

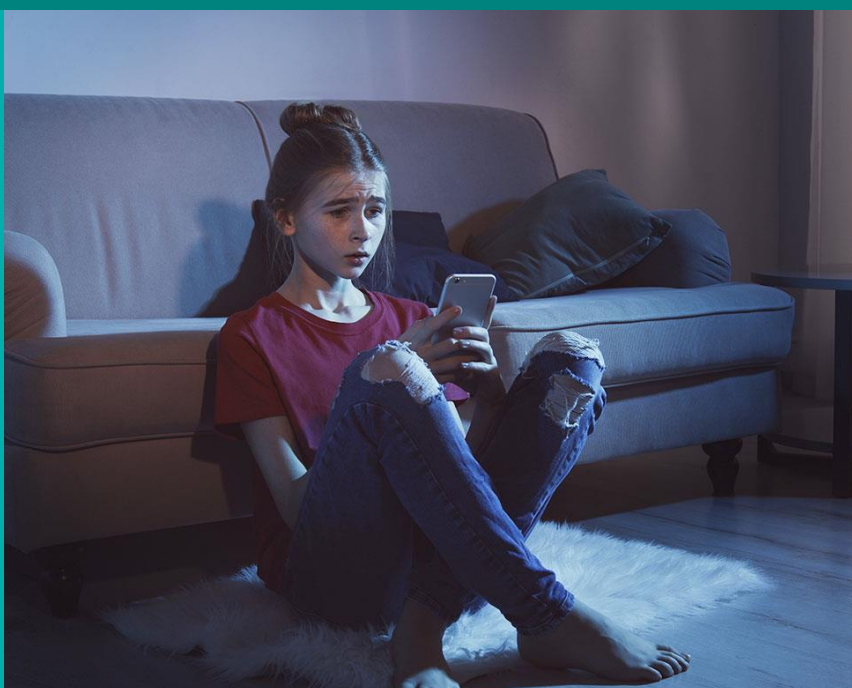
# FOURTH EVALUATION ROUND

Measures to prevent and detect vulnerabilities  
to human trafficking

## EVALUATION REPORT CYPRUS

### GRETA

Group of Experts  
on Action against  
Trafficking in Human Beings



Implementation of the  
Council of Europe Convention  
on Action against Trafficking  
in Human Beings

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## Table of contents

|   |           |
|---|-----------|
| <b>Preamble .....</b>   | <b>4</b>  |
| <b>General information on trafficking in human beings in Cyprus .....</b>   | <b>8</b>  |
| <b>I. Introduction .....</b>  | <b>9</b>  |
| <b>II. Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking .....</b>   | <b>11</b> |
| <b>III. Addressing vulnerabilities to trafficking in human beings .....</b>   | <b>13</b> |
| <b>1. Prevention of trafficking in human beings.....</b>  | <b>13</b> |
| a. Introduction.....  | 13        |
| b. Measures to prevent the vulnerability of specific groups to trafficking in human beings .....  | 14        |
| <i>i. Children .....</i>  | <i>14</i> |
| <i>ii. Vulnerabilities related to the gender dimension of human trafficking and of LGBTI persons.....</i>                                     | <i>17</i> |
| <i>iii. Migrant workers.....</i>  | <i>18</i> |
| <i>iv. Asylum seekers and refugees.....</i>   | <i>21</i> |
| <i>v. Disadvantaged minorities.....</i>   | <i>25</i> |
| <i>vi. Persons with disabilities.....</i>   | <i>27</i> |
| <b>2. Measures to protect and promote the rights of victims of trafficking .....</b>  | <b>29</b> |
| a. Identification of victims of THB.....  | 29        |
| b. Assistance to victims .....  | 32        |
| <b>3. Substantive criminal law and procedural law .....</b>   | <b>35</b> |
| a. Notion of “abuse of a position of vulnerability” in the law and case-law.....  | 35        |
| b. Investigation, prosecution and sanctions .....   | 37        |
| c. Criminalisation of the use of services of a victim .....   | 40        |
| <b>IV. Addressing human trafficking facilitated by information and communication technology (ICT).....</b>                                    | <b>40</b> |
| <b>V. Follow-up topics specific to Cyprus .....</b>   | <b>43</b> |
| <b>1. Legal assistance and free legal aid (Article 15) .....</b>  | <b>43</b> |
| <b>2. Compensation (Article 15).....</b>  | <b>44</b> |
| <b>3. Recovery and reflection period (Article 13) .....</b>   | <b>45</b> |
| <b>4. Residence permits .....</b>   | <b>46</b> |
| <b>VI. Conclusions .....</b>  | <b>47</b> |
| <b>Appendix 1 .....</b>   | <b>49</b> |
| <b>Appendix 2 - List of GRETA’s conclusions and proposals for action.....</b>   | <b>50</b> |
| <b>Appendix 3 - List of public bodies, intergovernmental organisations and civil society actors with which GRETA held consultations .....</b> | <b>55</b> |
| <b>Government’s comments.....</b>   | <b>57</b> |

## Preamble

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings ("the Convention"), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and child trafficking. The third evaluation round focused on trafficking victims' access to justice and effective remedies.

