



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

**Recommendation CP/Rec(2020)04  
on the implementation of the Council of Europe Convention  
on Action against Trafficking in Human Beings  
by Cyprus**

*adopted at the 26th meeting of the Committee of the Parties  
on 12 June 2020*

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

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

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

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

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

Recalling Committee of the Parties' Recommendation CP(2015)15 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Cyprus and the report of the Cypriot authorities on measures taken to comply with this recommendation, submitted on 12 December 2016;

Having examined the third report concerning the implementation of the Convention by Cyprus, adopted by GRETA by written procedure in April 2020, as well as the final comments of the Cypriot Government on the third report received on 15 May 2020;

Bearing in mind the focus of the third evaluation round of the Convention on access to justice and effective remedies for victims of trafficking;

Considering the conclusions and proposals contained in chapter V of GRETA's third report on follow-up topics specific to Cyprus;

Welcoming the measures taken and progress achieved by the Cypriot authorities in implementing the Convention, and in particular:

- the amendments to Law 60(I)2014 on Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims, increasing the penalties for human trafficking and criminalising the use of sexual services of victims of trafficking;
- the introduction of a National Referral Mechanism providing a co-operation framework for the identification of victims of trafficking and their referral to assistance;

- the increase in the funding allocated for the operation of the state shelter for female victims of human trafficking;
- the steps taken to protect victims of trafficking and their family members from intimidation and retaliation;
- the provision of specialised training on human trafficking to police officers and the training provided to other professional groups;
- the continued efforts in the area on international co-operation, and in particular the active part of the Police Office for Combating Trafficking in Human Beings.

A. Recommends that the Government of Cyprus take measures to address the following issues for immediate action<sup>1</sup> identified in GRETA's report:

1. strengthen efforts to facilitate and guarantee access to justice for victims of trafficking by ensuring that they receive specialised legal assistance and free legal aid at an early stage of the criminal proceedings, and throughout the latter. A lawyer should be appointed as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, before the person concerned has to decide whether or not to co-operate with the authorities and/or make an official statement. Furthermore, training should be provided to lawyers representing victims of trafficking (paragraph 46);
2. adopt measures to facilitate and guarantee access to compensation from the perpetrators, and in particular:
  - enable all victims of trafficking to exercise their right to compensation, by ensuring access to legal aid and legal assistance at the outset of the criminal proceedings;
  - build the capacity of legal practitioners to support victims in claiming compensation;
  - ensure that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim, is part of the criminal investigations with a view to supporting compensation claims in court;
  - include compensation in the training programmes for prosecutors and the judiciary, and encouraging them to use all the possibilities the law offers to uphold compensation claims by victims of trafficking;
  - introducing a procedure through which victims are entitled to obtain a decision on compensation from the offender as part of the criminal trial and requiring courts to state, where applicable, why compensation is not considered;
  - make full use of the legislation on the freezing and forfeiture of assets to secure compensation to victims of trafficking, and ensure that recoverable property which is seized in criminal proceedings is returned as soon as possible to the victim;
  - ensure victims' right to claim compensation through civil proceedings regardless of the outcome of the criminal proceedings;

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<sup>1</sup> The number of the paragraph setting out GRETA's proposals in the report is indicated in brackets.

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- amend the legislation with a view to ensuring that State compensation is not conditional on failure to obtain compensation through civil proceedings;
  - set up as a matter of priority a victim compensation fund (paragraph 65).
3. take additional measures to ensure that the best interests of the child are the primary consideration in all proceedings relating to child victims of trafficking, and avoid as far as possible the cross-examination of child victims (paragraph 132);
  4. comply with the obligations under Article 12 of the Convention and provide assistance, including safe accommodation, adapted to the specific needs of male victims of trafficking, as well as develop a programme for long-term support and integration of victims of trafficking (paragraph 173);
  5. provide in the national legislation for a recovery and reflection period when there are reasonable grounds to believe that a person is a victim of human trafficking, as provided for in Article 13 of the Convention, and ensure that all possible foreign victims of trafficking are offered an effective recovery and reflection period, as well as all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention during this period (paragraph 178).
- B. Recommends that the Cypriot authorities take measures to implement the other proposals for action listed in Appendix 1 of GRETA's third evaluation report.
- C. Requests the Government of Cyprus to report to the Committee of the Parties on the measures taken to comply with this recommendation by **12 June 2022**.
- D. Invites the Government of Cyprus to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.