EUROPEAN LABOUR AUTHORITY

Overview of national measures regarding employment and social security of displaced persons coming from Ukraine

Country Fiche – Cyprus

August 2022

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1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)[1] and Council Implementing Decision (EU) 2022/382[2]

Refugee Law 2000 N. 6 (I)/2000 (*ο περί Προσφύγων Νόμος του 2000*) published on 28 January 2000, as amended several times during 2002-2020 and currently in force, is the main law implementing the TPD in Cypriot legal system. Refugee Law 2000 N. 6 (I)/2000 has been amended by Law 53(I)/2003 and Law 241(I)/2004 in order to transpose the provisions of TPD. In particular, Articles 20 to 20IB of Refugee Law 2000 N. 6 (I)/2000, as currently in force, transpose the provisions of the TPD. Refugee Law 2000 N. 6(I)/2000 has been lastly amended by Law 142(I)/2020 of 12 October 2020.

According to the Ministry of Interion of Cyprus, persons who were permanently residing in Ukraine, and left the country to escape war from 24 February 2022 onwards, may be entitled to temporary protection according to the Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection. As provided on the relevant website, temporary protection will last for at least one year and it may be extended depending on the situation in Ukraine. Rights under the Temporary Protection Directive include a residence permit, access to the labour market and housing, medical assistance, and access to education for children. On this website, leaflets for both adults and children are available.

II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Employment

Refugee Law 2000 N. 6 (I)/2000 (*ο περί Προσφύγων Νόμος του 2000*), as currently in force, and, in particular, Article 20H(1) section (a) provides for the rights of displaced persons including access to (self-)employment. In particular, Article 20H(1) section (a) provides that persons enjoying temporary protection shall have the right, for a period not exceeding the period for which temporary protection is granted, to (self-)employment.

Equal Treatment in Employment and Labor Act N. 58(I)/2004 (*ο περί Ίσης μεταχείρισης στην Απασχόληση και*

[1] Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055.

[2] Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382.

την Εργασία Νόμος) adopted on 31 March 2004, in force from 1 May 2004.

Law on Foreigners and Immigration (Capital 105) (*Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ. 105).*

Social security/welfare

Refugee Law 2000 N. 6 (I)/2000 (*ο περί Προσφύγων Νόμος του 2000*), as currently in force, and, in particular, Article 20H(1) sections (d), (e) and (f) provide for the rights of displaced persons including access to social assistance, living support and medical care. In particular, Article 20H(1) sections (d), (e) and (f) provide that persons enjoying temporary protection shall have the right, for a period not exceeding the period for which temporary protection is granted, to receive the necessary support in matters of social assistance and subsistence, when they lack sufficient resources, as well as to have access to medical care, where they do not have sufficient resources, which shall include at least first aid and necessary treatment of illnesses. In addition to this, persons enjoying temporary protection shall have the right, for a period not exceeding the period for which temporary protection is granted, to have access to necessary medical or other assistance if they have special needs, in particular unaccompanied minors or persons who have been subjected to torture, rape or other serious forms of mental, physical or sexual violence.

Social Insurance Law of 2010 N. 59(I)/2010 (*ο περί Κοινωνικών Ασφαλίσεων Νόμος του 2010*) published on 2 July 2010, as amended several times during 2010-2022 and currently in force, lists, under Article 21, the different types of benefits that can be provided. Social Insurance Law of 2010 N. 59(I)/2010 has been lastly amended by Law 81(I)/2022 of 10 June 2022.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals ▶ Residing in Ukraine ▶ displaced from 24 February 2022	Yes See Article 20(1) section (a) of Refugee Law 2000 N. 6 (I)/2000.
Family members ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022	Yes See Article 20(1) of Refugee Law 2000 N. 6 (I)/2000. Pursuant to Article 2(1) of the Refugee Law 2000 N. 6 (I)/2000, a family member means, as long as the family already existed in the country of origin, any of the following family members of the applicants or beneficiaries of international protection who are present in the areas controlled by the government in relation to the application: ▶ the spouses of the applicants or beneficiaries of international protection; ▶ the partners with whom the applicants or beneficiaries of

