

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

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

CP(2013)12

**Report submitted by the Cypriot authorities
on measures taken to comply with
Committee of the Parties Recommendation CP(2011)2
on the implementation
of the Council of Europe Convention
on Action against Trafficking in Human Beings**

Received on 30 September 2013

Cyprus Follow up Report on Greta Recommendations

Abbreviations used:

EU	European Union
GRETA	Group of Experts on Action against Trafficking in Human Beings
MCG	Multidisciplinary Coordinating Group
NAP	National Action Plan (against trafficking in human beings)
NGO	Non-governmental organisation
NRM	National Referral Mechanism
THB	trafficking in human beings

The Efforts of Cyprus to combat THB: a brief Introduction

During the recent years there have been increased efforts by Cyprus to combat Trafficking in Human Beings, namely the abolition of the so called "artist visa", the anti-trafficking legislation, the establishment of a National Coordinator and the Multidisciplinary Coordinating Group against THB (MCG), the Action Plan 2010-2012, the training of Government Officers and international cooperation with other Member States and third countries.

It is worth mentioning that since the abolition of the "artist visa" and the introduction of a new system and its stringent criteria, numerous establishments, primarily cabarets, where women facing increased risk for being sexually exploited were employed, went out of business.

The *Law Reviewing the Legal Framework Regulating the Special Protection of Human Beings who are Victims of Trafficking and Exploitation and Related Matters* [L. 87(I)/2007] covers the offenses of human trafficking and exploitation and ensures the effective protection of the rights of victims or potential victims. The Law has special provisions for children, including unaccompanied minors and child pornography; it further provides for a national coordinator and for the establishment of MCG. The purpose of this group is the development of policy, the adoption of practical and operational measures, the coordination of actions to address the real dimension of the problem and the formulation of concrete solutions. Members of the MCG are all relevant government services and NGOs. In March 2012 a new amending Law came into force. It provides inter alia the increase of the number of NGOs participating in the MCG from two to four, as it is believed that cooperation with NGOs and their knowhow is fundamental in developing effective anti-trafficking policies and strategies. The four NGOs participating in the MCG are the Mediterranean Institute of Gender Studies, Organisation for the protection of Sexual Exploitation Victims (Stigma), Cyprus stop Trafficking and Action for Equality, Support, Anti-racism (KISA).

Currently, a new Bill replacing the aforementioned Laws has been prepared. This Bill includes inter alia the transposition of the new EU Directive 2011/36/EU.

One of the latest developments is the adoption of the new NAP against THB 2013-2015, which sets a comprehensive framework to address trafficking in human beings. The new NAP was prepared by the MCG and was approved by the Council of Ministers on 10 April 2013. The Action Plan 2013-2015 resulted from the evaluation of the previous Action Plan 2010-2012 and the recommendations of the working groups appointed for this purpose. It took into consideration the provisions of the Directive 2011/36/EU, the European Strategy against Trafficking in Persons 2012-2016 and the recommendations of GRETA. The Action Plan 2013-2015 covers all aspects of the problem (Coordination, Prevention, Identification of Victims, Victims' Protection and Assistance, Suppression and Prosecution, Data Collection, Training, International Cooperation, Evaluation) and includes practical measures and actions which must be implemented within specified timeframes. It also provides the financing of these operations.

Within the framework of enhancing international cooperation and improving the fight against THB, Cyprus has undertaken, together with the Netherlands and Poland, an EU funded Project entitled "Putting Rantsev into Practice -Strengthening Multidisciplinary Operational Cooperation". The Project aims at stimulating the implementation of EU Member States' obligations as identified in the Rantsev decision and developing and strengthening cross-border multidisciplinary cooperation to fight THB.

Cyprus acknowledges that carrying out assessments of trends in THB and gathering reliable statistics is a key issue in combating THB. To meet this end, Cyprus is currently a co-beneficiary of the project "Towards a Pan-European Monitoring System of Trafficking in Human Beings". The main objective of this project is to provide participating countries with an efficient monitoring system. This system is based on a reliable collaboration network platform (web based) for the collection and dissemination of information and knowledge on THB.

Finally, one of the main ongoing actions is the upgrading of the National Referral Mechanism which is prepared by an NGO and is expected to be completed by the end of 2013.

Below are the detailed responses of Cyprus to GRETA's recommendations:

34. Victims of THB, as victims of human rights violations, are entitled to rely directly on the provisions of the Constitution and the European Convention on Human Rights (pursuant to the case-law of the Supreme Court in the case *Yiallouros v. Nicolaou* of 8 May 200114). Article 35 of the Cypriot Constitution imposes an obligation on the judicial authorities to ensure the efficient application of all fundamental rights and freedoms guaranteed under the Constitution. In the above-mentioned case, the Supreme Court found that claims for human rights violations were actionable rights that could be pursued in civil courts. The first civil action of this kind initiated by a victim of THB against cabaret owners in Cyprus is reportedly currently under way, and the hearing is scheduled to take place in September 2011. GRETA would like to receive up-to-date information on the progress of this case.

As regards the aforementioned civil action, even though the Republic of Cyprus is not involved in civil lawsuits, the NGO which provides support to the victim informed the authorities that the judicial procedure has not been completed. Moreover, in 2012 two new civil lawsuits were submitted by victims of trafficking.

39. However, the definition of exploitation in Law 87 comprises "the removal of or trafficking or transportation in human organs". In this connection, GRETA wishes to stress that the trafficking in human organs may sometimes be linked to THB for the purpose of the removal of organs, but should not be confused with THB, which requires a link between the action, the means and the purpose of exploitation of the individual. Trafficking in human organs is a different phenomenon from THB for the removal of organs, as it can include situations where the organs are removed legally¹⁶. There is widespread confusion in legal and scientific communities between the two types of trafficking, which require different solutions as the trafficked objects are different: organs (in the case of trafficking or transportation of organs) and human beings (in the case of THB). In the light of the above, THB for the purpose of the removal of organs is rightly included in Law 87 as a type of THB, in accordance with the Convention, but the trafficking in human organs is not *per se* THB.

As it has already been mentioned, a new bill has been drafted by the MCG which was submitted to the Law Office of the Republic for legal vetting on 26.6.2013. In the new Bill, the definition of exploitation has been changed in order to comply with GRETA recommendations and the Directive 2011/36/EU:

"Exploitation" includes the exploitation of the prostitution of others or other forms of sexual exploitation including pornography, the exploitation of labour or other services of a human being including forced labour or services, begging, forced hawkers and in the case of children it also includes the worst form of child labour within the meaning of the Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Ratifying) Law of 2000, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, exploitation of a person for carrying out adoption and exploitation of a person for removal, sale and trafficking in human organs or other biological substances, tissues or embryos.

41 GRETA urges the Cypriot authorities to ensure that the principle according to which the consent of the victim is irrelevant when one of the means listed in the Convention has been used, applies in all dimensions of the identification, protection and assistance of victims of THB and not only in the context of criminal proceedings.

According to article 28(b) of the Law Reviewing the Legal Framework Regulating the Special Protection of Human Beings who are Victims of Trafficking and Exploitation and Related Matters L. 87(I)/2007, the protective measures for victims established in the Law apply to all natural persons who are or were victims, irrespective as to whether they cooperate with the prosecuting authorities to present those responsible before the courts.

In practice, the Police identify victims of THB whether they cooperate in the criminal proceedings or not and regardless of whether a criminal case can be pursued. In a number of cases Police identify victims who enter the Republic through the occupied

areas, where they had been subjected to exploitation and consequently no criminal case can be opened.

During the recovery and reflection period, victims are assisted and provided information by the Social Welfare Services, NGOs and the Police. This also applies to potential victims during the identification period where potential victims are also assisted and provided information by the Social Welfare Services, NGOs and the Police.

Besides, according to article 34(1) of the Law 87(I) 2007: Any natural person who has been identified as a victim, irrespective of his nationality and as to whether he wishes to be prosecution witnesses in the offences established in this Law, before the issue and for the duration of the period of a temporary residence permit for reflection, has the right:

- (a) to information in accordance with the provisions of article 29 of this Law,
- (b) to public assistance, if he does not have sufficient resources, in accordance with the provisions of the Public Assistance and Services Law, as amended from time to time,
- (c) of access to emergency medical treatment and further free medical treatment, if he does not have sufficient resources, from the Ministry of Health,
- (d) to treatment and psychological support, if deemed necessary, and if the victim is a child, a pregnant woman, a person with special needs and/or a victim of the offences established in this Law or of the offences committed under aggravating circumstances within the meaning of article 12 of this Law, to treatment and psychological support from the Ministry of Health,
- (e) to safety and protection from the Police,
- (f) to free translation and interpretation services, if deemed necessary,
- (g) to legal aid if the conditions set out in the Legal Aid Law, as amended from time to time, are satisfied,
- (h) to protection of their personal data in accordance with the provisions of the Processing of Personal Data (Protection of Individuals) Law, as amended from time to time, and
- (i) of access to programmes or systems provided by the state or non-governmental organisations that have a protocol of cooperation or special agreements with the services involved in the Republic, depending on the case, whose aim is to integrate the victims into society, which may include lessons to improve their professional skills.

