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2019 Trafficking in Persons Report: Cyprus

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JUNE 20, 2019

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CYPRUS: Tier 1

The Government of Cyprus fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Cyprus remained on Tier 1. These efforts included prosecuting more traffickers and increasing funds to the government-run shelter. The government strengthened child protection measures by opening a children's house to provide support services to child victims and allocating funds to an NGO to operate a day care center for children of trafficking victims. The government also strengthened prevention efforts by admitting four NGOs into the Multidisciplinary Coordinating Group and commissioning a study to identify gaps in prosecutions. Although the government meets the minimum standards, it did not convict any traffickers for sex trafficking or forced labor and court proceedings continued to face delays. Administrative issues, particularly within the Social Welfare Service, hindered victim assistance measures, such as slow responses to referrals of potential trafficking victims and delays in financial assistance.

PRIORITIZED RECOMMENDATIONS

Vigorously investigate, prosecute, and convict traffickers under Law 60(I) and impose significant prison terms on convicted traffickers. • Reduce delays in accessing assistance, including rental disbursements and financial assistance. • Respond to referrals of potential trafficking victims in a timely manner and increase access to support for victims identified outside of business hours of support service providers. • Proactively identify victims among vulnerable populations, including migrants, asylum-seekers, and agricultural workers. • Provide legal tools and capacity for police to collect sufficient evidence. • 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. • Adopt a national action plan. • Develop a robust monitoring and evaluation framework for anti-trafficking policies and efforts.

PROSECUTION

The government maintained law enforcement efforts. Law 60(I) of 2014 criminalized sex trafficking and labor trafficking and prescribed penalties of up to 10 years' imprisonment for offenses involving an adult victim and up to 20 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. The police investigated 32 suspected traffickers (38 in 2017); 26 suspects and a company for sex trafficking and six for forced labor, including four for forced begging (29 suspects for sex trafficking, five for forced labor, and four for both sex and labor trafficking in 2017). The government also investigated eight suspects for forced marriage (four in 2017), which authorities considered to be trafficking under their law. The government prosecuted 30 defendants (three in 2017), 27 defendants and two companies for sex trafficking and three for forced labor. The government also prosecuted 16 defendants for forced marriage. Courts convicted three traffickers prosecuted under the trafficking article with other offenses, including money laundering, exploitation of prostitution, and maintaining

a brothel (eight in 2017 and one in 2016). Courts also convicted one perpetrator for forced marriage, which authorities considered to be trafficking under their law.

The Ministry of Justice and Public Order maintained an anti-trafficking unit (ATU) that conducted proactive investigations. ATU reported the absence of legislation allowing the use of electronic surveillance hampered their ability to collect sufficient evidence and corroborate victim-witness testimonies. ATU and the Internal Affairs Unit arrested and prosecuted four immigration police officers on suspicion of aiding a criminal network involved in trafficking. The Police Academy continued to train police officers on trafficking issues, including new recruits, immigration police, and community police. The government, separately and with technical assistance from international organizations and NGOs, organized 29 training programs for police officers. The government extradited one suspected trafficker to Israel and one to Belarus and conducted joint investigations with Cameroon, China, Poland, and the United Kingdom. The government and Israel signed a cooperation agreement on public security issues, including trafficking.

PROTECTION

The government maintained victim protection efforts. The government identified 31 victims (27 victims in 2017); 21 victims of sex trafficking, eight victims of both sex trafficking and forced labor, and two victims of forced labor (18 victims of sex trafficking, eight victims of forced labor, and one victim of both sex trafficking and forced labor in 2017); 30 female victims and one male victim (21 female victims and six males in 2017); no child victims (one victim was a boy in 2017). The government also identified five victims of forced marriage, which authorities considered to be trafficking under their law. A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures for identifying and referring victims to services, including an operational manual and written guidance for first responders. The NRM required first responders to conduct preliminary identification of potential victims and refer potential victims to the Social Welfare Services (SWS). SWS officers provided potential victims with information and notified the ATU, who officially identified victims. The government approved a standardized form for referrals to SWS. However, NGOs reported SWS sometimes did not respond in a timely manner