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	international protection enter into a civil partnership, as long as Cypriot law recognises such a partnership and gives it validity and legal effect and subject to the conditions to which Cypriot law gives such recognition, validity and legal effect; ▶ the minor and unmarried children of either the applicants or the applicants and their spouses or partners referred to in paragraph above or the beneficiaries of international protection or the beneficiaries of international protection and their spouses or partners referred to in paragraph above, whether or not such children were born in or out of wedlock or adopted, as defined in the Adoption Act; ▶ where the applicants or beneficiaries of international protection are minors and unmarried, the fathers, mothers or other persons responsible for them under the law or practice of the country. Pursuant to Article 23 of the Adoption Act, in the case of voluntary or judicial recognition, the children acquire from birth the legal status and rights of children born in marriage to both parents and their relatives.
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes See Article 20(1) of Refugee Law 2000 N. 6 (I)/2000.
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes See Article 20(1) of Refugee Law 2000 N. 6 (I)/2000.
Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including ▶ stateless persons and ▶ nationals of third countries other than Ukraine, who are residing legally in Ukraine and who	No No relevant provision could be found in the national legislation.

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	
Any additional category of beneficials (i.e. persons who arrived from UA before 24 February 2022)	No No relevant provision could be found in the national legislation.

1.2 Institutional framework

a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Asylum Service	Υπηρεσία Ασύλου	http://www.moi.gov.cy/moi/asylum/asylumservice.nsf/index_en/index_en?OpenDocument (in EN)
	Civil Registry and Migration Department	Τμήμα Αρχείου, Πληθυσμού και Μετανάστευσης	http://www.moi.gov.cy/moi/crmd/crmd.nsf/index_en/index_en?OpenDocument (in EN)
	Office of the Aliens and Immigration Unit of the Police	Αστυνομία Κύπρου – Υπηρεσία Αλλοδαπών και Μετανάστευσης	https://www.police.gov.cy/police/police.nsf/All/1A80500533EEF550C2258403003 4D2F4?OpenDocument (in CY, some information available in EN)
Employment rights	Department of Labour	Τμήμα Εργασίας	http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/index_en/index_en?OpenDocument (in EN)
	Department of Labour Inspection	Τμήμα Επιθεώρησης Εργασίας	http://www.mlsi.gov.cy/mlsi/dli/dliup.nsf/index_en/index_en?OpenDocument (in EN)
	Tax Department	Τμήμα Φορολογίας	https://www.mof.gov.cy/mof/tax/taxdep.nsf/index_en/index_en?opendocument (in EN)
	Cyprus Council for the Recognition of Diplomas (KY.S.A.T.S.)	Κυπριακό Συμβούλιο Αναγνώρισης Τίτλων Σπουδών (ΚΥ.Σ.Α.Τ.Σ.)	https://www.kysats.ac.cy/index.php/en/genikes-plirofories/anagnorisi-titlon-spoudon (in EN) https://www.anad.org.cy/wps/portal/hrda/h

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	Cyprus Human Resources Development Authority	Αρχή Ανάπτυξης Ανθρώπινου Δυναμικού Κύπρου (ΑνΑΔ)	rdaExternal/!ut/p/z1/04_Sj9CPykssy0xPLMnMz0vMAfljo8ziPTw8HD0s_Q383F3DjAwCLVydTV2CLY39XUz0w_Wj9KOASgxwAEcD_YLsbEUAbztbrg!!/dz/d5/L2dBISEvZ0FBIS9nQSEh/ (in EL)
Social welfare and social security rights	Department of Labour	Τμήμα Εργασίας	http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/index_en/index_en?OpenDocument (in EN)
	Social Insurance Services	Υπηρεσία Κοινωνικών Ασφαλίσεων	http://www.mlsi.gov.cy/mlsi/sid/sidv2.nsf/index_gr/index_gr?opendocument (in EN)
	General Healthcare System	Γενικό Σύστημα Υγείας	https://www.gesy.org.cy/launchpad.html (in EN)
	State Health Services Organisation	Οργανισμός Κρατικών Υπηρεσιών Υγείας	https://shso.org.cy/en/ (in EN)

b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

There is no mechanism to coordinate the work between the Asylum Service and the Department of Labour. The Asylum Service is regarded as the competent authority for the necessary administrative co-operation with the competent local authorities and the competent authorities of other Member States and international organisations in relation to the temporary protection.

