

PRESS RELEASE – 12.04.2020

## Undermining legality and the rule of law under the pretext of coronavirus

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[In a statement](#) the Minister of Interior appears perturbed by NGO accusations for violations of the law, European legislation and human rights of refugees and migrants, claiming that, with the compulsory “quarantine” of hundreds of refugees in congested detention centres, his ministry “does whatever is possible for providing housing, food and healthcare”, even for “illegal” refugees! As to the lack of basic infrastructures for safeguarding human decency, his response is that «additional sanitary units are being installed and the electricity supply is being increased”.

However, the Minister of Interior does not respond to the accusations either as to flagrant violations of the Refugee Law and European legislation that primarily prohibit their detention, or as to the contempt of all recommendations and calls by international and European agencies. The Council of Europe (CoE) for example with the [CoE Toolkit](#) calls on the member states to deal with the pandemic “in a way that respects the fundamental values of democracy, rule of law and human rights”, while the Commissioner for Human Rights of the CoE [calls on member states to release migrants and asylum seekers in detention centres](#) “to the maximum extent possible”.

The new migration policy of the Minister is focused on detention of asylum seekers and their concentration at “Reception” Centres for asylum seekers in Pournara and Kofinou. The two Centers have been turned to closed detention centres, under unacceptable, inhuman and humiliating living conditions, depriving them of basic human rights and putting their health to danger and therefore that of society at large, while at the same time suspending the asylum application examination procedures. There is already a nurse diagnosed with coronavirus at the Menoyia Detention Centre for Irregular Migrants and police officers serving there have been put in quarantine. However, no measures have been taken for the protection of the detained refugees and migrants and none of them have been tested for coronavirus, despite the fact that we have been informed of cases of detainees with some symptoms. Contrary to common sense and in violation of the decrees of the Minister of Health for the prohibition of even small group gatherings, the Minister of Interior ordered the transfer of detainees from Menoyia to Pournara, detaining them in the spaces where some 700 people are being held, without any testing and risking their health and public health in general.

In addition, the Minister of Interior does not explain that, in view of the lack over the years of a housing policy for refugees and migrants, “housing” for the detained asylum seekers is a tent or other similar rough structure, while for a section of migrants, especially those without papers, “housing” is simply a bed next to 5 or 10 other beds in a room in terrible repair but which carries a very steep rent. The same also applies to «medical care”, in the framework of which asylum seekers are limited to general hospitals of the area prior to GESY (General Health System), unable to register with a personal doctor and all that this entails, especially in the present conditions of coronavirus. For the majority of migrants, even those regularly paying their contribution to GESY for over a year now, continue to be excluded from registering with the system, which results in their being referred to a non-existent personal doctor when they apply to emergency departments.

Conceding that the above measures have been taken in the absence of coronavirus cases among asylum seekers, the Minister claims that their compulsory transfer and detention at Pournara and Kofinou «*was deemed necessary ... because it was found that they did not comply with the restrictive measures*». Without substantiating his allegations, the Minister proceeds to stigmatisation and arbitrary punitive treatment (deprivation of liberty) of migrants and refugees.

By the same token, it was also deemed [«necessary», and «reasonable» as per a “Fileleftheros” journalist»,](#) to use violence, excessive according to eyewitnesses, by the Special Traffic Squad «Z» of the police during the recent arrest of two migrants for not complying with the restrictive measures. In the framework of the toxic climate against migrant and refugee communities, shaped by the policy of the government and the Minister of Interior, including the use of the army with common patrols in old Nicosia, Squad “Z” appears to concentrate its action in the old city of Nicosia, targeting its racist rage at migrants and refugees and exhausting the frustrations of at least some of its members for demonstrating power and authority, through the use of verbal and physical violence as in the above arrest. Occasionally, the police are “accompanied” in this “work” by some journalists, who completely “by chance” happen to be present in some cases by the police and who are all too ready not only to exonerate but to also promote police actions with relevant photographs and articles.

KISA reiterates its position that the policies and actions of the Minister of Interior and the government, both in terms of mass detention and the arbitrary suspension of the asylum procedures during the pandemic as well as in relation to the unequal access to the right to healthcare, constitute blatant violations of the Refugee Law, European legislation and international human rights law but they are also extremely dangerous for the health of asylum seekers and public health in general.

KISA states that it fully appreciates the necessity to comply with the restrictive measures and that the small section of citizens, including migrants and refugees that violates the measures must be dealt with equally as all other citizens. The racist treatment, violence and stigmatisation of all the migrant and refugee population as potentially not complying with the measures and, therefore, as dangerous for public health, amounts to flagrant violations of the fundamental principles of equality, rule of law and human rights, undermining and shattering our country’s democracy and civilization.

KISA deems as positive the interventions of both the UNHCR and the Commissioner for Administration and Human Rights but these must not be limited to general positions of the type “a report will be prepared” but they should posit in no uncertain terms the need for immediate measures for restoring legality and the rule of law. Neither the visit in the form of a “tour” by the Minister nor the provision of “200 more tents” will lead to changing the Ministry’s unlawful policy and violations.

KISA has proceeded to legal measures, including before the European Court of Human Rights, as well as a report against the Ministry’s measures. At the same time, it calls on other civil society organisations, independent authorities and the competent parliamentary committees for immediate and dynamic interventions so as to fully restore the government’s compliance with legality and the rule of law.

Steering Committee