to referrals of potential trafficking victims, leading to delays in their formal identification, and some lacked access to adequate accommodations and financial assistance during this time. In addition, a lack of communication between law enforcement and SWS caused tension between the two agencies and slowed victim identification procedures. The ATU interviewed 111 potential victims through SWS (80 in 2017); the government referred 74 potential victims and NGOs referred 37 potential victims (the government referred 64 potential victims, NGOs referred 10, two self-identified, and the public identified five in 2017). Observers reported the ATU lacked transparency in the identification process, while authorities reported using internal identification manuals based on international standards and guidelines. Specialized personnel in the police anti-trafficking unit, including a forensic psychologist, conducted interviews with potential and identified victims before taking an official statement. Observers continued to report potential forced labor victims remained undetected; government and NGOs referred six agricultural workers as potential victims. Observers also reported a lack of proactive identification efforts at the Kofinou Reception Center and reported anecdotal accounts of exploitation; government and NGOs referred 48 asylum-seekers as potential victims. SWS assigned an on-call officer outside of working hours during weekends to provide emergency accommodation and financial support to potential victims, but observers noted the NRM was not fully functional on weekends and the on-call SWS officer did not deem potential trafficking cases as an emergency. The government, in cooperation with an NGO, trained social welfare officers on proactive identification.

The government allocated €280,000 (\$321,100) to operate the SWS-run shelter, compared to €265,770 (\$304,790) in 2017. This amount did not include salaries for the SWS-run shelter staff. The government allocated €213,420 (\$244,750), compared to €263,550 (\$302,230) in 2017, for rent allowances and financial assistance to trafficking victims through a public benefit scheme known as Guaranteed Minimum Income. In addition, the government allocated €25,000 (\$28,670) for emergency rent and assistance to cover urgent needs. SWS evaluated the needs of victims and potential 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 69 official and potential victims (30 in 2017). 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 ATU. The government maintained a memorandum of cooperation with an NGO to manage an open house for female sex trafficking victims, which accommodated recognized sex trafficking victims while searching for permanent residence after leaving the state-run shelter and also provide longer-term accommodation for female victims in apartments. The government allocated €62,000 (\$71,100) to the NGO, compared to €60,000 (\$68,810) in 2017. The government allocated another €10,000 (\$11,470) to the NGO to operate a day care center for children of trafficking victims. 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 experienced delays in rent disbursements resulting in the eviction of one victim and landlords' threats of eviction for other victims.

The law entitled victims to psycho-social services, health care, translation and interpretation services, education, vocational training, and financial assistance. The government trained health care professionals on the mental health care for sex trafficking victims and all staff at the government-run shelter participated in monthly training sessions from Ministry of Health clinical psychologists. Observers reported good quality of service at the government-run shelter, health care services, and labor offices; however, victims continued to rely heavily on NGOs to help navigate cumbersome SWS procedures to access support services. Employment counselors trained to handle sensitive cases sought suitable employment for each victim. The government opened a children's house in 2018 to provide education, placement into foster homes, and specialized medical and psycho-social care for child victims of sexual abuse and exploitation, including trafficking. In the previous years, the government streamlined the process for providing financial support to victims and prioritized public benefit applications from trafficking victims; however, observers reported victims still waited approximately four 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 voluntarily 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 extended

the residence and work permit for six victims (three in 2017) and granted asylum to two victims (four in 2017).

Twenty-seven victims assisted law enforcement in investigations (26 in 2017). The government permitted victims to leave Cyprus and return for trial, and police remained in contact with victims while they were abroad; no victims left Cyprus and returned to testify in trial in 2018 (two in 2017). The law entitled victims to witness protection through a request made by the police to the Attorney General; no requests were made in 2017 or 2018. Police officers escorted victims to court proceedings, but in previous years, police sometimes did not share information and updates on court procedures or did not keep appointments at promised times, creating anxiety among victims. Observers reported key witnesses left the country before trial due to long delays, hindering prosecution efforts. 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; however, courts used none of the methods in 2017 or 2018. Prosecutors and judges did not seek restitution in criminal cases and required victims to pursue compensation through civil suits; 10 victims applied for legal aid to pursue civil suits.