For the fourth evaluation round of the Convention, GRETA has decided to focus on **vulnerabilities to human trafficking** and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. An additional focus concerns the **use of information and communication technology (ICT)** to commit human trafficking offences, which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of "vulnerability" appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, "by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim's administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce."

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as "those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked". It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.<sup>1</sup> Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive **country-specific follow-up questions** related to recommendations not implemented or partially implemented after the third evaluation round.

GRETA recalls that it has adopted the use of three different verbs - "**urge**", "**consider**", and "**invite**" – which correspond to different levels of urgency for bringing the State Party's legislation and/or practice into compliance with the Convention. Thus, GRETA uses the verb "urge" when it assesses that the national legislation or policies are not in compliance with the Convention or when it finds that, despite the existence of legal provisions and other measures, the implementation of a key obligation of the Convention is lacking. In other situations, GRETA "considers" that it is necessary to make further improvements to fully comply with an obligation of the Convention. By "inviting" a country to pursue its efforts, GRETA acknowledges that the authorities are already on the right track and encourages them to continue existing action.

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<sup>1</sup> [ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search \(bing.com\)](#)

## Executive summary

This report, covering the period 2020-2024, evaluates the measures taken by Cyprus to prevent vulnerabilities to trafficking in human beings (THB), detect and support vulnerable victims, and punish the offenders. In doing so, it pays particular attention to the use of information and communication technology (ICT) to commit human trafficking offences as well as to the use of technological innovations to prevent THB, protect victims, and prosecute traffickers. The report also evaluates progress made in selected areas examined by GRETA during previous evaluation rounds.

Over the years, the Cypriot authorities have taken a series of steps to develop the legislative and institutional framework for action against THB. The authorities have adopted a comprehensive law for combating THB, which has been periodically amended, and regularly adopt national action plans for combating THB. The National Action Plan against THB for the period 2023-2026 takes into account GRETA's previous recommendations and contains measures for the prevention of THB, including through awareness-raising campaigns aimed at the general public and vulnerable groups.

The number of presumed victims of THB has increased compared to the period covered by GRETA's previous evaluation, but the number of victims of THB formally identified by the Police Office for Combating THB has gone down (110 in 2020-2024). The majority of the presumed victims were female, while men and boys constituted the majority of formally identified victims. Labour exploitation was the predominant form of exploitation among both the presumed and formally identified victims. The majority of the victims were foreign nationals from African, Asian and Eastern European countries, but there were also 12 formally identified victims from Cyprus.

While the Cypriot authorities have taken a series of measures aimed at developing children's life and critical skills and preventing violence against children, no measures specifically related to the prevention of trafficking in children have been adopted. In this context, GRETA notes the important role the general education system can play in raising awareness of THB and considers that the authorities should mainstream the prevention of child trafficking through the school curriculum and provide training on THB to teachers and other professionals working with children.

The vulnerabilities related to the gender dimension of human trafficking are being addressed through measures aimed at advancing gender equality, the work of the National Machinery for Women's Rights and the Gender Equality Commissioner, and the adoption of the Law on the Prevention and Combating of Violence against Women and Domestic Violence.

According to civil society representatives, LGBTI persons, and especially transgender women, are vulnerable to exploitation in Cyprus due to discrimination, lack of family support and lack of access to employment. GRETA considers that the Cypriot authorities should take steps to address the vulnerability of LGBTI persons to THB, in close co-operation with civil society organisations.

Another group vulnerable to THB are migrant workers. Third-country nationals are excluded from the application of the minimum wage and the work permits they are issued only cover employment in specific sectors, leaving them exposed to exploitation and possibly THB. Domestic workers, most of whom are women, are particularly vulnerable to exploitation due to the lack of regulation and oversight. While welcoming the increase in the number of labour inspectors, GRETA calls on the Cypriot authorities to ensure that migrant workers enjoy the same rights and protections as Cypriot/EU workers, increase the oversight of the employment of foreign domestic workers, reduce migrant workers' dependency on their employers, and provide training on THB to labour inspectors and other relevant officials.