The role of the Social Welfare Services is to provide the necessary support and assistance to the victims for as long as needed. The Government Shelter for victims of sexual exploitation has been operating since November 2007 and has a capacity of 15 persons. The competent Social Services Officer informs the victim about the shelter and the rights and obligations of the victim therein. The victim may remain in the shelter for a period not exceeding four (4) weeks. The victim may prolong her stay in special occasions if required. In the shelter, the victim is provided with all the necessary support and information concerning the services available. For example victims are referred to psychological services, health services, employment services, etc. Even though the admission of victims to the government shelter is only possible for those women identified by the police as victims of trafficking for the purpose of sexual exploitation, potential victims might stay in the shelter upon police request.

Even though the current Law does not provide for individual risk assessments, the Office of Combating Trafficking in Human Beings of the Cyprus Police conducts throughout the whole procedure individual risk assessments for all identified victims. If the assessment indicates that the victim's safety will be undermined by a possible repatriation, then the Cyprus Police proceeds to issue a written request to the Ministry of the Interior, explaining the risks of repatriating the victim and giving the suggestion to extend the victim's residence permit for humanitarian reasons. Such extensions may be also granted to victims in cases where no criminal case can be opened. The Ministry of Interior will then study the police risk assessment and give instructions to the Civil Registry and Migration Department to extend the victim's residence permit for humanitarian reasons. Usually, this type of permit is extended for a period of one year with the right to be renewed on a yearly basis, for as long as required. Victims who are granted stay permits on humanitarian grounds are also given the right to work in Cyprus, without any work restrictions. Requests for extending the victim's residence permit may also come directly to the Ministry of Interior by other stakeholders, such as NGOs or by the victims themselves. In these cases, the Ministry of Interior, collects all the information about the personal situation of the victim from the Police, Social Welfare Services and the NGO assisting the victim, and approves extension of residence permits for humanitarian reasons accordingly. Some of those victims were successfully reintegrated into the Cypriot society, by re-establishing themselves as members of the society and avoiding re-victimization, by returning to their home countries.

Moreover, victims of THB can be also granted permanent residence permits on the grounds of other procedures, such as the asylum procedure. During the first quarter of 2013 one victim was granted the refugee status by the Asylum Service, since no case could be opened for investigation, as the crime was committed in the occupied areas of Cyprus. Two more victims living in Cyprus with a residence permit for humanitarian reasons have been also advised to apply for asylum.

In addition to the above, according to the provisions of the new Bill:

Law enforcement agencies, in cooperation with all relevant government services and non-governmental organisations supporting victims, after their examinations, shall draw up risk assessments at all stages of support for victims, from recognition up to repatriation, based on which the victim protection measures will be determined.

46 GRETA urges the Cypriot authorities to ensure that no additional conditions of damage or loss and in particular no evidence of such damage or loss are required from a person who has been subjected to THB in order to qualify as a victim of THB under Law 87 and to benefit from the protection measures provided for in this law.

The definition of "victim" has been changed in the new Bill:

"victim" is defined as a natural person who was subjected to trafficking in human beings and/ or exploitation, regardless if this person is damaged by the commission of the offenses contained in this Law and the person who has suffered harm, including physical or psychological harm or financial loss caused directly by the commission of the offenses provided for in this Law.

51. GRETA considers that the Cypriot authorities should step up their efforts to address THB for the purpose of labour exploitation in their prevention and prosecution policies.

The number of victims for the purpose of labour exploitation is indeed growing. In 2012, the number of identified victims for the purpose of labour exploitation was equal to the number of identified victims for the purpose of sexual exploitation. To this end, the new Action Plan 2013-2015 includes specific actions on THB for the purpose of labour exploitation i.e. systematic training and seminars to the owners of Private Labour Agencies on THB, translation of work contracts in the languages of the main countries of origin of foreign workers.

On 27 July 2012, the Private Employment Agency Law 126(I)/2012 regulating the establishment and operation of private employment agencies came into force. The offenses described in the anti-trafficking Law 87(I)/2007 have been included in the Private Employment Agency Law 126(I)/2012. The relevant authority may revoke the license of such an establishment if the person responsible for the operation of the office or any of the Directors in case of company or any of the Partners in case of partnership, has been convicted for an offense related to THB. The Ministry of Labour and Social Insurance will train the owners of Private Employment Agencies on the Law provisions.

The NGO KISA, participates in a 3-year project entitled " Integrated approach for Prevention of Labour Exploitation in Origin and Destination Countries", which is funded by the European Commission.

The Coordinator of the programme is the National Agency against Trafficking in Persons of the Romanian Police and other partners in addition to KISA, are the National Commission for Combating Trafficking in Bulgaria, the Ministry of Justice of Hungary, the Ministry of Interior of the former Yugoslav Republic of Macedonia and the NGO " European Public Law Organization (EPLO - European Public Law Organisation)" in Greece.

The project included a two-day seminar in Nicosia (from 15 – 16 May 2013). The aim of this seminar was firstly, to empower all stakeholders and NGOs dealing with trafficking for labour exploitation, both in terms of expertise and in terms of capacity for combat trafficking and, secondly, to improve and strengthen cooperation between them. The seminar also included the discussion and elaboration of specific proposals and recommendations which will be submitted to the competent authorities, both at national and at European and international levels, as a contribution in shaping best practices to effectively address human trafficking for labour exploitation.

Members of the MCG were invited and participated in the aforementioned Seminar. The representative of the Ministry of Interior and the Head of the Office of Combating THB of the Cyprus Police made presentations with specific references on the state of affairs of THB for the purpose of labour exploitation in Cyprus.

Specific proposals on improving the current situation in Cyprus are expected to be submitted by KISA to the National Coordinator upon completion of the Project.

51 In addition, GRETA strongly encourages the Cypriot authorities to pursue plans to develop a specific National Action Plan for child victims of THB.

In order to conform to the suggestions of GRETA to pursue plans to develop a specific National Action Plan for child victims of THB, specific provisions for child victims will be included in the Manual of Interdepartmental Procedures for the Handling of Cases of Victims of Trafficking, which is currently in the process of being amended. These provisions are based on the already adopted policy concerning the children in need of protection and care, such as trafficked children. These children are taken under the care of the Director of the Social Welfare Services, and are either placed in foster care or residential care. An individual care plan for each child is prepared with the participation of the child and all involved services / NGOs.

56. GRETA considers that the Cypriot authorities should strengthen the co-ordination among government agencies, NGOs and other members of civil society active in the field of action against THB and the protection of victims. This should involve the conclusion of written agreements between government departments and NGOs setting out the specific framework for co-operation, as well as periodic reviews of their application.

Even though no Memorandum of Understanding (MoU) has been signed between NGOs and relevant government services, the cooperation in the fields of protection and assistance to victims has considerably improved. NGOs play a vital role in the protection and support of the victims. The relevant authorities cooperate with NGOs on several issues such as support, accommodation and any other issue which may arise in the process. A formal procedure describing the cooperation between government agencies and NGOs is included in the Manual of Interdepartmental Procedures for the Handling of Cases of Victims of Trafficking. (Paragraph 118 is relevant)

57. GRETA also invites the Cypriot authorities to:

- **ensure that annual and *ex post* evaluations of the implementation of the NAP against THB for 2010-2012 are carried out, and that the results of these evaluations are duly taken into account in future policies to combat THB;**
- **consider commissioning an independent external assessment of the application of the NAP against THB for 2010-2012;**

The annual evaluation of the Action Plan 2010-2012 took place in June 2011.

On 25.9.2012, MCG has established/revised working groups for dealing with specific aspects of THB and submitting suggestions to MCG. Two new Working Groups were established: Group 1 on Prevention, Information, Awareness and Group 2 on Protection / Victim Support. These groups undertook the responsibility to design and present a comprehensive proposal for the New Action Plan against Trafficking in Human Beings 2013-2015 on the topics of prevention, information, awareness raising, protection and victim support accordingly.

On 14 December 2012, the overall evaluation of the National Action Plan against THB 2010-2012 by the MCG, took place. During the meeting, the two working groups mentioned above submitted their proposals to the MCG. The final drafting of the New Action Plan 2013-2015 was assigned to the Ministry of Interior and the NGO KISA. The new Action Plan 2013-2015 was approved by the council of Ministers on the 10.4.2013. The Action plan 2013-2015 contains fewer actions than the NAP 2010-2012 as it has been considered that the previous NAP was too ambitious. The actions that were considered

important and were not implemented during the period 2010- 2012 were included in the NAP 2013-2015. All actions included in the NAP 2013-2015 are post evaluated when implemented.

In January 2013, the National Coordinator submitted to the Council of Ministers and the House of Parliament the first report on the actions against THB covering the period 2008-2011. The annual report for the year 2012 is under preparation.

On 4 February 2013 the MCG decided to assign an independent external evaluator, who shall monitor and evaluate all the anti-trafficking actions, as a mechanism equivalent to National Rapporteur. This mechanism has been incorporated in the new Bill.

57. GRETA also invites the Cypriot authorities to:

- consider increasing the human and financial resources of the Police Office for the Prevention and Combating of Human Trafficking so that it can effectively carry out the full range of tasks within its mandate.

The number of the members of the Office of Combating Trafficking in Human Beings has increased to 8 persons. Among them, there is a forensic psychologist, a psychologist, a criminologist and a social worker. Three of them are police investigators.

65. GRETA considers that the Cypriot authorities should step up their efforts to provide specialised and systematic training to all relevant professionals, such as law enforcement officers, border guards, consular officers, labour inspectors and social welfare officers, including with a view to improving the identification of victims of THB for labour exploitation and emerging new forms of THB.