2.0 Possibility of changing the status

a) Difference between temporary protection status and other forms of adequate protection[3] under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Articles 20 to 20IB of the Refugee Law 2000 N. 6 (I)/2000, as currently in force, provide the rules on temporary protection. No other forms of adequate protection exist in Cyprus.

[3] 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

In addition to this, Article 19 of the Refugee Law 2000 N. 6 (I)/2000 provides for recognition of subsidiary protection status (*καθεστώς συμπληρωματικής προστασίας*). In particular, pursuant to Article 19(1), the Head, by decision, shall grant subsidiary protection status to applicants who are not recognised as refugees or to applicants whose applications are clearly not based on any of the grounds for persecution provided for in the act, but in respect of whom there are substantial grounds for believing that, if returned to their country of nationality, they would face a real risk of suffering serious harm and are unable or, owing to that risk, unwilling to avail themselves of the protection of that country.

Pursuant to Article 2(1) of Refugee Law 2000 N. 6 (I)/2000, the Head means a competent officer who is the head of the Asylum Service and includes any other competent officer of that Service authorised by the Secretary of State to exercise all or any of the powers or perform all or any of the functions of the Head.

b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

National legislation does not set out rules in case of status change from temporary protection to employment-based residence permit while inside the territory of Cyprus.

c) Relevant national legislation on changing the status (including the procedure to be followed).

Article 20 of the Refugee Law 2000 N. 6 (I)/2000 provides general information on the temporary protection. Following this, Articles 20A and 20B regulates the existence, duration and termination of temporary protection, as well as the provision of temporary protection to additional categories of persons. In addition to this, Article 20C regulates the termination of temporary protection granted under Article 20B.

No rules on changing the status could be found.

d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Pursuant to Article 20IA(6) of the Refugee Law 2000 N. 6 (I)/2000, in case of transfer of a person enjoying temporary protection in Cyprus to another Member State, the residence permit is revoked by the Director of the Asylum Service and any rights arising from the Refugee Law are terminated (e.g. access to employment, social welfare, residence).

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

The general framework for persons enjoying temporary protection does not contain specific provisions on the application of the principle of equal treatment. Nonetheless the prohibition of discrimination is founded in the Cypriot legal order by the Equal Treatment in Employment and Labor Act N. 58(I)/2004 (*ο περί Ίσης μεταχείρισης στην Απασχόληση και την Εργασία Νόμος*), adopted on 31 March 2004, in force from 1 May 2004.

b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

I. The conditions regulating work permits/work authorisation, if required

According to the Ministry of Interion of Cyprus, persons who were permanently residing in Ukraine, and left the country to escape war from 24 February 2022 onwards, may be entitled to temporary protection according to the Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection. As provided on the relevant website, temporary protection will last for at least one year and it may be extended depending on the situation in Ukraine. Rights under the Temporary Protection Directive include, inter alia, access to the labour market.

The general framework provides that persons enjoying temporary protection are entitled to be employed or self-employed. Such persons are entitled to work without work permits or any type of authorisation.

Article 20H(1) section (a) of the Refugee Law 2000 N. 6 (I)/2000 refers to the Law on Foreigners and Immigration (Capital 105), according to which the displaced persons and thus also persons enjoying temporary protection need to apply for a biometric residence permit in order to be able to apply for a job. Displaced persons are entitled to be employed one month after submitting their application for temporary protection. The employer has an obligation to ask such displaced persons to prove that they have a legal residence permit and to inform the authorities within seven days about the employment of the displaced persons (Articles 18PB and ΡΓ(1) and (3) of Law on Foreigners and Immigration (Capital 105) (*Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ. 105)*).

II. Recognition of qualifications/diplomas

Pursuant to Article 21(1A) of the Refugee Law 2000 N. 6 (I)/2000, the competent authorities shall ensure that displaced persons who cannot provide documentary evidence of their qualifications have full access to appropriate programmes for the assessment, validation and certification of their prior learning. In general, the recognition of foreign diplomas is done by the Cyprus Council for the Recognition of Diplomas (KY.S.A.T.S.), which is responsible for the recognition of the equivalence and correspondence of the diplomas. Persons enjoying temporary protection would need to have their qualifications recognized in the same way as any third country national.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Pursuant to Article 20H(1) section (b) of the Refugee Law 2000 N. 6 (I)/2000, persons enjoying temporary protection shall have the right, for a period not exceeding the period for which temporary protection is granted, to

attend adult education, vocational training and work experience programmes.