PREVENTION

The government increased prevention efforts. The Multidisciplinary Coordinating Group (MCG) to combat trafficking, comprising relevant government agencies and NGOs, met twice (once in 2017) and admitted four NGOs into the group. The government did not adopt the 2019-2021 national action plan. The Ministry of Justice and police commissioned a study with a university to identify gaps in investigating and prosecuting trafficking cases. The Ombudsman accepted the role of external evaluator of the government's anti-trafficking policies in response to observers reporting a need for an independent evaluation of anti-trafficking policies and programs but had not assumed the role pending a formal amendment to the trafficking law. The government continued to print and distribute brochures in 11 languages aimed at potential victims on their rights and assistance available to them. The Ministry of Labor (MOL) inspected 128 employment agencies (122 in 2017) and revoked the licenses of six employment agencies for labor violations (10

in 2017). MOL also imposed a fine on one employment agency for fraudulent recruitment (three in 2017) and police separately investigated one case involving an employment agency (three in 2017). The Ministry of Interior implemented a new 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 (\$354) minimum salary for domestic workers and required employers to be responsible for accommodation, medical insurance, meals, visa fees, travel expenses, and repatriation ticket. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Cyprus. Victims identified in Cyprus in 2018 were from Bulgaria, Cameroon, China, Cyprus, Ethiopia, The Gambia, India, Latvia, Moldova, Ukraine, Nigeria, Romania, Russia, Uzbekistan, and Vietnam. Traffickers subject women, primarily from Eastern Europe, Vietnam, India, and sub-Saharan Africa, to sex trafficking. Sex trafficking occurs in private apartments and hotels, on the street, and within commercial sex outlets in Cyprus, including bars, pubs, coffee shops, and cabarets. Traffickers 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. Migrant workers subjected to labor trafficking are recruited by employment agencies and enter the country on short-term work permits; after the permits expire, they are often subjected to 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.

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. The area administered by Turkish Cypriots continues to be a zone of impunity for human trafficking. Turkish Cypriot authorities do not fully meet the minimum standards for the elimination of trafficking and are not making significant efforts to do so. Turkish Cypriots did not keep statistics on law enforcement efforts against trafficking offenders. The area administered by Turkish Cypriots lacked shelters and social, economic, and psychological services for victims. Local observers reported authorities were complicit in facilitating trafficking, and “police” continued to retain passports upon arrival of women working in nightclubs. The “Nightclubs and Similar Places of Entertainment Law of 2000” provided the most relevant legal framework vis-a-vis trafficking and stipulated nightclubs may only provide entertainment such as dance performances. “Parliament” passed the 2000 UN TIP Protocol in April 2018. Additionally, trafficking-related cases could be tried under the “TRNC criminal code,” which prohibited living off the earnings of prostitution or encouraging prostitution and forced labor. However, Turkish Cypriots rarely enforced this law and rarely prosecuted nightclub owners, bodyguards, or clients. In 2017, “police” arrested the owner of a nightclub and tried him for “encouraging prostitution” and “living off the earnings of prostitution,” and in October 2018, the “Ministry of Interior (MOI)” prevented five nightclub owners with criminal records from recruiting women on hostess and barmaid “permits.” Additionally, in February 2018, the Mayor of Nicosia Turkish Municipality closed four nightclubs, citing the absence of established “legal” frameworks and reports of sexual exploitation, and continued to deny “permit” renewals to the four nightclubs. After a “court” denied the nightclub owners’ lawsuit against the municipality, two of the “nightclubs” moved to other localities and the other two ceased operating. The authorities made no efforts to punish labor recruiters or brokers involved in the recruitment of workers through knowingly fraudulent employment offers or excessive fees for migration or job placement. There was no “law” that punished

traffickers who confiscate workers' passports or documents, change contracts, or withhold wages to subject workers to servitude.

Turkish Cypriot authorities did not allocate funding to anti-trafficking efforts, "police" did not receive training to identify victims, and authorities provided no protection to victims. "Police" confiscated passports of foreign women working in nightclubs and issued them identity cards, reportedly to protect them from abuse by nightclub owners who confiscated passports. Observers reported women preferred to keep their passports, but "police" convinced them to render passports to avoid deportation. Foreign victims who voiced discontent about the treatment they received were routinely deported. The "government" reportedly allowed trafficking victims serving as material witnesses against a former employer to find new employment and resided in temporary accommodation arranged by the "police," but experts reported women were accommodated at nightclubs. The Turkish Cypriot authorities did not encourage victims to assist in prosecutions against traffickers and deported all foreign victims. If the police requested a victim to stay to serve as a witness, the "law" required the "police" to provide temporary accommodation; however, the only shelter for trafficking victims closed in July 2016.