Cyprus acknowledges that the training and awareness of all government officers and other stakeholders, and not only the law enforcement agencies and policy makers, is fundamental in preventing and combating THB. During the past two years the National Coordinator and the MCG make a special effort to ensure that all relevant stakeholders receive training. Following a decision of the MCG, the National Coordinator and members of the MCG will provide an even more systematic and constant training of all relevant public officers, such as the labour inspectors, social service officers, medical professionals, diplomats, asylum and migration officers, police, prosecutors and judiciary. Additionally, training of local authorities, NGOs and the civic society is planned.

On 3 May 2012, a training seminar was organised for the Social Service Officers, on victim's behaviour and trauma. The training was co-organised by the American Embassy, the Social Welfare Services and the Ministry of Interior and was co-funded by the US Embassy and the Ministry of Interior. The Seminar was held by Judge Virginia M. Kendall, Ms Florence Reed Burke, Clinical Psychologist and Mr. Daniel Brier, Esq.

On 3 June 2013, a training seminar was organised for the Social Service Officers and Psychologists of Mental Health Services. The training was co-funded by the US Embassy and the Ministry of Interior. Ms Florence Reed Burke, Clinical Psychologist, delivered training on improving victim support and assistance.

On the 27-28.2.2013, a two day training addressed to members of the Consular Staff took place. The training was held by the representative of the Ministry of Interior and the Head of the Office for Combating THB of the Cyprus Police. During the training, the representative of the Ministry of Interior delivered a presentation on the state of affairs of combating THB. The Head of the Office for Combating THB of the Cyprus Police delivered a presentation on THB-related risks during the visa application system.

The subject of THB has been incorporated in several courses of the Police Academy training programme. The basic concept of the training is to provide guidelines on victim identification and investigation procedures.

The members of the Cyprus Police have specific trainings addressed to them and are systematically trained on THB matters, in Cyprus and abroad, by participating in seminars and other educational programmes. The training programmes, which are of different levels, include several subjects such as current laws and regulations, intelligence gathering and operations, victim identification, interview techniques, victims' support and protection, awareness raising and sensitisation. Also, police officers are trained on THB aspects in other specialised courses offered by other stakeholders in Cyprus and abroad.

During 2011, 80 active police officers received training, inter alia, on the subjects of identifying and assisting victims and/or investigating and prosecuting human trafficking cases.

More precisely, members of the Cyprus Police have participated in the following seminars/trainings:

Twenty two (22) members of the Police participated in an Anti – Trafficking seminar provided by the US Embassy in Cyprus. Thirty seven (37) members of the Cyprus Police attended a three day seminar regarding the minor victims of violence handling which took place in the Cyprus Police Academy. Fifty one (51) members of the Cyprus Police attended a week-long seminar organised by FRONTEX, regarding voluntary and forced return, which took place in Limassol Cyprus.

In June 2012, ten (10) members of the Cyprus Police attended a seminar on trafficking in human beings, in particular for conducting operations and investigation THB cases. The seminar was carried out by the Office of Combating Trafficking in Human Beings of the Cyprus Police. In September 2012, members of the Cyprus and Greek Police attended a seminar on "Human Smuggling and Human Trafficking Investigations" organised by the US Embassy in Cyprus. In November 2012, the Head of the Office of Combating Trafficking in Human Beings of the Cyprus Police delivered a lecture to twelve (12) members of the Famagusta Police Division on investigation techniques of trafficking cases.

Beyond the training on trafficking issues of members of the Cyprus Police, either in Cyprus or abroad, according to the new instructions and policy set out by the Chief of the Cyprus Police, members of the Office of Combating Trafficking in Human Beings must be actively involved during the operational process of all the trafficking cases, mostly to provide advice to police officers involved in the course of the preparation and carrying out of operations. Additionally, regarding investigation, the Head of the Office of Combating THB coordinates the investigation process, before a trafficking case is submitted by the Police to the Court.

66. Further, GRETA invites the Cypriot authorities to design future training programmes with a view to improving the knowledge and skills of relevant professionals in order to enable them to better identify, protect and assist victims of trafficking. During the training, particular attention should be paid to overcoming negative attitudes and prejudices vis-à-vis victims of trafficking.

Paragraph 65 is relevant. During trainings, particular attention is paid to overcoming negative attitudes and prejudices vis-à-vis victims of trafficking.

67. GRETA also invites the Cypriot authorities to give priority to the actions of the NAP against THB for 2010-2012 concerning the training of judges and public prosecutors.

In October 2011, two targeted seminars have taken place in collaboration with the US Embassy in Cyprus. The first training took place on 13 October 2011 and was addressed to Police Officers and Prosecutors. It was held by Ms Cindy Dyer vice president of the NGO "Vital Voices" and it concentrated on the vulnerability of the victim during criminal proceedings. The second one took place on 14 October 2011 and was addressed to Judges. The training session was held by Ms Cindy Dyer, vice president of the NGO "Vital Voices" and Judge Virginia M. Kendall. It concentrated on the problems encountered by Cypriot Judges during THB trials.

A follow up seminar on trafficking in human beings addressed to Judges took place on 3 May, 2012. The above mentioned seminar was co-organised by the Cyprus Supreme Court, the American Embassy and the Ministry of Interior. It focused on the importance of expert witness during court procedures. The Seminar was held by Judge Virginia M. Kendall, Ms Florence Reed Burke, Clinical Psychologist and Mr. Daniel Brier, Esq. A similar training by Judge Virginia M. Kendall, Ms Florence Reed Burke, Clinical Psychologist and Mr. Daniel Brier, Esq., was also delivered to the Counsels of the Republic on 2 May, 2012.

All the above mentioned trainings were co-funded by the US Embassy and the Ministry of Interior. A further training for Judges in February 2014 is under discussion with the US Embassy.

On 17-18 June 2013, the Ministry of Interior and the British High Commission co-organised a seminar addressed to the Counsels of the Republic (Prosecutors) and the Cyprus Police on the topic "Human Trafficking Investigation and Prosecution". The training was held by Mr. James Behan Head of Operations, UK Human Trafficking Centre (UKHTC) SOCA, Mr. Kevin Hyland, Metropolitan Police Human Trafficking Unit and Mr. Matthew McCabe, Retired Lawyer of Crown Prosecution Service (CPS)

On 3-4 October 2013, the US Embassy and the Ministry of Interior are co-organising a training seminar with the aim of creating a viable anti-THB multidisciplinary group. The purpose of this training, which will be led by two THB experts, Ms Kendra B. Penry and Ms Misa Nguyen, with experience in police training, is to bring Police (CID and Immigration), Prosecutors, and Social Service Officers together to learn about best practices in victim identification and in the implementation of the national referral mechanism. As first responders, the Police need training on how to identify potential victims of labour and sex trafficking. They also need to learn best practices with respect to referring victims to the Social Welfare Services, which provides victim support services. Both the Police and Social Welfare Services need to effectively communicate information to the Attorney General's

Office (Prosecutors) in order for them to build viable cases that can be effectively prosecuted. It is essential to build cooperation among Police, the Social Welfare Services and the Attorney General's office regarding the investigation of cases and collection of evidence.

73. GRETA considers that the Cypriot authorities should explore further possibilities for international co-operation in the fields of protecting and assisting victims of THB, and the investigation and prosecution of trafficking cases, *inter alia* in order to prevent re-trafficking.

An officer of the Office of Combating THB, an officer of the Ministry of Interior and a representative of the NGO Mediterranean Institute on Gender Studies participated on the 5th EU Anti-Trafficking Day that took place in Warsaw, Poland on 18 October 2011. The event was organised by Frontex and brought together policy-level, law-enforcement, international organisations and civil society decision makers along with 7 Justice and Home Affairs Agencies - CEPOL, EASO, EIGE, Eurojust, Europol, FRA and Frontex - and the EU Anti-Trafficking Coordinator. The event took place under the auspices of the Polish Presidency. Emphasis was put on strengthening inter-agency cooperation and practical joint steps to ensure maximum effectiveness in combating trafficking in human beings.

On 30 November-01 December 2011, a member of the Office of Combating THB and a Social Service Officer participated in a workshop in Poland entitled: "Management models within the field of combating and preventing trafficking in human beings present in EU countries and countries of the Eastern Partnership, Possibilities of cooperation development". The workshop focused on the identification of victims and the role of various stakeholders in the process of identification, the safe return of victims to their countries of origin and the reintegration of victims in the country of origin and destination. Their participation was financed by the Ministry of Interior.

On the 13-14 September 2011, an officer of the Ministry of Interior participated in a workshop in Ukraine. This workshop took place within the context of the project: "Strengthen the protection of the victims of trafficking and ensure a better protection during repatriation by the creation of a multidisciplinary operational network". The aforementioned workshop was organised by the French Embassy in Ukraine and the French Permanent Mission with UNODC in Vienna. A member of the Cypriot NGO Cyprus Stop Trafficking also participated and delivered a speech on the Cypriot efforts to combat human trafficking from an NGO perspective.

On the 8th and 9th of November 2011 the Ministry of Interior and ICMPD co-organised in Nicosia a Transnational Workshop to Enhance Transnational Cooperation on Trafficking Cases in South-Eastern Europe (TRM-II). Cypriot anti-trafficking stakeholders (government officials and NGOs) along with stakeholders from Croatia, Romania, Moldova, Bulgaria, and Montenegro participated in the workshop.

