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2021 Trafficking in Persons Report: Cyprus

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CYPRUS: Tier 2

The Government of the Republic of Cyprus does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included prosecuting more traffickers and significantly increasing resources to the Social Welfare Services-run (SWS) anti-trafficking shelter and resources for rent allowances and financial assistance for victims. SWS deployed 42 officers to assist asylum seekers, including screening for trafficking indicators, and the police anti-trafficking unit (ATU) adopted a new victim identification form. An international organization reported “a high standard of accommodation” at the SWS-run shelter, while civil society reported the implementation of the national referral mechanism (NRM) improved during the reporting period. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period, even considering the impact of the COVID-19 pandemic on the government’s anti-trafficking capacity. Although the government identified roughly the same number of victims, authorities investigated fewer suspects, and, for the third consecutive year, courts did not convict any perpetrators under the

trafficking law. Court proceedings for most crimes lasted years, and foreign victims and witnesses often returned to their countries of origin without an adequate means to ensure the continued inclusion of their testimony, resulting in trafficking cases convicted under lesser charges. ATU continued to lack sufficient resources to thoroughly investigate all referrals of potential trafficking victims. SWS did not respond in a timely manner to referrals of potential victims and failed to refer all potential victims to ATU for official identification procedures. As a result, potential victims lacked adequate accommodation, healthcare, and financial support for months. The Multidisciplinary Coordinating Group (MCG) met less frequently than in 2019 due to the pandemic, and the government did not organize any awareness campaigns. Therefore Cyprus was downgraded to Tier 2.

PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers under Law 60(I) and sentence convicted traffickers to significant prison terms. • Allocate sufficient resources to enable ATU to effectively investigate all offenses and SWS to refer all potential victims in a timely manner. • Reduce delays in providing victim assistance, including access to health care, rental disbursements, and financial assistance. • Train government personnel, particularly SWS officials, on victim identification, assistance, and referral. • Proactively identify victims among vulnerable populations, including migrants, asylum seekers, and agricultural workers. • Reduce delays in court proceedings. • Strengthen the capacity of the Labor Inspectorate to identify and refer victims of forced labor. • Improve victim-centered investigations and prosecutions and implement witness protection measures when necessary. • Implement recommendations made by the Ombudsman and other entities that monitor and evaluate anti-trafficking policies and efforts.

PROSECUTION

Law enforcement efforts continued to decrease, particularly the ability of the government to successfully convict a trafficker for three consecutive years. The government adopted Law 117(I)/2019 in July 2019, which amended Law 60(I)/2014 that criminalized sex trafficking and labor trafficking. Law 117(I)/2019 increased prescribed penalties from up to 10 years' imprisonment for offenses involving an adult victim to 25 years' imprisonment. Additionally, the law increased prescribed penalties for offenses involving

a child victim from up to 20 years' imprisonment to up to life imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for serious crimes, such as rape. The police investigated 18 suspects (24 in 2019); six suspects for sex trafficking, 11 suspects for forced labor, and one for both sex trafficking and forced labor. The police also investigated two forced marriage cases, which authorities considered to be trafficking under their law. The government prosecuted 23 defendants (16 in 2019); five defendants for sex trafficking, 15 for forced labor and three defendants for forced begging. The government continued to prosecute 86 defendants (86 in 2019); 53 for sex trafficking and 33 for forced labor. The government also continued to prosecute 24 defendants for forced marriage and three defendants for "soliciting or patronizing a sex trafficking victim." For the third consecutive year, courts failed to convict any traffickers under their trafficking law. Courts convicted two perpetrators prosecuted under the trafficking law with lesser offenses (four in 2019), including drug trafficking offenses, forgery, circulating false documents, obtaining a residency permit under false pretenses, and assisting an undocumented foreign national. The judge sentenced one perpetrator to nine months' imprisonment and three years' probation and the other to two years' imprisonment. The government suspended most court cases from March to April 2020 due to pandemic mitigation efforts except cases with suspects in custody and cases deemed as urgent by a judge. GRETA and OSCE reported cases relied heavily on victim and witness testimonies, and the government often did not provide or seek corroborating evidence. Additionally, court proceedings lasted up to three years, and the government did not ensure the continued inclusion of victim testimony after foreign victims and witnesses often returned to their countries of origin, resulting in lenient sentences, downgraded cases, and acquittals of suspects on trafficking charges due to a lack of other evidence.

