the data subject. It includes setting out the purpose of the data collected and legal basis; legitimate interests of the data controller (where this is used as the legal base); recipients of the data or categories of data; and if the data will be transferred to a third country or international organisation. Articles 15 to 22 refer to the data subject's rights including the rights to access, rectification and erasure; the right to object (if data is being collected for certain purposes including for a task carried out in the public interest or an official function vested in the data controller or in pursuit of legitimate interests of the data controller); right to data portability etc.

3.3 Where self-registration procedures apply, (Member) States are asked to elaborate more on the framework and experiences.

18. Does your (Member) State have any self-registration procedures in place?

Yes / No

If yes, please answer questions 19-23.

If not, please move to section 4.

19. When was the self-registration procedure introduced and why?

20. Where do asylum seekers self-register (e.g. website, by phone)?

21. Are asylum seekers provided with any guidance/assistance/information on how to self-register?

If yes, please elaborate and indicate who provides this information

22. In which languages is the self-registration procedure available?

23. Is self-registration mandatory or optional?

Please elaborate.

Section 4: Lodging an asylum application

This section requests information on asylum applicants lodging an asylum application.

4.1 Cross checking of data collected at the lodging phase

24. Against which databases at i. local/regional, ii. national, iii. European and iv. international levels is the information collected during the lodging phase cross-checked (please elaborate, what the purpose is of the cross-checking and if only specific categories of data are cross-checked)? **N/A**

25. Does systematic cross-checking against (a) VIS and (b) SIS take place?

No

26. What issues have you encountered in cross checking data collected at the lodging phase?

For each issue mentioned, please describe a) for whom it is an issue, b) why it is considered an issue and c) whether the assessment that this issue based on input from experts - please indicate sources)

4.2 Information provided to asylum applicants at the lodging phase

28. Are asylum applicants provided with a processing/privacy notice²⁷ about the personal data collected from them during the lodging phase?

Yes

²⁷ The obligation to take appropriate measures to provide data subjects with a processing or privacy notice stems from Article 12 GDPR which obliges data controllers to provide "any information referred to in Articles 13 and 14 and any communication under Articles 15 to 22 and 34 relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language." The information referred to in Articles 13 sets out the information to be provided where data has been collected from the data subject. It includes setting out the purpose of the data collected and legal basis; legitimate interests of the data controller (where this is used as the legal base); recipients of the data or categories of data; and if the data will be transferred to a third country or international organisation. Articles 15 to 22 refer to the data subject's rights including the rights to access, rectification and erasure; the right to object (if data is being collected for certain purposes including for a task carried out in the public interest or an official function vested in the data controller or in pursuit of legitimate interests of the data controller); right to data portability etc.

If yes, please describe which information is provided (i.e. the purpose for which personal data from the asylum applicant is collected and on what basis, who has access to the information, data protection rights etc).

It is stated that the personal data will be only used for the purposes of the asylum procedures and stages, including medical examination.

29. a) Who provides the information mentioned above (under Q 28) (public authorities, international organisations, CSO - civil society organisations)?

Immigration police and EASO registration assistants (in the framework of the EASO Operating Plan to Cyprus)

- b) How is this information provided (orally, digitally, in writing or all three)?

Please describe.

Orally and in writing.

- c) Where information is provided orally, is interpretation available?

Yes

If yes, who provides the interpretation services (e.g. national authorities, NGOs etc)?

Asylum Service, EASO

- d) Where information is provided digitally, is translation available?

No

If yes, who provides the digital information (e.g. national authorities, NGOs etc)?

- e) Where information is provided in writing is translation available?

Yes

If yes, who provides the translation service (e.g. national authorities, NGOs etc)?

Asylum Service, EASO

30. Is any specific training or guidance provided for staff responsible for data management with regard to information collected at the lodging phase? **YES**

Section 5: Examining an asylum application

The following sections request information on any additional data collected after an asylum application is deemed to have been lodged and before a first instance decision is issued.

5.1 Cross checking of data collected at the examination phase

31. Against which databases at i. local/regional, ii. national, iii. European and iv. international levels is the information collected during the examination phase cross-checked (please elaborate, what the purpose is of the cross-checking and if only specific categories of data are cross-checked)? **Aliens Registration System (ownership of the Civil Registry and Migration Department) for those applicants who had previously entered legally in Cyprus. (National Database)**

32. Does systematic cross-checking against (a) VIS and (b) SIS take place?

No

33. What issues has your (Member) State encountered in cross checking data collected at the examination phase?

For each issue mentioned, please describe a) for whom it is an issue, b) why it is considered an issue and c) whether the assessment that this issue based on input from experts (please indicate sources).