The main objectives of the workshop were:

Familiarise the participants from South-Eastern Europe (SEE) with the existing tools to combat trafficking in human beings in Cyprus;

Facilitate the information exchange between TRM-II countries and Cyprus on transnational trafficking cases;

Introduce the template for follow-up on transnational referral and discuss its implementation;

Agree on the next steps and ways forward to improve future cooperation on transnational trafficking cases between TRM-II countries and Cyprus.

A representative of the Ministry of Interior attended the final seminar of the project 'Enhancing Transnational Cooperation on Trafficking Cases in South-Eastern Europe (TRM-II)' which took place on 28-29 February 2012 in Bucharest.

Cyprus has undertaken, together with the Netherlands and Poland, an EU funded project entitled "Putting Rantsev into Practice -Strengthening multidisciplinary operational cooperation to fight trafficking in human beings". This project aims at stimulating the implementation of EU Member States' obligations as identified in the Rantsev decision and developing and strengthening cross-border multidisciplinary (operational) cooperation. The project also aims to bring together six professions, which play an important role in locating, identifying and raising the barriers against THB. Within this framework, Cyprus has established an operational team consisting of representatives from the Nicosia Municipality (health inspector), the Aliens and Immigration Unit of the Police (border guard), the Police Office for Combating THB, the Department of Labour Relations (labour inspector) the Civil Registry and Migration Department (migration officer), and the Office of the Attorney General (prosecutor). An Officer of the Ministry of Interior also participates in the team as project coordinator. Throughout the project, the Cyprus team meets on a regular basis with the aim to be trained to work together in order to be able to locate and identify possible victims, to prevent the perpetrators from committing their criminal activities and eventually bring them to justice.

The kick-off meeting with the Netherlands and Poland was held in Amsterdam on 11-12 December 2012, with the aim to discuss ways of putting the decision of the European Court on the Rantsev case in practice and also to organise a transnational conference consisting of practical workshops in Amsterdam, on 16-18 April 2013. The Cypriot team who participated in the preparation meeting consisted of two police officers, a prosecutor, and an officer of the Ministry of the Interior. The second preparation meeting with the Netherlands and Poland was held in Nicosia on 20-21 of February 2013.

The conference on strengthening multidisciplinary operational cooperation to combat THB was held on 16-18 April 2013 in Amsterdam and was attended by all member states plus nine other countries. An overall of 34 workshops were organised.

As mentioned above, the main aim of the conference was to develop and strengthen cross-border multidisciplinary (operational) cooperation by bringing together six different groups of professionals involved in the fight against THB: Police, Labour Inspectors, Prucecutors, Border Guards, Immigration and Local Authorities. Conclusions and recommendations mentioned during the conference will be included in a handbook on multidisciplinary cooperation, which is currently under preparation.

The Government of the Republic of Moldova, and the IOM Mission in Moldova invited the Republic of Cyprus to a two-day Regional Workshop on International Cooperation in the field of Combating Human Trafficking. The workshop took place on the 24 -25 May 2012.

The purposes of this Regional Workshop were to explore the obstacles to better cooperation between practitioners in transnational human trafficking cases and develop strategies to overcome those barriers and to provide a forum in which participants can interact on a bi-lateral level with their counterparts to exchange information on on-going cases. A prosecutor from the Attorney-General's Office, and a member of the Office of Combating Trafficking in Human Beings were selected by the National Coordinator as the Cyprus delegates. Their participation was co-financed by the organisers and the Ministry of Interior.

On the 6th Anti-Trafficking Day (18.10.2012), the Cyprus Presidency together with the European Commission, organised and co-funded in Brussels a Conference entitled «Working together towards the Eradication of Trafficking in Human Beings: The Way Forward». The focus of the Conference was to work against trafficking in human beings with a view to the future. The Conference provided a valuable opportunity for all - Member States, Commission, European Parliament, NGOs, international organisations, etc. - to exchange views on shaping future actions to strengthen cooperation, on the protection of victims, prevention and prosecution of criminals. The introductory speeches of the Conference were delivered by Commissioner Cecilia Malmström, the Minister of Interior of Cyprus, Eleni Mavrou and MEP Edit Bauer. These speeches were followed by three parallel workshops on 1) prevention and reduction of demand, 2) prosecution and financial investigation, and 3) protection and transnational referral mechanisms. The main messages of the Conference were the need for implementing the practical and legislative tools available, the need to put the victims in the centre of all efforts and the need to tackle demand.

The four NGOs members of the MCG were invited and participated. During the Conference, a representative of the NGO Cyprus Stop Trafficking was officially invited by the Cyprus Presidency to deliver a speech on the situation of THB in Cyprus.

Cyprus, during its Presidency of the EU Council, promoted and achieved the adoption of the Conclusions on the new EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016 by the JHA Council on 25/10/2012. In order to achieve and finalise the conclusions, there had been a lot of discussions with the other Member States. These Conclusions express the high political commitment of the Member States to work in a complimentary way with the Commission and the EU Agencies in the fight against trafficking in human beings. Furthermore, the Conclusions prove the common commitment of the Member States to act in a more coordinated way in the fields where efforts must be intensified, such as the development and enhancement of EU's coordinating mechanisms, tackling demand, the development of effective cooperation with the countries of origin, the enhancement of victim protection and the development of ways to increase civic participation in the fight against trafficking in human beings.

On 4-5 December 2012, the Council of Europe in collaboration with the Bulgarian National Commission for Combating Trafficking in Human Beings, organised an international expert conference entitled "Making Prevention Work: Addressing the Root Causes of Human Trafficking in Europe" in Sofia, Bulgaria. The aim of the conference was to share experiences and encourage debate on various aspects of prevention of trafficking in human beings, with an emphasis on a comprehensive, human rights-based approach and international partnerships. An officer from the Ministry of Interior participated.

On 17.12.2012, Cyprus and the International Organization for Migration, signed in Geneva a Cooperation Agreement between them. Based on the agreement, IOM will open an Office in Cyprus which will implement projects including the issues of trafficking in human beings, returns, capacity building, etc.

Regarding the investigation and prosecution of trafficking cases, the Cyprus Police recognises the importance of international cooperation in order to prevent re-trafficking and to successfully convict traffickers. One of the most important overall aims of the Cyprus Police is to take part in as many as possible European projects related to this issue, with a view to broaden the knowledge of its members and improve the various processes and practices regarding THB.

The Cyprus Police participates in the EMPACT Operational Action Plan for THB, which is under the umbrella of COSI. This is an ongoing action and a contact person from the Cyprus Police participates in the meetings held in the premises of Europol in The Hague. Through the participation in these programmes, the Cyprus Police is in contact with other Member States as well as other International Organisations, and is consequently informed on any new developments on proceedings and good practices, sharing knowledge and skills and strengthening the operational capacity and capabilities. Also a strong networking is being cultivated.

Members of the Cyprus Police take part in training programmes on THB organised by CEPOL as well as in the Regional Seminars for THB to Eastern Europe, organised on the initiative of the French Government.

The Cyprus Police collaborate with the authorities of foreign countries through the channels of Europol and Interpol, as well as Mutual Legal Assistance Requests and through Liaison Officers of other Member States serving in Cyprus. Based on the Mutual Legal Assistance Law, the Cyprus Police comes into contact with other countries through the mutual legal assistance requests, in order to seek assistance and support for the investigation of any case. In January 2013, Cypriot investigators cooperated with Dutch investigators and judges, who visited Cyprus to carry out investigations on an ongoing THB case in the Netherlands. Moreover, during 2012, the Cyprus Police responded to seventy-seven (77) requests received from other EU member states via Europol and from third countries via Interpol, in relation to human trafficking cases. Additionally, the Cyprus police have requested the aid of other countries in human trafficking related investigations in twelve (12) occasions, via the channels of Interpol and Europol.

76. GRETA encourages the Cypriot authorities in their plans to introduce a comprehensive and coherent data collection mechanism that would make it possible to share information among the main actors in the fight against THB, while respecting the rights of data subjects to protect personal data. Statistical data should be disaggregated (into gender, age, type of exploitation, etc.) and its collection should be designed in a way that enables the authorities to determine the scale of the problem and the most appropriate measures to be taken with regard to the different forms of THB and groups affected.

At present, there is no coherent and reliable data collection on THB. The collection of statistical data is fragmental and inconsistent as different services collect their own data.

In order to improve the available statistics on THB and establish standardised forms for the collection of comparable statistical data, Cyprus along with Portugal, Bulgaria and Austria received a grant by the EU in April 2012 to establish the project "Towards a Pan-European Monitoring System of Trafficking in Human Beings". The main objective of the project is to provide the participating countries with an efficient monitoring system, in the framework of best practices, regarding the harmonisation of procedures for the collection, treatment, analysis and sharing of information. This system is based on a reliable collaboration network platform (web based) for the collection and dissemination of information and knowledge on THB that allows users to define what to share between them, with minimum cost. Within the framework of best practices regarding the harmonisation of procedures of collection, treatment, analysis and sharing of data, the project aims to provide countries with a ready-to-use Monitoring System (MoSy) on THB. More concretely, in addition to supporting countries in the development of their national systems, the project aims to implement a common platform for the collection and integration of data in the framework of EU common information systems such as the European Interoperability Framework (EIF) and Inspire Directive for Geographical Information Systems. This allows countries with different information system implementations to link their solutions to this Platform with minimum resources and independently. Consequently, the final objective is to produce information and knowledge of THB in each country, whilst guaranteeing compatibility and compliance with a common European THB MS, for producing standard regular THB reports.