The Ministry of Justice and Public Order maintained the ATU, which conducted proactive investigations and used special investigative techniques, including surveillance, undercover operations and informants, and wire-tapping. However, observers reported inadequate staffing and growing responsibilities outside of ATU's mandate limited the number of proactive investigations. For example, ATU spent much of its time helping victims with issues under the mandate of SWS, including assisting victims with administrative forms, applying for jobs on their behalf, and supporting victims with drug rehabilitation. GRETA reported the authorities treated many forced labor cases as labor disputes and, in 2020, observers reported local police, particularly in rural areas,

tolerated practices that were indicators of forced labor, including withholding salaries and confiscating travel documents. The government did not report any new investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. In September 2018, the ATU and the Internal Affairs Unit arrested and prosecuted four immigration police officers on suspicion of aiding a criminal network involved in trafficking; the government scheduled a hearing for June 2021. ATU and the Police Academy continued to train police officers on trafficking issues, including new recruits and immigration officers. The government also trained judges and asylum service officers on various anti-trafficking issues. The government executed one European investigative order, issued one European investigative order, and continued a joint investigation with Poland and the United Kingdom. The government participated in a EUROPOL operation and shared information with Germany, Portugal, Romania, Spain, and the United Kingdom.

PROTECTION

The government maintained victim protection efforts. The government identified 25 victims (24 in 2019); nine were sex trafficking victims, 13 were forced labor victims, including one victim of forced begging, and three were victims of both sex trafficking and forced labor; eight were female and 13 were male; three were children; and all adults were foreign victims. The three child victims, two males and one female, were Cypriot nationals. A multi-disciplinary NRM provided standard operating procedures for identifying and referring victims to services, including an operational manual, written guidance for first responders, and guidelines specifically for children. The police conducted proactive identification efforts, including in apartments, pubs, and agricultural establishments, but GRETA and other observers reported the ATU lacked sufficient resources to effectively investigate all referrals of potential victims, particularly among the increasing number of asylum seekers. The NRM required first responders to conduct preliminary identification of potential victims and refer potential victims to SWS. SWS officers provided potential victims with information and notified the ATU, who officially identified victims. Civil society reported the implementation of the NRM improved during the reporting period; however, SWS continued to respond slowly to referrals of potential victims and failed to refer all potential victims to ATU for official identification procedures. For example, trafficking victims exploited prior to arriving in Cyprus and applying for

asylum at immigration offices and detention centers may not be identified, according to GRETA, that documented NGOs referring potential victims among asylum seekers to SWS who were not referred to ATU. Additionally, SWS continued to lack the capacity to maintain contact with potential victims, and some potential victims did not have access to adequate accommodations and financial assistance. SWS reduced staff due to pandemic mitigation efforts, and a sharp increase in asylum applications exacerbated delays, resulting in potential victims among asylum seekers lacking adequate accommodation, health care, and financial support for months while waiting for SWS services. In 2019, the government established a permanent screening system for newly arrived asylum seekers and, in 2020, SWS deployed 42 officers dedicated to assisting asylum seekers, including screening for indicators of trafficking. SWS assigned an on-call officer outside of working hours and on weekends to provide emergency accommodation and financial support to potential victims, but observers noted that at times the NRM was not fully functional on weekends and, in previous years, the on-call SWS officer did not deem potential trafficking cases an emergency. The ATU interviewed 196 potential victims referred by SWS (246 potential victims, including 172 asylum seekers in 2019). In previous years, observers reported the ATU identification process lacked transparency and some interviews were not victim-centered, but ATU adopted a new victim identification form for potential victims aligned with internal identification manuals and based on international standards and guidelines. The government trained SWS officers, asylum officers, and mental health services staff on victim identification and assistance.

The law entitled officially identified victims to psycho-social services, health care, translation and interpretation services, education, vocational training, and financial assistance. Once ATU officially identified a victim, SWS evaluated the needs of victims and referred them to the appropriate government agencies and NGOs for assistance. SWS operated a specialized shelter for female sex trafficking victims with the capacity to accommodate 15 victims; the SWS-run shelter accommodated 50 official and potential victims (53 in 2019). Victims may stay for one month or longer, as appropriate, in the shelter for a reflection period. The SWS-run shelter allowed adult victims to leave the shelter voluntarily after an assessment conducted by the ATU. The government allocated €494,010 (\$606,140) to operate the SWS-run shelter, a significant increase compared to €337,970 (\$414,680) in 2019. GRETA reported “a high standard of accommodation” in the SWS-run shelter, including living conditions, protections, and reintegration programs.