During the reporting period, "TRNC" authorities issued 1,605 six-month "hostess" and "barmaid" "work permits" for individuals working in nightclubs and two pubs operating in the north (1,084 in 2017). As of March 2019, there were 319 women working under such "permits" (400 as of January 2018). Nightclub owners hired female college students to bypass the cap on the number of employees legally permitted in each club and avoid taxes and monitoring. Observers reported authorities did not consistently document the arrival of women intending to work in nightclubs. Most permit holders came from Belarus, Moldova, Morocco, Russia, and Ukraine, while others came from Armenia, Kazakhstan, Kenya, Kyrgyzstan, Paraguay, Tajikistan, Tanzania, and Uzbekistan. Reportedly, some "parliament" members were clientele of the nightclubs. Women were not permitted to change location once under contract with a nightclub, and Turkish Cypriot authorities deported 638 women (331 in 2017) who curtailed their contracts without screening for trafficking. While prostitution is illegal, female nightclub employees were required to submit to weekly health checks for sexually transmitted infections, suggesting recognition and tacit approval of prostitution. Victims reported bodyguards at the nightclubs

accompanied them to “health and police checks,” ensuring they did not share details of their exploitation with “law enforcement” or doctors. 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. The “Nightclub Commission,” composed of “police” and “government officials” who regulate nightclubs, prepared brochures on employee rights and distributed them to foreign women upon entry. The “Nightclub Commission” met monthly and made recommendations to the “MOI” 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 focus on the sanitation of kitchens and interviews with women working in nightclubs always took place in front of nightclub bodyguards or staff, preventing potential trafficking victims from speaking freely. The “Social Services Department” in the “Ministry of Labor” continued to run a hotline for trafficking victims; however, it was inadequately staffed by one operator who had not received any training on trafficking. An expert reported trafficking victims were afraid to call the hotline because they believed it was linked to authorities. Authorities deported 40 female nightclub workers after having sought help from the authorities due to complaints regarding their working conditions (47 in 2017). During the reporting period, the “TRNC” issued 3,143 work permits to domestic workers (945 in 2017). Turkish Cypriots made no efforts to reduce demand for commercial sex acts or forced labor.

As reported over the past five years, human traffickers exploit domestic and foreign victims in “TRNC.” Traffickers subject women from Central Asia, Eastern Europe, and Africa whom traffickers subject to sex trafficking in nightclubs licensed and regulated by the Turkish Cypriot administration. Nightclubs provide a source of tax revenue for the Turkish Cypriot administration; media reports in 2015 estimated nightclub owners paid between 20 million and 30 million Turkish lira (\$3.79 million and \$5.68 million) in taxes annually. This presents a conflict of interest and a deterrent to increased political will to combat trafficking. Men and women are subjected to forced labor in industrial, construction, agriculture, domestic work, restaurant, and retail sectors. Victims of labor trafficking are controlled through debt bondage, threats of deportation, restriction of movement, and inhumane living and

working conditions. Labor trafficking victims originate from China, Nigeria, Pakistan, Philippines, Turkey, Turkmenistan, Vietnam, and Zimbabwe. Migrants, especially those who cross into the Turkish Cypriot community 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. Women issued permits for domestic work are vulnerable to forced labor. Men and women enrolled as university students, particularly from sub-Saharan African countries, are vulnerable to sex trafficking and forced labor. As in previous years, observers reported that a number of women, some of whom may be trafficking victims, entered the “TRNC” on three-month tourist or student visas and engaged in prostitution in apartments in north Nicosia, Kyrenia, and Famagusta. Migrants, asylum-seekers, refugees, and their children are also at risk for sexual exploitation.

RECOMMENDATIONS FOR TURKISH CYPRIOT AUTHORITIES

Enact “legislation” prohibiting all forms of human trafficking. • Screen for trafficking victims, including in nightclubs and pubs. • Increase transparency in the regulation of nightclubs and promote awareness among clients and the public about force, fraud, and coercion used to compel prostitution. • Provide funding to NGO shelters and care services for the protection of victims; investigate, prosecute, and convict “officials” complicit in trafficking. • Provide alternatives to deportation for victims of trafficking. • Acknowledge and take steps to address conditions of forced labor, including among domestic workers.

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