The innovative approach is the use of customisable multi-entity database and Geographic Information Systems (GIS) as a step forward to perceive global and detailed phenomena distribution, trends and patterns. It allows interconnectivity of government and NGO entities integrating different existing investments and infrastructures to build a fully integrated e-European solution to gather pertinent THB information. It will allow all relevant government services and NGOs to cooperate effectively without the need to repeat data insertion, and will merge information in a national Focal Point (data fusion), under statistical alignment with local and Eurostat Statistical production. All this is achieved by using a technological EU interoperability framework for e-governance Information Systems and GIS, using few maintenance resources. GIS will be used to integrate and fuse information to provide a global view of routes, visualize phenomena distribution, and victim support resources.

In addition to the above, Police is currently under the procedure to establish a data collection system, in the Office of combating THB, which will serve as the central point of gathering and disseminating information within the Police.

77. GRETA also invites the Cypriot authorities to continue conducting and supporting research as an important source of information for future policy measures in the field of action against THB.

During its Presidency of the EU Council, Cyprus has conducted a study among the member states on the "Protection of victims during criminal procedures". The study, which was carried out by the Office of Combating THB of the Police, was based on a questionnaire consisting of seventeen (17) questions and was disseminated to all member states. The results of the study were presented at the Working Group of GENVAL (Working Group of General Matters and Evaluations of the Council of Europe) on 3 October 2012 in Brussels, in the informal meeting of the National Rapporteurs on 17 October 2012 also in Brussels

and during the regional seminar "Combating Trafficking in Human Beings in connection with the Migration Phenomenon, and Ensuring the Protection of Victims in South East Europe". They were also presented on 9 November 2012 in Bucharest Romania, during the 2012 cycle of regional conferences "Justice and human rights in South East Europe" initiative of the French Government. The topics and findings of this study are described in the document "Trafficking in Human Beings - Presentation by the Presidency of a study on protection of victims in criminal proceedings, 13660/12, Brussels, 27 September 2012".

83. GRETA considers that the Cypriot authorities should design future actions in the area of awareness raising and education on the basis of the assessment of previous measures, reliable data and research, which should enable the authorities to focus on the needs identified. Increased emphasis should be placed on changing social attitudes towards victims of THB. The success of these efforts will depend on efficient data collection, adequate funding and regular evaluation.

Paragraph 76 is relevant

84. Further, GRETA considers that the Cypriot authorities should plan future awareness raising campaigns to prevent THB with the involvement of civil society, including NGOs.

The Government supports various campaigns conducted by the NGOs and government officers attended their campaigns and events either as participants or speakers. Government officers also participate in debates on TV and Radio stations when invited.

Officers of the Ministry of Interior and the Office for combating THB of the Police participate each year to the annual festival for democracy of the ASTRA radio station by providing information and material regarding THB in order to inform the general public. During the festival, the officers have the opportunity to discuss the issue of THB with the general public.

On 18 October 2010, on the occasion of the European Day against trafficking in human beings, an awareness raising event was held at Heroes Square, Limassol and was co-organised by the MCG, the ASTRA 92.8 radio station, the Technological University of Cyprus and the European Parliament Office in Cyprus. The event was attended by all the government services involved and a number of NGOs, as well as other organisations.

On 30 October 2011, a representative of the Ministry of Interior distributed information material on THB at the KISA's Rainbow festival.

During 2012, the Ministry of Interior provided funding to the NGO Cyprus Stop Trafficking to issue an information booklet on THB for sexual exploitation. It also provided funding to the same organisation in order to participate in an awareness raising campaign against THB for sexual exploitation.

On 25-26 May 2012, the Ministry of Education and Culture and the Cyprus Pedagogical Institute organised a two day conference on "Education and Gender Equality". The subject of trafficking in women was also included in the conference. During the conference, the

NGO Mediterranean Institute of Gender Studies was invited to deliver a presentation on THB.

On 28 November 2012, the Cyprus Women's Lobby (CWL) and the European Parliament Office in Cyprus organised a conference entitled "Violence against Women and Prostitution". The aim of the conference was to initiate a public dialogue on the issue of women in prostitution in Cyprus. During the conference, the Minister of Interior delivered a speech.

Finally, during 2012, a webpage on THB has been created within the website of the Ministry of the Interior.

86. The NAP against THB for 2010-2012 includes an information campaign on demand and how this affects the increase of THB. GRETA would like to be informed whether such a campaign has already been planned and to receive more details on it.

Up to date, the NGO Cyprus Stop Trafficking cooperated with the relevant government authorities and gave a series of lectures in military camps and distributed information leaflets with the aim to discourage demand. During this campaign, films and documentaries on THB were also projected. The main target group of this campaign is not the military professionals, but the 18-20 year old men who are doing their national service. These activities will continue as it is estimated that they have a big response from young men.

Indeed the NAP against THB 2010-2012 included an information campaign on demand and how this affects the increase of THB. This action has not been implemented within the Action Plan 2010-2012. Due to its crucial importance, two information campaigns are included in the NAP 2013-2015. An ad-hoc committee was set up on 4.9.2013 comprised of representatives of the Ministry of Interior, the National Machinery for Women's Rights, the National Human Rights Authority and NGOs, with the aim to implement by the end of 2013 actions II.3 and II.5 of the Action Plan 2013-2015. Both actions consist of information campaigns specifically designed to discourage demand (for both sexual and labour purposes) and display how this affects the increase in the trafficking in human beings, aiming at the change of social attitudes, including, inter alia ad Board and radio campaigns. A radio campaign all over Cyprus is expected to commence in October 2013.

87 GRETA notes that the Cypriot authorities have so far not taken adequate measures to discourage the demand of services from trafficked persons. GRETA considers that the Cypriot authorities should take specific measures to discourage demand for the services of trafficked persons, targeting in particular the most common forms of THB in the country.

On 21 October 2011, the MCG and the European Parliament Office in Cyprus organised an event with the purpose to inform and sensitise the media on THB. During this event, the Head of the Office of Combating Trafficking in Human Beings of the Cyprus Police delivered a speech, where emphasis was given on the current situation of trafficking in Cyprus. At the same event, a representative of the NGO Mediterranean Institute for Gender Studies delivered a speech on the role of Media in combating women's trafficking for the purpose of sexual exploitation. Unfortunately, the participation and involvement of

media representatives was disappointing. Currently, a round table meeting with selected media representatives is discussed within the committee mentioned in paragraph 86.

The Ministry of Interior along with the NGO Cyprus Stop Trafficking are in the process of organising an open air screening of a film on THB in all cities of Cyprus and in the tourist resort of Agia Napa. The first open air screening is due to be projected in Nicosia on the 18.10.2013 as an event on the occasion of the European Day against THB.

Paragraph 86 is also relevant.

d. preventive measures, including educational programmes for boys and girls during their schooling, which stress the unacceptable nature of discrimination based on sex, and its disastrous consequences, the importance of gender equality and the dignity and integrity of every human being.

The Ministry of Education and Culture has held a series of seminars and workshops on THB to teachers. This action will be extended to students. Funding by the Ministry of Education and Culture is also available for universities and colleges that wish to organise their own seminars on the topic.

The Ministry of Education and Culture and the Cyprus Pedagogical Institute continue to conduct various activities related to the above matter, such as the production of educational materials, organisation of trainings for teachers, school managers and parents. These training opportunities are provided in the context of optional seminars, conferences and workshops on issues related to the management of diversity, gender equality, family planning and sexual and reproductive health and the respect of human dignity. They also host partnerships with NGOs (e.g. Mediterranean Institute of Gender Studies)

In the context of school- based seminars for parents, seminars are available on health education, intercultural education and active citizenship. The seminars focus on issues of gender equality, family planning and sexual and reproductive health.

Within the framework of the project "Actions to reduce the wage gap between men and women", which is included in the Memorandum of Cooperation between the Ministry of Labour and Social Insurance and the Ministry of Education and Culture, training of all teachers, counsellors and a number of parents on gender equality is included. This action will be completed during the school years 2013-2015.

Two officers of the Cyprus Pedagogical Institute, in their capacity of teacher's educators, participated in a conference of the European programme Pestalozzi, entitled " Education for sexuality - Personal development, prevention of discrimination and violence , Part A " (Training on Sex / sexuality education - Personal development, prevention of discrimination and Violence, Module A).

In May 2012, the Ministry of Education and Culture distributed to the teaching staff the booklet "You are not for Sale".

A competition with a prize for the preparation of posters and a logo for the Multidisciplinary Coordinating Group against THB for combating trafficking in human beings to be used in campaigns, in cooperation with Universities/Colleges/schools began in September 2011 and ended in May 2012. The winning logo is now the official logo of the

Multidisciplinary Coordinating Group against THB. The winning posters are to be used in various official campaigns.

The Ministry of Education and Culture gave permission and assistance to the NGO Cyprus Stop Trafficking to conduct a series of lectures to pupils of secondary schools. The action is ongoing.

The Ministry of Education and Culture has introduced in its New Analytical Programmes issues related to THB mainly through the disciplines of Health Education, Language and History.

**103 GRETA urges the Cypriot authorities to:
- improve the information provided to potential migrant workers to alert them about the risks of THB;**

Booklets including guides with information for third country nationals are available, including leaflets with information on health care and social insurance services, employment and labour relations, visas and entry requirements etc. The publication was prepared with funding from the European Integration Fund for the Third-country Nationals. The Action II.13 of the NAP 2013-2015 provides for the revision and distribution of these booklets. An additional booklet on THB will be introduced. These booklets will be available in the languages of the countries of origin of the most vulnerable migrants.