Similarly, NGOs reported good service quality at the SWS-run shelter, health care services, and labor office but, as in previous years, observers reported victims continued to rely heavily on NGOs to help navigate cumbersome SWS procedures to access support services. The government maintained a memorandum of cooperation with an NGO to manage transitional housing for female sex trafficking victims, which accommodated sex trafficking victims searching for permanent residence after leaving the state-run shelter, and to provide longer-term accommodation for female victims in apartments. The government allocated €164,990 (\$202,440/146,700) to the NGO, compared with €147,000 (\$180,370) in 2019. The government also provided a rent subsidy and a monthly allowance for all victims and partnered with NGOs to provide apartments for male victims; however, victims faced obstacles to secure adequate accommodations due to increasing housing costs and greater demand for low-cost housing. The government allocated €213,620 (\$262,110) for rent allowances and financial assistance to trafficking victims through a public benefit scheme known as Guaranteed Minimum Income, an increase compared with €168,980 (\$207,340) in 2019. The government prioritized public benefit applications from trafficking victims over all other beneficiaries, but observers continued to report long delays, which were prolonged from reduced staff due to pandemic mitigation efforts, and victims waited several months to receive benefits with no retroactive payments. Victims received emergency financial assistance in cases of delayed distribution of monthly allowances, but the amount was insufficient to cover basic necessities. The government allocated €36,400 (\$44,670) for emergency rent and assistance to cover urgent needs, compared with €30,000 (\$36,810) in 2019. The government maintained a children's house to provide education, placement into foster homes, and specialized medical and psycho-social care for child victims of sexual abuse and exploitation, including trafficking. Victims could access free health care at public hospitals but did not have access to the General Healthcare System, established in 2019, which allowed free access to participating private sector healthcare providers. Employment counselors trained to handle sensitive cases sought suitable employment for each victim and benefits to victims did not discontinue until a SWS officer and an employment counselor examined each case.

There were no reports the government penalized victims for crimes their traffickers compelled them to commit; however, due to delays in formal identification procedures, some asylum seekers may have been detained in reception centers while waiting for their interviews. The government repatriated or granted residence permits and work

authorization to foreign victims, including those who decided after their reflection period not to cooperate with the police. The government granted eight requests for residence and work permits (10 in 2019) and granted refugee or international protection status to three victims of trafficking. However, in November 2020, the Ministry of Interior (MOI) informed a labor trafficking victim from India—identified in 2015—that his residence and work permits would not be renewed and that he would be processed for repatriation due to the absence of a criminal court case against his traffickers. Prosecutors reportedly declined to prosecute his case due to a lack of corroborating evidence, and police arrested and detained the trafficking victim on March 14, 2021. After the international community inquired about the case, authorities released the victim on March 31, but his residency and work permits were still pending. Specialized personnel in the ATU, including a forensic psychologist, conducted interviews with potential and identified victims before taking an official statement. Overall, 21 victims assisted law enforcement investigations. Police permitted victims to leave Cyprus and return for trial after assessing the potential risks. No victims left Cyprus and returned to testify in trial (one in 2019). However, victims and witnesses often left the country and did not return before trial due to long delays, hindering prosecution efforts. The law entitled victims to witness protection through a request made by the police to the Attorney General; no requests were made in 2019 or 2020. Police officers escorted victims to court proceedings, and the law allowed courts closed-door trials, a partition to separate victims from their traffickers, remote testimony, and the use of video-recorded testimonies for child victims; courts used none of these methods in 2019. Authorities provided victims' family members living abroad protection measures from intimidation and retaliation by arranging travel to Cyprus through diplomatic channels. Law allowed restitution through criminal cases and compensation through civil suits, but judges have never issued restitution, and authorities only approved two applications to date from victims for legal aid to pursue compensation.

PREVENTION

The government decreased prevention efforts, partly due to pandemic-related restrictions. The MCG to combat trafficking, comprising relevant government agencies and NGOs, monitored the implementation of the 2019-2021 national action plan; the MCG met in-person on July 16, 2020 and virtually on December 16, 2020 (met three

