



Migrant Center



**Joint Statement of NGO group – Monday, May 11<sup>th</sup> 2015**

**Hunger strike of stateless Kurds from Syria is escalating**

**Position of NGO group regarding the regulation of the status and rights of Ajanib Kurds from Syria**

Alsatar Abdel and Mahmoud Hassan, Kurds from Syria (Ajanib), were forced in August 2005 to leave Syria due to the violation of their human rights. In October 2014 they began a hunger strike together with other Kurdish refugees from Syria (Ajanib), to demand from the government to proceed with the examination of their requests for asylum after a seven-year delay. In December 2014 the strikers received the decision of the Refugee Reviewing Authority, which granted them the status of subsidiary protection.

On 27.04.2015 the two Kurds decided once again to proceed with a hunger strike and have announced that from Monday 05.10.2015 they will go on a thirst strike. The reason for the strike is that they regard their granting of subsidiary protection rather than refugee status as unjust. The claims that subsidiary protection status is regarded as inadequate and a source of permanent insecurity are justifiable and are confirmed by the organizations signing this document.

We note that the granting of supplementary protection practice rather than refugee status, particularly for persons from Syria of Kurdish origin, is not consistent with the practice of other European Union countries and contradicts with European and International law. It furthermore ignores the report on the situation in Syria of the UN High Commissioner for Refugees drafted in October 2014, which specifically refers to people of Kurdish origin as a minority that meets the criteria for the determination of refugee status on the basis of Article 1A (2) of the Treaty on Refugees of 1951.

Moreover, despite recent EU legislation that favors the convergence of rights between subsidiary protection status and refugee status, the distinction in Cyprus of these two regimes not only remains, but has been enhanced with recent changes in legislation and related public policies.

On the basis of these changes, is the prevention of the right to family reunification and the non-application of the provision of the Law for granting travel documents to persons with subsidiary protection status. At the same time, due to the nature attributed to this status, there is the possibility of the protection to be removed

at any time, with a real risk of returning in an environment where violence and conflicts are still intense. Recently, authorities have removed the protection status from Iraqis of Palestinian origin, turning them into informal migrants with the result of them being forced to leave Cyprus.

The subsidiary protection status holds persons entitled refugee status captive and does not offer them essential opportunities for inclusion and active participation in society, thus intensifying their exclusion.

In defense of the right of refugees for a better life and on the basis of the above observations, we are asking from the Republic of Cyprus to respect its international obligations towards refugees from war torn countries. More specifically we are asking from the Minister of Interior:

- 1) To ensure that the strikers' asylum requests will be re-examined and the protesting persons will be recognized as refugees.
- 2) To proceed to actions (on a legislative as well as political and administrative level) that will bridge the existing gap between the subsidiary protection status and the refugee status, regarding the enabling rights.
- 3) To reconsider the policy that the authorities seem to follow up to this day that grants subsidiary protection to refugees from warzones and for them to be provided with a status of a recognized refugee.

#### NGO group

- KISA
- Future Worlds Center
- Initiative against Fascist Threat
- Caritas Migrant Center
- "Theofilos" Kurdish Center
- Cyprus Red Cross
- Cyprus Stop Trafficking