Informative leaflets have been also issued by the Ministry of Labour and Social Insurance regarding the rights and obligations of foreign workers in six languages (Greek, English, Romanian, Arabic, Russian and Sri-Lankan) and disseminated through Cyprus Consular Authorities in potential countries of origin of trafficking victims.

Moreover, a card has been prepared in cooperation with the NGO Cyprus Stop Trafficking in various languages and is distributed to potential victims of THB at the passport control of the airports. The card provides basic information on trafficking in persons and a phone number for victims or others to report cases of trafficking.

On 24-25 October 2013, the US Embassy, the Social Welfare Services and the Ministry of Interior are co-organising a two day round table meeting with Ms Sarah Jakiel from the Polaris Project USA that works to improve the national response to protect victims of human trafficking in the United States. Ms Jakiel will provide necessary information regarding what needs to be put in place to begin process of establishing a national 24 hours THB hotline available to answer calls from anywhere in Cyprus. Two NGOs who provide assistance to victims were also invited to attend the meeting.

Paragraph 104 is also relevant.

103 - closely monitor the application of the visa regimes for performing artists, bar tenders and other groups at risk (such as domestic workers, agriculture workers, those employed in the tourism sector and *au pairs*);

The Council of Ministers approved on 29.10.2008, the revision of the policy for the entry, residence and employment of third country nationals in the Republic as artists. The

implementation of the new policy began on the 1.2.2009 according to the decision of the Ministerial Committee for the Employment of Third Country Nationals.

The new policy adopted by the Council of Ministers regarding work permit for performing artists working at night clubs and cabarets, has been put into practice on 1.2.2009. The new policy consists of the following:

- a. Abolition of special visas for artists: All third country nationals entering the Republic to be employed as artists are now issued employment permits as creative artists (writers, composers, painters etc) or as performing artists (actors, dancers, singers, etc) and are part of the general employment.
- b. Procedures for the issue of temporary residence and employment permits: The applications for employment of third country nationals in these fields are submitted to the Department of Labour by the employer and are examined by a committee consisting of representatives from the Department of Labour, the Department of Civil Registry and Migration, the Cyprus Tourism Organization and the Aliens and Immigration Unit of the Police. The committee examines the applications according to specific criteria concerning the qualifications of the artists, their previous experience, their reputation abroad etc. The aim is to ensure that only genuine artists enter the Republic. After the approval of the application, the employer has to apply to the Civil Registry and Migration Department for the issue of an entry permit. After the arrival of the third country national in the Republic, the person concerned applies for the issue of temporary residence and employment permit considering that all the conditions set in the Aliens and Immigration Law are fulfilled. The procedures are now similar to those that are in effect for all foreign workers.
- c. Revision of the contracts of employment: In line with the new policy set out by the Council of Ministers, the contracts of employment have been revised and are now in compliance with the standard contract prepared by the Department of Industrial Relations, which applies for all foreign workers. These contracts are valid for one year and set out the remuneration, benefits, working hours, annual leave and sick leave that the employee is entitled to, as well as the general obligations of both parties. Breach of contracts of employment is investigated by the Department of Industrial Relations.
- d. Revision of the legislation regulating Private Employment Agencies

This policy was further revised on 1.09.2010 by adopting even more strict criteria for the employment of foreign performing artists. Efforts for better regulation of the whole procedure are still being made, mainly for the establishment of cooperation between implementing mechanisms and the competent authorities in the country of origin, responsible for the verification of the authenticity of documents submitted by foreign performing artists as a proof of their education and experience.

Since the abolition of the artist visa and the implementation of the new policy regulating working permits for performing artists, there has been a decrease in the numbers of third country nationals entering the Republic to work as performing artists. While in 2009, 1136 work permits were issued to third country nationals working as artists - singers at

cabarets/nightclubs after the implementation of the policy, the number of work permits for performing artists decreased to 94 for the period of September 2012 -August 2013.

Regarding bartenders, as a result of the decision of the Ministerial Committee for the Employment of Third Country Nationals in April 2010 to limit the number of work permits to third country nationals to one for each establishment, the number of such work permits has decreased to 66 in 2012, compared to 235 in 2009.

The Department of Labour Relations, of the Ministry of Labour and Social Insurance, continuously strengthens its efforts for improving the working conditions of all foreign workers, since they are clearly stated in the contract of employment. These contracts are signed by both parties, soon after their arrival in Cyprus. The contract of employment specifies, inter alia, working hours, annual leave as well as public holidays (fully paid). The gross salary stated in the contract of employment for foreign workers, is the one provided in collective agreements, safeguarding equal pay. Terms of employment of foreign workers in the areas of farming, agriculture, industry and commerce are also the same as those provided in collective agreements, so as to safeguard equal treatment between all workers in Cyprus.

The work permits for agriculture workers are issued by a Tripartite Committee consisting of members from the Department of Labour and Workers' and Employers' Organisations. The Committee Inspectors conduct random inspections at workplaces.

As regards the tourism sector, a study was conducted in 2012 by a Committee with members from the Department of Labour, the Department of Labour Relations, the Higher Hotel Institute of Cyprus, the Cyprus Tourism Organisation, the Ministry of Commerce, Industry and Tourism, the Human Resource Development Authority and the Ministry of Education and Culture, about the quality of the services provided in the hotel sector. In the framework of this project, the provision of vocational training to foreign students in hotels in Cyprus was studied with the purpose of taking measures to ensure that this institution is not being exploited.

In addition to the above, the Republic of Cyprus' competent authorities cooperate with the authorities of the countries of origin of the persons at risk to be trafficked, on an ad-hoc basis, by exchanging information and coordinating in various matters according to each different case.

The Ministry of Foreign Affairs is instructing on a regular basis all Diplomatic Missions of the Republic abroad on how to process visa applications, especially applications for a student visa, by providing guidelines.

The student visa applications are thoroughly examined by three Ministries (the Ministry of Interior - Civil Registry and Migration Department, the Ministry of Education and Culture and the Ministry of Foreign Affairs – via the Republic's Diplomatic Missions and the Consular Affairs Department).

The role of the Diplomatic Missions (DMs) in the aforementioned process is vital: DMs check the authenticity of all supporting documents (in order to identify any forged document), evaluate the visa applications and interview applicants in order to examine that their intentions are genuinely to participate in a full time study program.

During the personal interview, the Consular Officer also considers the applicant's immigration history, the relevance of his/her proposed study to his/ her occupation or future employment goals, his/ her family or personal ties to Cyprus and his/ her home country, and whether he/ she is seen as a genuine student who wishes to only remain temporarily in Cyprus. If the information or documents provided by the applicant are found to be fraudulent or misleading after the grant of a visa, it may subsequently be cancelled.

103 - step up police control of entertainment venues where cases of THB for sexual exploitation may be found;

The Divisional Crime Prevention Squads and the Divisional Alien and Immigration Units conduct regular and irregular inspections in venues where cases of THB may be found. In cases where victims of THB may be found, a Police operation takes place to locate and rescue the potential victim. Moreover, during regular inspections in several places like nightclubs or other premises, the members of the Police have instructions to observe for possible cases which may fall in the sphere of THB. The members of the Community Police are instructed to collect and disseminate information on THB cases or potential victims. There is a constant cooperation between the Crime Prevention Squads, the THB office, the Crime Investigation Departments and the Immigration Unit in order to detect and combat cases of THB and at the same time to rescue victims of THB.

103 - step up police and labour inspections aimed at identifying cases of labour exploitation.

Members of the Immigration Unit carry out inspections along with Labour Inspectors to investigate information on those issues.

**104 Furthermore, GRETA considers that the Cypriot authorities should:
- co-operate with the main countries of origin of victims of THB to alert potential victims of THB-related risks;**

The Republic of Cyprus' competent authorities cooperate with the authorities of the countries of origin of victims of THB on an ad-hoc basis, by exchanging information and coordinating in various matters according to each different case.

Consular Officers certify the entry permit and interview the applicant. The identification of a victim is performed by following the guidelines listed in a manual, which includes a set of indicators to be identified during the interview. The applicant signs a document before the consular officers, stating that he/she is aware of the potential risks of human trafficking, arising from her /his future work in Cyprus.

Information leaflets in different languages: English, Greek, Arabic, Russian, Romanian, Bulgarian, and Spanish, have been issued and sent to the Ministry of Foreign Affairs for disposal through the consular authorities. The leaflets include information on the phenomenon of trafficking in persons, the legislative framework, basic information on trafficking, ways to protect oneself, contact details government services and NGOs, etc.

104 - introduce a checklist to identify potential THB-related risks during the visa application system;

On 27-28.2.2013, a two-day training addressed to members of the Consular Staff took place. During the training, the Head of the Office for Combating THB of the Cyprus Police presented the THB related risks. As a result, a questionnaire –checklist to identify potential THB-related risks during the visa application system (prepared by the Police) has been forwarded to all diplomats in Cyprus and abroad.

104 - take due account of THB risks and include preventive measures, such as information, in the revised policy on domestic workers and their labour disputes;

The Department of Labour is responsible for receiving complaints made by Domestic Workers for sexual harassment. These complaints are examined by Equality Inspectors of the Department of Labour.