times in 2019). The government did not conduct any awareness campaigns. During the previous reporting period, the Ombudsman produced two public reports on the government's anti-trafficking policies in response to civil society concerns. One report concluded government services did not fully implement provisions of the victim protection law because authorities did not renew the residence permits of victims exploited abroad; civil society filed a complaint stating authorities had not fully implemented the Ombudsman's recommendations. Law required employment agencies to acquire a permit and prohibited withholding payment, confiscating passports, and charging workers for job searches, placement, and maintenance of employment. In 2020, the Ministry of Labor (MOL) inspected 123 employment agencies, revoked the licenses of 14 agencies, and fined 14 agencies for failing to maintain required records. MOL maintained a contract for employment of domestic workers and defined the process by which the employee or the employer could terminate the contract. In addition, the contract set a €309 (\$380) minimum monthly salary for domestic workers and required employers to be responsible for accommodation, medical insurance, meals, visa fees, travel expenses, and repatriation ticket. The government contributed €25,000 (\$30,670) to co-fund an OSCE project to combat trafficking in the Mediterranean. The government made efforts to reduce the demand for commercial sex acts, including by strengthening the criminalization of the demand and purchase of commercial sex from a trafficking victim. The government did not operate a hotline.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Cyprus. Foreign victims identified in Cyprus in 2020 were from Bulgaria, Cameroon, Egypt, India, Nepal, Philippines, Nigeria, and Romania. In previous years, victims were also from Cameroon, China, Czechia, Ethiopia, Greece, India, Moldova, Nepal, Nigeria, Romania, Russia, Sri Lanka, Ukraine, Uzbekistan and Vietnam. Traffickers subject women, primarily from Eastern Europe, South and Southeast Asia, and sub-Saharan Africa, to sex trafficking. Sex trafficking occurs in private apartments and hotels, on the street, and in bars, pubs, coffee shops, massage parlors, and cabarets known for the availability of commercial sex. Traffickers exploit short-term tourist visas available to Ukrainian and Russian nationals to recruit young women for sex trafficking in bars and private establishments and recruit some female sex trafficking

victims with false promises of marriage or work as barmaids or hostesses. Traffickers subject foreign migrant workers—primarily from South and Southeast Asia—to forced labor in agriculture. Employment agencies recruit and exploit migrant workers who enter the country on short-term work permits in labor trafficking; after the permits expire, traffickers use debt-based coercion, threats, and withholding of pay and documents. Domestic workers from India, Nepal, the Philippines, and Sri Lanka are vulnerable to forced labor. Traffickers subject asylum seekers from Southeast Asia, Africa, and Eastern Europe to forced labor in agriculture and domestic work. Unaccompanied children, children of migrants, Roma, and asylum seekers are especially vulnerable to sex trafficking and forced labor. Romani children are vulnerable to forced begging. Traffickers exploit Cypriots addicted to drugs and young women with disabilities to commit criminal offenses such as distributing illegal substances and committing welfare benefits fraud.

AREA ADMINISTERED BY TURKISH CYPRIOTS

The northern area of Cyprus is administered by Turkish Cypriots. In 1983, the Turkish Cypriots proclaimed the area the independent “Turkish Republic of Northern Cyprus” (“TRNC”). The United States does not recognize the “TRNC,” nor does any other country except Turkey. If the “TRNC” were to be assigned a formal ranking in this report, it would be Tier 3. “TRNC” does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so, even considering the impact of the COVID-19 pandemic on its anti-trafficking capacity. Despite the lack of significant efforts, “TRNC” took some steps to address trafficking. In March 2020, “Parliament” amended the “TRNC criminal code” to include trafficking for the first time and “Parliament” also passed the 2000 UN TIP Protocol in April 2018. However, Turkish Cypriot authorities did not investigate, prosecute, or convict any traffickers. Turkish Cypriot authorities did not identify any trafficking victims and provided no victim protection, including shelter and social, economic, and psychological services. Turkish Cypriot authorities did not allocate funding to anti-trafficking efforts or provide training on anti-trafficking issues.

The “Nightclubs and Similar Places of Entertainment Law of 2000” stipulated nightclubs may only provide entertainment such as dance performances, but Turkish Cypriot

authorities rarely enforced this “law” and observers continued to report the 27 nightclubs in “TRNC” acted as brothels where sex trafficking commonly occurred. Police confiscated passports of foreign women working in nightclubs and issued them identity cards, reportedly to protect them from abuse by nightclub owners. Observers reported women preferred to keep their passports, but police convinced them to render passports to avoid deportation. “TRNC” authorities did not permit women to change location once under contract with a nightclub and routinely deported foreign victims who voiced discontent about their treatment; Turkish Cypriot authorities deported 255 women who curtailed their contracts without screening for indicators of trafficking (581 in 2019). The “law” prohibited living off the earnings of prostitution or encouraging prostitution, but nightclub bodyguards accompanied female nightclub employees to their weekly health checks for sexually transmitted infections, ensuring the women did not share details about potential exploitation in commercial sex with police or doctors in order to facilitate continued illegal activity. The “law” that governed nightclubs prohibited foreign women from living at their place of employment; however, most women lived in dormitories adjacent to the nightclubs or in other accommodations arranged by the owner, a common indicator of trafficking.