In general, assistance for jobseekers is provided by the Cyprus Human Resources Development Authority.

Pursuant to Article 20H(2) of the Refugee Law 2000 N. 6 (I)/2000, persons under temporary protection who are under 18 years of age have access to the public education system under the same conditions as citizens of the country. In addition to this, pursuant to Article 20H(3) of the Refugee Law 2000 N. 6 (I)/2000, adults under temporary protection shall have access to the general education system applicable to adults in the country.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

No measures have been adopted for persons enjoying temporary protection specifically from Ukraine. The general framework provides that persons enjoying temporary protection are entitled to attend adult education programs, vocational training and internship programs. The Cyprus Human Resources Development Authority is the competent authority for the training programs.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

Pursuant to Article 20H(1A) of the Refugee Law 2000 N. 6 (I)/2000, where persons enjoying temporary protection are engaged in (self-)employment, their ability to contribute to their needs shall be taken into account when determining the level of assistance provided.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security

No measures have been adopted for persons enjoying temporary protection specifically from Ukraine. The general framework provides that persons enjoying temporary protection are entitled to receive the necessary social security. The general framework of social security is regulated by the Social Insurance Law of 2010 (*ο περί Κοινωνικών Ασφαλίσεων Νόμος του 2010*) 59(I)/2010. According to Article 21 of the Social Insurance Law of 2010 59(I)/2010, the beneficiaries of social security are entitled to receive maternity allowance, sickness benefit, unemployment benefit, pension, disability pension, widow's pension, orphan allowance, paternity allowance, marriage aid, childbirth aid and funeral aid.

Social welfare

Refugee Law 2000 N. 6 (I)/2000 provides that persons enjoying temporary protection are entitled to receive the necessary living support and medical care, as well as access to education for children, same as citizens of Cyprus.

According to the Ministry of Interion of Cyprus, persons who were permanently residing in Ukraine, and left the country to escape war from 24 February 2022 onwards, may be entitled to temporary protection according to the Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection. As provided on the relevant website, temporary protection will last for at least one year and it may be extended depending on the situation in Ukraine. Rights under the Temporary Protection Directive include, inter alia, access to medical assistance.

Moreover, displaced persons from Ukraine are entitled to receive a temporary financial assistance in the amount of EUR 340 from the State. The rules on financial aid refer to citizens of Ukraine who arrived in Cyprus for tourism during the three months before the war in Ukraine (before 24 February 2022) and those who arrived in Cyprus after the start of the war in Ukraine (on 24 February 2022 or after). Such persons must provide information to confirm the time of arrival in the Republic of Cyprus, in particular a copy of the passport marked on arrival at the airport or port, or, if received, a copy of the temporary residence permit in Cyprus. After submitting the application to the SWS (Social Protection Service) office, the beneficiaries can receive the first part of the assistance in cash on the same day. To receive the second part of the assistance, the beneficiaries need to apply within 15 days to the same office and provide a document confirming receipt of the first payment.

The Ministry of Health of Cyprus provides Ukrainian refugees who have been granted temporary protection with health care in public hospitals.

The Ministry of Tourism has reserved 3 000 beds in hotels in various parts of Cyprus, to accommodate displaced persons from Ukraine.

Social Welfare Services is the competent authority that provides Ukrainian refugees with housing and living allowance.

II. Eligibility conditions

National legislation provides for certain conditions which need to be fulfilled in order to benefit from various social insurance benefits (benefits, allowances etc.). The legal framework regarding persons enjoying temporary protection does not include any special conditions that differentiate the conditions between Cypriot citizens and persons enjoying temporary protection from Ukraine.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no specific issues or salient points identified for this question.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The Asylum Service provides the necessary information and assistance related to the procedure that persons can follow in order to receive temporary protection for themselves (namely information to apply for temporary protection on-line and receive the decision either on-line or in person), as well as to get information about their rights after the approval of the application.

Displaced persons from Ukraine have a possibility to apply for temporary protection online and also receive a decision online, whereby the application process already indicates some possible sectors of economic activities in which displaced persons would like to work.