All complaints concerning labour disputes among foreign domestic workers and employees are submitted to the Aliens and Immigration Unit of the Police and then forwarded to the Department of Labour Relations of the Ministry of Labour and Social Insurance for investigation (in case the domestic worker abandons the place of work, he/she has the right to file a complaint within 15 days). In case where there is no compromise between the two parties, the complaint is examined by the Labour Dispute Committee and if the decision is against the employer, the migrant worker is given permission to find a new employer. Taking into consideration the vulnerability of domestic workers and the fact that they are usually residing with their employers, they are given permission to stay or work for a different employer until the decision of the Committee. If there are indications or suspicion for trafficking in human beings (sexual exploitation and exploitation in work) in any stage of the investigation, the case is referred to the Office of Combating THB of the Police.

E1 - consider the THB-related risk of the requirement that ties migrant workers to their employers.

Migrant workers have the right to change their employer after one year of employment. In cases where a complaint is made by the worker about his/her employer, permission is given to the workers to change employers earlier.

As regards Domestic workers, they have the right to change employer after 3 months of employment, except in cases of death/depatriation/ transfer of the employer in a nursing home, criminal offense by the employer against the third country citizen or after a decision of the Labour Disputes Committee in favour of the third country citizen.

The Ombudsman, as the National Independent Authority on Human Rights, issued on 2.7.2013 a Report regarding the status of domestic workers in Cyprus. The Ministry of Interior is considering the issues raised in the aforementioned and studies the

suggestions. It will then engage in a dialogue with relevant stakeholders in order to assess the existing policy on domestic workers.

115. The Cypriot authorities have informed GRETA of a newly emerging trend of trafficking in 2010, with 10 identified victims of THB for the purpose of "marriages of convenience". These victims of THB were reportedly identified using the "Handbook on the identification of victims of THB". GRETA would like to receive further information on the type of exploitation which these identified victims of THB have suffered and on the measures taken to protect and assist them.

In 2010, ten individuals were identified as victims for the purpose of marriages of convenience. These victims were all European females who were trafficked in Cyprus to marry third country nationals. The purpose of these marriages was to allow the third nationals to obtain a legal residence permit in the Republic of Cyprus. The measures to protect and assist these victims were the same provided to all victims of THB, as mentioned in the Law 87(I)/2007. Those persons were identified as victims because they were firstly subjected to the procedure of trafficking, they were given false promises for well paid jobs in Cyprus and then they were forced to marry. Also, their personal documents were taken away from them and they were threatened by the traffickers. In some cases, they were locked in the houses of the third country nationals and they were rescued by the Police.

117. On the basis of the above, GRETA urges the Cypriot authorities to review the identification system for victims of THB and its application.

The Manual of Identifying Victims of Trafficking has been developed by the Cyprus Police in order to provide guidance to police officers who may come across a presumed victim of trafficking.

The manual is based on the International Labour Organisation Indicators (ILO) for identifying victims of trafficking, the World Health Organization & ICMPD (International Centre for Migration Policy Development) international research, and on the provisions of the anti trafficking Law 87(I)/2007.

The main objectives of the Manual are to enable police officers to: explain the actions that need to be taken upon contact with a potential victim, describe the impact of the trauma in relation to the behavior of the victims, recognise indicators that possibly refer to a trafficking case, outline general rules for the first contact interviews, respond to victims' reluctance for co-operating with law enforcement authorities and to use criminal indicators to identify human traffickers.

In addition to this, the Police have issued a pocket size operational guide, for all police officers, especially for the officers who serve on the front line. The Operational guide includes issues such as the differences between Human Smuggling and Human Trafficking, International Human Trafficking, Internal Human Trafficking, Indicators of Human Trafficking Victims, Victims Mindset, Screening tools for victims, Steps to be taken at the scene and related offences to Human Trafficking.

All the above material is distributed to all Police Districts and the Immigration Service, as well as to all the frontline police officers (e.g. police officers serving at the airports and as community police officers).

Community police officers also received training on how to identify potential victims, especially domestic workers.

Furthermore, members of the Office of Combating THB participated in an operational exercise in both the airports of Cyprus to identify potential victims. Members of the Immigration Department of the Police stationed at the airports were included in that exercise.

As it has already been mentioned, members of the consular services of the Republic were trained to identify potential victims of trafficking during the visa procedure. A further series of training on identification addressed to all relevant government officers and NGOs is scheduled.

118. Furthermore, GRETA considers that the Cypriot authorities should:
- set up a coherent national referral mechanism which ensures co-ordination between all actors involved in identifying trafficked persons;

The MCG decided on 10 May 2012 that upgrading the national referral mechanism should be a priority and assigned under remuneration the NGO Mediterranean Institute for Gender Studies to draft a Manual of Interdepartmental Procedures for the Handling of Cases of Victims of Trafficking. This document describes the whole procedure from the moment of referral of a potential victim up to the return of the victims to their homeland. The aim of this task is to clarify the competencies of all government and non government agencies and to identify and tackle possible gaps in the procedures. This action is ongoing. Upon completion, it will be submitted to the Council of Ministers for approval. Training of all relevant government officers and members of NGOs on the use of the Manual will then follow.

118 - ensure that clear instructions are given to all relevant officials involved in the identification of victims of THB in order to avoid any *de facto* link between the identification of victims and their willingness to co-operate with the authorities.

The identification of victims is not connected with the criminal proceedings as explained above. What is linked with criminal proceedings is the residence permit. However, according to the specific circumstances of each individual case, the residence permit can be extended for humanitarian reasons. (Paragraph 41 is relevant).

127 GRETA urges the Cypriot authorities to strictly apply the reflection period to all persons for whom there are reasonable grounds to believe that they may be victims of THB.

Reflection period is granted to every potential victim. However, the duration of the reflection period is not the same for every victim, as some of those, decide to cooperate with the authorities before the end of the reflection period.

133 GRETA urges the Cypriot authorities to provide victims of THB with information on their legal rights and obligations, including the reflection period, the services and assistance measures available and how to access them, the right to compensation, and the protection and assistance measures available to identified victims of THB who may not wish to cooperate with the authorities. In this context, information materials on the rights of potential and identified victims should be drawn up in an appropriate range of languages.

Social Welfare Services are the competent authority to inform all THB victims of their rights. They are also responsible for providing support, practical help and guidance to victims on how to get help from other relevant services.

The Social Welfare Services have produced an informative booklet concerning the rights of the victims of trafficking which has been translated in 11 languages (Greek, English, Romanian, Ukrainian, Latvian, Bulgarian, Russian, French, Polish, Spanish, and Chinese) which is available to victims. Currently, Social Welfare Services are in the process of revising the informative leaflet in cooperation with the members of the Multidisciplinary Coordinating Group against THB.

140. GRETA recognises the efforts of the Cypriot authorities in this area, but stresses the need to provide appropriate temporary accommodation to victims of THB. GRETA urges the Cypriot authorities to ensure that safe and suitable accommodation is provided for all victims of THB.

When the State Shelter was created in 2007, all identified victims of THB were victims identified for the purpose of sexual exploitation. Therefore, the Government Shelter aimed to meet the specific needs of these victims.

As explained in paragraph 41, only identified victims of trafficking for the purpose of sexual exploitation have the right to stay in the Government Shelter, for a period of 4 weeks. However, if necessary they can stay for a longer period of time. According to the regulations, only identified victims are allowed to stay in the Government Shelter. Even though the admission of victims to the government shelter is only possible for those women identified by the Police as victims of trafficking for the purpose of sexual exploitation, potential victims may stay in the shelter upon police request. After they leave the shelter, they have the right to seek public assistance, through which the costs of accommodation (rent allowance) may be covered, for as long as necessary.

In case a victim chooses not to stay in the shelter, the Social Welfare Services provide public assistance and support for as long as necessary.

In cases of victims of THB for the purpose of labour exploitation, the Social Welfare Services also provide public assistance and support to victims of THB for the purpose of labour exploitation, in order to find other accommodation for as long as necessary. In numerous cases, victims are also assisted by NGOs in finding accommodation.

148 GRETA considers that the Cypriot authorities should make further efforts to provide adequate assistance to all victims of THB, in particular psychological support as well as access to education, vocational training and the labour market.

Providing psychological support to victims is done selectively for those victims who appear to need such support. The Social Welfare Services may refer victims to Mental Health Services of the Ministry of Health for psychological support. In such cases victims are given priority. Efforts are made to improve this service so that victims can have a direct access to mental health services. The possibility of a psychologist to be available to victims at the health Centres twice a week is currently under discussion.

As regards employment, victims of THB from third countries have full access to employment as an EU citizen. Victims who wish to work may visit the Public Employment Services where they are provided support in finding employment by a trained employment counsellor, through a personalised approach.

The Educational Centres of the Ministry of Education and Culture, the Social Welfare Services and the Labour Services of the Ministry of Labour and Social Insurance have coordinated in order to ensure that the officers of Social Welfare Services and the Labour Services would be able to inform the victims on their right to access to the existing programmes of teaching Greek to migrants and non-Greek speaking citizens of Cyprus. These programmes are provided free of charge and are funded by the European Social Fund. All relevant information, applications for participation etc are available at the website of the Ministry of Education and Culture in eleven languages.

149 In addition, GRETA strongly encourages the Cypriot authorities to conclude protocols of co-operation with NGOs in order to provide quality assistance to victims, complementing the services provided by the Social Welfare Services. The application of such protocols should be monitored and assessed.