The “Nightclub Commission,” composed of police and “government officials” who regulate nightclubs, met monthly and made recommendations to the “Ministry of Interior” regarding operating licenses, changes to employee quotas, and the need for intervention at a particular establishment. The “Nightclub Commission” reportedly inspected approximately five nightclubs every two weeks and followed up on complaints; however, in practice, inspections focused on the sanitation of kitchens and interviews with women working in nightclubs always took place in front of nightclub bodyguards or staff, preventing women from speaking freely. Nightclubs provided a source of tax revenue for the Turkish Cypriot administration with media reports in 2015 estimating nightclub owners paid between 20 million and 30 million Turkish lira (\$2.69 million and \$4 million) in taxes annually, presenting a conflict of interest and a deterrent to increased political will to combat trafficking. Additionally, observers alleged complicit “government officials” were involved in organized criminal groups associated with nightclubs and that some “parliament” members were among the nightclubs’ clientele. Despite business closures due to pandemic mitigation measures, night club owners continued to force victims into sex trafficking. NGOs reported an increase in calls to an NGO-run hotline from trafficking

victims and a 400 percent increase in requests for psychological assistance and 300 percent increase in legal assistance from victims in 2020.

“TRNC” authorities did not report the number of six-month hostess and barmaid “work permits” for individuals working in nightclubs and pubs, compared with 942 six-month “work permits” between April 2019 and January 2020. During the reporting period, there were 255 women working under such “permits” (310 during the previous reporting period). Nightclub owners hired female college students to bypass the cap on the number of employees legally permitted in each club and to avoid taxes and monitoring. Most permit holders came from Belarus, Moldova, Morocco, Russia, and Ukraine, while others came from Armenia, Azerbaijan, Kazakhstan, Kenya, Kyrgyzstan, Paraguay, Tajikistan, Tanzania, Turkmenistan and Uzbekistan. “TRNC” did not provide the number of “work permits” issued to domestic workers in 2019 or 2020 (3,143 in 2018). Turkish Cypriot authorities did not encourage potential victims to assist in prosecutions against their traffickers and deported all potential victims. “TRNC” authorities did not enforce labor “laws” and observers reported Turkish Cypriot authorities made little efforts to investigate employers and recruitment agencies charging high recruitment fees, confiscating passports, and withholding salaries that were common practices. Turkish Cypriots made no efforts to reduce demand for commercial sex acts. The “Social Services Department” in the “Ministry of Labor” continued to run a hotline for trafficking victims; however, it was inadequately staffed, not always operational and experts reported trafficking victims were afraid to call the hotline because they believed it was linked to authorities.

As reported over the past five years, human traffickers exploit domestic and foreign victims in the “TRNC.” Traffickers exploit women from Central Asia, Eastern Europe, and Africa in sex trafficking in nightclubs licensed and regulated by Turkish Cypriot authorities. Men and women are exploited in forced labor in the industrial, construction, agriculture, domestic work, restaurant, and retail sectors. Traffickers control victims of forced labor through debt-based coercion, threats of deportation, restriction of movement, and inhumane living and working conditions. Labor trafficking victims originate from Eastern Europe, sub-Saharan Africa, Central Asia, and South and Southeast Asia. Migrants, especially those who cross into the area administered by Turkish Cypriots after their work permits in the Republic of Cyprus have expired, are vulnerable to labor trafficking. Romani children and Turkish seasonal workers and their

families are also vulnerable to labor exploitation and trafficking. Foreign university students, many of whom were recruited with false promises of scholarships, free housing, and employment, are vulnerable to both sex and labor trafficking. Traffickers force female students into sex trafficking in apartments and male students into forced labor or coerce students to commit crimes such as transporting or selling drugs. Students who drop out of school or engage in irregular work, many from sub-Saharan African countries, were particularly vulnerable. As in previous years, observers report that a number of women, some of whom are trafficking victims, entered the “TRNC” on three-month tourist or student visas and engaged in commercial sex in apartments in north Nicosia, Kyrenia, and Famagusta. Migrants, asylum seekers, LGBTIQ+ persons, refugees, and their children are also at risk for sexual exploitation. Observers report traffickers shifted tactics during the pandemic, forcing female sex trafficking victims to visit clients’ homes due to the drop in demand at nightclubs and often marketed home visits to potential clients under the guise of massage services. Civil society report traffickers allegedly facing financial hardship due to the pandemic act with increased aggression towards victims.

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