5.2 Information provided to asylum applicants at the examination phase

34. Are asylum applicants provided with a processing/privacy note²⁸ about the personal data collected from them during the examination phase?

Yes

35. If yes, please describe which information is provided (i.e. the purpose for which personal data from the asylum applicant is collected and on what basis, who has access to the information, data protection rights etc). a) Who provides the information mentioned above (under Q 34) (public authorities, international organisations, CSO - civil society organisations)?

Asylum Service officers inform on the confidentiality of this procedure and explain during examination that the data collected will only be used by those involved in the decision-making procedure.

b) How is this information provided (orally, digitally, in writing or all three)?

First orally with a n oral confirmation and then in writing where the applicant signs,

c) Where information is provided orally, is interpretation available?

Yes

If yes, who provides the interpretation services (e.g. national authorities, NGOs etc)?

Asylum Service

d) Where information is provided digitally, is translation available?

No

If yes, who provides the digital information (e.g. national authorities, NGOs etc)?

e) Where information is provided in writing is translation available?

Yes

If yes, who provides the translation service (e.g. national authorities, NGOs etc)? **Asylum Service**

²⁸ The obligation to take appropriate measures to provide data subjects with a processing or privacy notice stems from Article 12 GDPR which obliges data controllers to provide "any information referred to in Articles 13 and 14 and any communication under Articles 15 to 22 and 34 relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language." The information referred to in Articles 13 sets out the information to be provided where data has been collected from the data subject. It includes setting out the purpose of the data collected and legal basis; legitimate interests of the data controller (where this is used as the legal base); recipients of the data or categories of data; and if the data will be transferred to a third country or international organisation. Articles 15 to 22 refer to the data subject's rights including the rights to access, rectification and erasure; the right to object (if data is being collected for certain purposes including for a task carried out in the public interest or an official function vested in the data controller or in pursuit of legitimate interests of the data controller); right to data portability etc.

36. Is any specific training or guidance provided for staff responsible for data management with regard to information collected at the examination phase? **YES,**

The following sections request information on how data quality is managed and the safeguards that (Member) States apply.

6.1 Data quality management

37. Is the quality of (at least some categories of) data (alphanumeric and biometric) collected during the asylum procedure assessed (e.g. with regard to accuracy, timeliness, completeness, consistency, duplication and validity of the data)?

No

If yes, please elaborate on some contrasting²⁹ examples of data quality assessment and indicate:

- a) In which phase(s) of the asylum procedure is the quality of data assessed (quality assessment)?
- b) How (specific tools)³⁰ and by whom (centralised/decentralised) is the quality assessment carried out?
- c) If decentralised, how is it ensured that the other actors get to know about data amendments and changes?
38. Do quality assessment measures only apply retroactively? Yes/No.
39. Are any preventative measures in place to get the information right at the very beginning? Yes/No. If yes, which safeguards are in place?

6.2 Safeguards

40. Describe the supervision mechanism for data protection supervision of the personal data collected during the asylum procedure in your Member State.³¹
41. Have (national) data protection authorities or similar entities assessed any of the databases described above?

Yes

If yes, please specify the relevant authorities, briefly describe what conclusions have they drawn, including whether such conclusions have led to changes in data management. *Please indicate sources and whether there are any published reports or audits available on these inspections.*

Data Protection Commissioner - no published reports or audits. Also, auditing is performed by the Audit Office of the Republic, however, such reports are not published

42. How is it arranged in practice the manner in which the rights of asylum applicants in relation to access, rectification and erasure of their data stored in the national systems are

²⁹ It will not be feasible to elaborate on all data quality assessment measures for each type of data collected which is why we are asking for contrasting examples where different types of quality assessment measure (e.g. tools, technical equipment, data analytics etc.) apply.

³⁰ E.g. name transliteration, screening for duplicates against data already stored in the database, automated data quality checks, data analytics, artificial intelligence.