Paragraph 149 is relevant.

153. GRETA considers that the Cypriot authorities should allocate the necessary resources to the planned research on the evaluation of victims' needs in relation to the services provided, so that it can be carried out in a comprehensive manner and take account of the research results.

So far, no research on the evaluation of victims' needs, in relation to the services provided, has been officially conducted by the MCG, even though NGOs participating in the MCG have conducted relevant studies.

162 GRETA urges the Cypriot authorities to increase their efforts to provide information and legal assistance to victims of THB about their right to file a claim for compensation against the trafficker, and to ensure that victims have effective access to legal aid in this respect. Further, GRETA urges the Cypriot authorities to make their State compensation system accessible to all victims of THB, irrespective of their nationality and residence status.

Law 87(I)/2007, gives the right to victims to file lawsuits against trafficking offenders. More specifically, articles 22 and 23 of Law 87(I)/2007 provide that:

22 (1) Irrespective of and without prejudice to any other legal means or remedy, established under any other law or regulation, the victim within the meaning of this Law shall have a legal right to compensation against all persons responsible for committing the criminal offences under this Law, who also has the corresponding civil liability to pay special and general damages to his victims, including any delayed debts from exploiting the victim's labour.

(2) The abovementioned general damages must be fair and reasonable and when calculating the same the Court takes into account the following:

- (a) the extent of the exploitation and the benefit the perpetrator made or could have made from exploiting the victim,
- (b) the future prospects of the victim and to what extent they were affected by his exploitation,
- (c) the degree of culpability of the perpetrator,
- (d) the relationship to or the level of authority or influence of the perpetrator to his victim.

(3). The Court, taking into account the degree of indecency of the exploitation or the degree of kinship or the level of authority of the perpetrator to the victim, may adjudicate punitive damages.

(4). The Court, when calculating special damages, takes into account every expense the victim sustains as a result of the exploitation, including repatriation costs, where applicable.

(5). In the event of the death of the victim, the dependents of the victim have the legal right to compensation.

23. Irrespective of the provisions in article 22, the victim has the right to compensation from the Republic, in accordance with the provisions and under the conditions of the European Convention on the Compensation of Victims of Violent Crimes (Ratifying) Law of 1997, where applicable.

All victims are informed about this right by the relevant authorities and the NGOs providing assistance to them. The right to file a claim for compensation against the trafficker applies to all victims, irrespectively of their nationality and their residence status.

In addition to the above, for purposes of compliance with paragraph 2 of Article 12 and paragraph 2 of Article 15 of the Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, a new bill has been drafted by the Ministry of Justice and Public Order, in order to expand the legal aid scheme, so as to cover also judicial procedures in Cyprus to injured parties, including children who are victims of trafficking, for the purpose of claiming compensation, if the victims do not have sufficient financial resources. The legal aid provided under this bill includes advice, assistance and representation. The bill was submitted to General Attorney's Office and is currently in the process of legal vetting.

166. GRETA urges the Cypriot authorities to develop a clear institutional and procedural framework for the return and repatriation of victims of THB, having regard to their safety, protection and dignity, and in order to avoid their re-victimisation. In the case of children, a specific risk-assessment should be carried out, taking into account the best interest of the child.

Currently, there are no explicit structures and procedures for the repatriation of victims. This shortcoming will be addressed with the completion of the Manual of Interdepartmental Procedures for the Handling of Cases of Victims of Trafficking. With the enactment of the new legislation the Police along with other authorities, will be legally obliged to conduct, risk assessments as regards the repatriation.

However, even though the return procedures are not yet formally established, the Cyprus Police cooperates with foreign law enforcement agencies through the channels of Europol and Interpol in cases where victims are repatriated after a risk assessment is conducted, when safety and protection is an issue. In some cases the NGO Cyprus Stop Trafficking assists with victim's repatriation.

Children are placed under the protection of the Director of Social Welfare Services who acts in the child's best interest.

Moreover, Cyprus and the International Organization for Migration, signed on the 17.12.2012 in Geneva a Cooperation Agreement between them. Based on the agreement, IOM will establish an Office in Cyprus in the near future which will pursue several projects, including the issues of trafficking in human beings, returns, capacity building, etc.

173. Law 87 provides for the confiscation of proceeds from criminal activities related to THB (see paragraph 157), but there have not yet been any convictions for the crime of THB. Further, GRETA notes that Law N° 61(I)/96 against Money Laundering provides for the confiscation and liquidation of any proceeds made from money-laundering offences and any other interim measure such as freezing or restraint orders. GRETA would like to know whether there have been any cases of confiscation regarding THB-related activities.

So far, there haven't been any cases of confiscation regarding THB-related activities.

175. As regards the need to consider the criminalisation of the known use of services of trafficked persons, the Committee on Crime of Cyprus' House of Representatives has had discussions on the possibility of criminalising the clients of prostitution. A Parliamentary report is expected to be published on this issue. GRETA would like to be kept informed of further developments.

The MGC during its meeting on the 4.2.2013 decided to suggest the criminalisation of the known use of services of trafficked persons. This provision has been incorporated in the new Bill.

177. GRETA urges the Cypriot authorities to include in Law 87 the aggravating circumstance of THB committed by a public official in the performance of his/her duties.

The aforementioned provision is included in the new Bill.

191. GRETA urges the Cypriot authorities to:

- step up the proactive investigation of potential cases of THB, including by labour inspectors, in sectors such as entertainment, tourism, agriculture and domestic work;

As it has already been mentioned, Labour Inspectors conduct controls randomly at work places, or in cooperation with the Immigration Unit. As regards the Police, the investigation carried out so far is a combination of proactive and reactive. Special techniques are used by the Police to support the evidential material of the case. However, the testimony of the victim before the court is required by Legislation. The promotion of the proactive investigation is a part of the training of police investigators. During investigation the Police use special techniques like undercover operations, surveillance, undercover agents etc. Also, enquiries include financial investigation and obtaining telephone data. Yet, telephone interception is not permitted by the Law.

191 - prioritise the identification of gaps in the investigation procedure and the presentation of cases in court, as well as proposals to increase convictions.

This is an ongoing procedure and there is a constant cooperation between Police and the Law Office for the identification of the gaps. Moreover, an operational guide was drafted and distributed to all the Districts. The guide includes the minimum actions required for dealing with information, organising operations and investigating cases of human trafficking.

Paragraph 67 is also relevant.

210 GRETA considers that the Cypriot authorities should:

- encourage the Office of the Attorney General to use Law 87 to pursue convictions for the offence of THB and to send THB cases to the assize courts;

Even though many cases are investigated under the 87(I)/2007 Law, convictions are still mainly based on the penal code. Nevertheless, a court case ended in 2013 with a ten months conviction on grounds of labour exploitation, according to the provisions of the 87(I) /2007 Law.

210 - encourage the judiciary to limit the delays and adjournments to the maximum so that the waiting time of THB victims is significantly reduced;

This is a challenge Cyprus still faces, even though the issue of delays and adjournments is brought up during the training of the judiciary.

210 - ensure that victims of THB are adequately informed, protected and assisted during court proceedings;

Victims of THB are escorted by members of the Cyprus Police during court proceedings for their safety and protection. Victims are also supported and assisted by the NGOs. Also, victims enter and exit the court from a different entrance than the defendants. In every court there are different rooms for the victims to be waiting for the trial so as they do not meet with the defendants. In several cases, the victims testify before the court without visual contact of the defendants.

210 - take measures to protect victims' private life and safety, including protection from intimidation, through holding trials *in camera* for THB cases, where appropriate;

According to article 40(1) of Law 87(I)/2007, a victim who, being fully aware of his/hers rights in accordance with the provisions of this Law, wishes to cooperate with the prosecuting authorities within the framework of criminal proceedings, is deemed a witness that requires assistance within the meaning of the Witness Protection Law of 2001. The previous answer also applies.

210 - facilitate the stay in Cyprus of victims of THB so that they can testify and exercise their rights to compensation and redress;

Paragraphs 41 and 162 are relevant. All victims who cooperate in criminal proceeding are entitled to a temporary residence permit which may be renewed every six months. However, as it has already been mentioned, residence permits may be extended for humanitarian reasons. This right also applies to victims who wish to exercise their rights to compensation. Even though article 44(d) of L. 87(I)/2007 states that repatriation of victims must be made within one month from the issue of the decision from the competent criminal court, in practice the stay of the victims is facilitated so that they can exercise their rights. In practice, victims are given the necessary time to exercise their right to compensation or until a solution to the victim's social rehabilitation and integration is found.

210 - Assist victims of THB who return to their countries of origin before the court proceedings to travel back to Cyprus in order to testify in court.

In such a case, the Law Office in cooperation with the Police, contacts the victims either directly or through the channels of Europol and Interpol to explore their intentions to return to Cyprus to testify in Court. If the victim is willing to return, then the Law Office covers all the expenses for the victim to return to Cyprus and testify before Court. This procedure has been in use for many years.

211 Furthermore, GRETA invites the Cypriot authorities to:

- **conduct a thorough assessment of the effectiveness of Law 87 and the reasons for its limited application;**

The new Bill will replace the existing Law and it aims not only to transpose the Directive 2011/36/EU, but also to include GRETA Recommendations on legislation and address the shortcomings and difficulties encountered in its application.

211 - address the recurring consideration by courts of THB victims/witnesses as noncredible.

The systematic training of investigators, prosecutors and Judges aims, inter alia, to address this problem.