



Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings

Recommendation CP(2015)15 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Cyprus

*adopted at the 17th meeting of the Committee of the Parties
on 30 November 2015*

The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to as 'the Convention'), acting under the terms of Article 38(7) of the Convention;

Having regard to the purposes of the Convention to prevent and combat trafficking in human beings, while guaranteeing gender equality, protect the human rights of victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, ensure the effective investigation and prosecution of the offences related to trafficking in human beings, and promote international co-operation;

Bearing in mind the provisions of Article 36(1) of the Convention concerning the monitoring role of the Group of Experts on Action against Trafficking in Human Beings (GRETA) in the implementation of the Convention;

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Cyprus on 24 October 2007;

Recalling Committee of the Parties' Recommendation CP(2011)2 of 26 September 2011 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Cyprus and the report of the Cypriot authorities on measures taken to comply with this recommendation, submitted on 30 September 2013;

Having examined the second report concerning the implementation of the Convention by Cyprus, adopted by GRETA at its 23rd meeting (29 June - 3 July 2015), as well as the comments of the Cypriot Government received on 27 October 2015;

1. Welcomes the progress made since the first round of evaluation in the following areas:
 - the adoption of a new, comprehensive anti-trafficking law providing an expanded definition of human trafficking, which explicitly mentions the exploitation of begging, exploitation to commit criminal activities and exploitation of a person to conduct an adoption, and criminalises the users of services provided by victims of trafficking where they should reasonably have been able to conclude or suspect that the service was provided by a victim of trafficking;
 - the adoption of legislation which provides for stricter rules to prevent employment agencies' involvement in human trafficking offences;
 - the increased staff resources allocated to the specialised Police Office for Combating Trafficking in Human Beings and the expansion of its mandate to cover the investigation of human trafficking cases;

- the efforts made to provide training on human trafficking to relevant professionals, to expand the categories of staff targeted, and to promote a multi-stakeholder approach;
- the progress made in the area of data collection through the setting up of a database on possible and identified victims of trafficking at the Police Office for Combating Trafficking in Human Beings;
- the possibility for victims of trafficking to be granted a renewable residence permit on the basis of their personal situation, as well as for the purpose of co-operating in the investigation/prosecution;
- the legal provisions as regards the implementation of the non-punishment provision of the Convention and the practice of the Office of the Attorney General not to prosecute persons for offences directly related to their status as victims of human trafficking.

2. Recommends that the Cypriot authorities take measures to address the following issues for immediate action identified in GRETA's report:

- increase efforts to prevent human trafficking for the purpose of labour exploitation, in particular by strengthening the supervision of private employment agencies, by stepping up labour inspections of sectors known to be prone to undeclared work and/or trafficking in human beings, and by strengthening protection measures for domestic workers;
- ensure that safe and suitable accommodation is provided for all victims of human trafficking, according to their needs;
- improve the identification and assistance to child victims of trafficking, in particular by:
 - ensuring that the procedure for the identification and referral to assistance of child victims of trafficking in human beings takes into account the special needs and circumstances of children, which includes the setting up of a specific referral mechanism for children involving child specialists, child protection services and specially trained police officers and prosecutors;
 - ensuring that child victims of trafficking in human beings benefit from the assistance measures provided for under the Convention, including appropriate accommodation, legal guardianship, access to psychological support and legal assistance;
- adopt further measures to facilitate and guarantee access to compensation for victims of trafficking, including by:
 - setting up as a matter of priority a victim compensation fund and considering the allocation of state funds to it in addition to income from fines, confiscations and donations;
 - amending the legislation with a view to ensuring that State compensation is not conditional on failure to obtain compensation through civil proceedings;
 - adopting measures to facilitate access to compensation from the perpetrators, by ensuring that victims of trafficking have effective access to legal aid, building the capacity of legal practitioners to support victims to claim compensation, including compensation into existing training programmes for law enforcement officials and the judiciary, and encouraging prosecutors to request compensation orders to the largest possible extent.

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3. Requests the Government of Cyprus to report to the Committee of the Parties on the measures taken to improve the implementation of the Convention in the above-mentioned areas by **30 November 2016**.
 4. Recommends that the Government of Cyprus takes measures to implement the further conclusions of GRETA's second evaluation report.
 5. Invites the Government of Cyprus to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.