³¹ The question does not refer to the legal framework but to how a data protection authority in a Member State supervises the implementation of that legal framework (what are the structures in place in your Member State to ensure the data subject's data protection rights are being ensured).

exercised? *Please provide available statistics concerning the number of requests made by asylum applicants, if any.*

N/A

Section 7: Responding to challenges in data management: recent reforms to the asylum procedure

7.1 Challenges and changes/reforms in data management

43. Has your (Member) State experienced any of the following challenges related to data management in the past years (since 2014)?

Please elaborate **on each of the selected challenges**, mentioning: a) for whom it is a challenge (policy-maker, organisation, other stakeholders); b) why it is considered a challenge; and c) how was it identified as a challenge (e.g. surveys, evaluation reports, focus groups, experts opinions etc).

Lack of human or financial resources

Self-registration

Legal obstacles

Cooperation between national authorities

Interoperability of databases

Technical limitations in data processing

Implementation of Eurodac and/or GDPR regulation

Lack of training/information

Transliteration (e.g. Arabic to Latin or other alphabets)

Other (please specify):

44. Did your (Member) State introduce any major change(s)/reform(s) related to data management in the past years (since 2014)?

Yes

If yes, please describe those changes and why they were made.

For effectively implementing certain provisions of the Regulation (EU) 2016/679 (GDPR), in 2018 the parliament voted the *Law Providing For The Protection Of Natural Persons With Regard To The Processing Of Personal Data And For The Free Movement Of Such Data (LAW 125(I) of 2018)*

If not, please move to Q48.

45. Have any of the abovementioned changes become standard operating procedure in your (Member) State?

Yes

Please elaborate

46. Were any of these changes/reforms related to data management introduced due to the introduction of 'channelling'?

Yes

If yes, please elaborate. **In Registration Procedure**

47. Did the reforms introduced achieve the intended results? Why?

Please elaborate and explain why the reform(s) achieved/did not achieve the intended results.

48. Would your (Member) State consider this reform (s) as a good practice?

Yes. It has improved significantly the registration procedure.

Please elaborate and explain why your (Member) State considers/ does not consider the reform(s) a good practice. In particular, please mention whether any of those reform(s) are believed to have improved the quality of the asylum procedure.

49. Have any on-going (unaddressed) challenges related to data management in the asylum procedure been identified in your (Member) State?

Yes. Due to the new regulation regarding the transition of data to Eurostat, we have to update CASS (Computerised Asylum Service System) towards this end

If yes, is Cyprus taking any steps to address these challenges?

Yes. The update is an ongoing process and it is estimated to be concluded by the end of 2021.

7.2 Contingency measures

50. Are there any contingency measures in place to accelerate and/or ease the process in times of high influx of asylum seekers with regard to data management?

NO

Section 8: Conclusions

The Government has recently introduced a package of Bills which aim to tackle, among other issues, the time limits for access to the Court. On the 5.9.20 the Bill amending the Constitution has passed as a law giving the discretion to the legislature to introduce the relevant time limits for filing a recourse against a negative asylum decision. A Bill amending the law for "The Establishment and Functioning of the Administrative Court of International Protection (Amending) (No. 2) Law of 2020", has also been passed. The said Bill introduces the time limits for bringing proceeding before the Administrative Court of International Protection. It distinguishes between the ordinary procedure and the accelerated procedure for dealing with an asylum application. In particular it draws attention to the fact that the action against the final decision of the Asylum Service must be brought within 1 month in the case of the ordinary procedure, as opposed to 15 days from notification of the decision in the case of the accelerated procedure. Both decisions either taken by the ordinary or accelerated procedure are open to appeal before the Supreme Court. The purpose of these legislative amendments is to ensure that unfounded or inadmissible applications for asylum are processed more quickly, in order that applications submitted by persons who have good grounds for benefiting from refugee status are processed more efficiently.

The improvement of data collection and management is therefore inevitable in order to comply with these legislative changes. It is currently an ongoing process for the updating of the relevant database which is estimated to be completed by the end of 2021.

Furthermore, and in order to overcome the shortcomings in data collection and management, the interoperability of the systems of the competent public service departments, is considered as the way forward, possibly with the support of EU funding.

The collection of information consisted primarily of desk research (use of data already available or published, including national statistics, legal texts, reports etc.), complemented, when necessary, by interviews conducted with different stakeholders in the field of migration, asylum and integration, depending on the topical issues aroused of the respective publications.

Public servants from the Ministry of Interior, as well as the other Ministries, contributed as experts in their field, to all of the CY EMN NCP outcomes, tasks and developments' provision of information, when needed.