Moreover, foreign nationals who arrive through the northern part of Cyprus or by boat are particularly vulnerable to being trafficked or re-trafficked. Since mid-May 2024, asylum seekers, including highly vulnerable individuals with serious health issues, have been systematically pushed back into the buffer

zone when attempting to cross the Green Line into the Republic of Cyprus, which increases the risk of human trafficking. Another factor increasing the vulnerability of asylum seekers to exploitation is the prohibition to work in the first nine months following the submission of the asylum application. GRETA urges the Cypriot authorities to ensure that a vulnerability assessment is systematically carried out at asylum reception centres, that asylum seekers have access to adequate support, health care and the labour market, and that the practice of forced returns (pushbacks) is stopped.

The report highlights the vulnerability of unaccompanied and separated children to exploitation due to their limited access to health care and education, as well as shortcomings in the exercise of legal guardianship. Moreover, it notes shortcomings and delays in the application of the age assessment procedure with regard to unaccompanied children. GRETA calls on the authorities to ensure that unaccompanied and separated children are placed in safe and appropriate accommodation and have access to education as early as possible, as well as that the age assessment procedure is conducted without delays and in line with international standards.

GRETA welcomes the measures taken to address the vulnerabilities of the Roma community, including those aimed at encouraging school attendance among Roma children and facilitating access to housing and employment for members of the Roma community, and invites the authorities to continue their efforts towards the prevention of THB among this disadvantaged minority.

Persons with disabilities have been exposed to trafficking for the purpose of forced begging in Cyprus. With a view to addressing the vulnerabilities of persons with disabilities to exploitation, the authorities have implemented measures aimed at ensuring their access to rights and services, including an employment subsidy scheme, access to home care and rehabilitation services, as well as a rent and financial allowance. However, these services are not available to asylum seekers with disabilities. GRETA considers that the Cypriot authorities should extend the support measures for persons with disabilities to asylum seekers with disabilities to prevent them from becoming victims of THB, as well as conduct research into the vulnerabilities of persons with disabilities to THB.

A National Referral Mechanism (NRM) has been in place in Cyprus since 2016. According to the NRM, the Police Office for Combating Trafficking in Human Beings (OCTHB) is responsible for the formal identification of victims. A standardised referral form was introduced in 2019 in order to facilitate the identification and referral of victims of trafficking. However, it can take up to six months for a victim identification decision to be issued by the OCTHB, during which time the victim may only have limited access to assistance. GRETA is concerned by the decreasing number of formally identified victims in Cyprus and urges the Cypriot authorities to ensure that the formal identification of victims by the OCTHB is not dependent on the possibility to investigate and prosecute the case, to proactively identify victims of trafficking among domestic workers, and to ensure that a proper procedure is put in place for the identification of victims of trafficking among irregular migrants.

GRETA welcomes the establishment of an Anti-trafficking Unit within the Social Welfare Services (SWS) and the holistic and victim-centred approach applied by the SWS and the staff of the state shelter for female victims of THB. However, only a small number of presumed victims are assisted by the SWS, and many of the presumed victims identified in the asylum procedure are not provided with specialised accommodation and services. While a number of NGOs provide support to victims of trafficking, GRETA is concerned by the limited funding provided by the Government for the services that they provide. GRETA urges the authorities to ensure that all presumed victims of THB, including those identified in the asylum procedure, receive the assistance measures they are entitled to under the Convention, and that adequate funding is provided to NGOs assisting victims of trafficking.

Cypriot law includes the abuse of a position of vulnerability of the victim amongst the means used in the commission of THB in the case of adult victims. GRETA welcomes the application of the concept of abuse of a position of vulnerability in case-law, including the use of expert testimony to establish its existence, and invites the Cypriot authorities to continue providing training and guidance to relevant professionals on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

The report welcomes the increase in the number of staff of the OCTHB, but notes that the resources of the OCTHB remain insufficient to effectively combat and investigate THB offences. While the number of investigations has remained stable, most of the cases which proceeded to trial resulted in convictions for offences other than THB. GRETA considers that the Cypriot authorities should ensure that the OCTHB has sufficient resources to investigate proactively THB cases, improve the co-operation between the OCTHB and specialised NGOs, ensure that THB offences are prosecuted as such rather than as lesser offences, and provide further training to law enforcement on the severe impact of exploitation on victims of trafficking in order to prevent further traumatisation.

The Cypriot authorities have noted a routine use of the internet for the recruitment of victims in cases involving both sexual and labour exploitation. The authorities have implemented a series of awareness-raising activities in schools, through the work of the Cypriot Safer Internet Centre and school counsellors in secondary schools. The Office for Combating Cybercrime co-operates with the OCTHB in the investigation of THB cases and has provided training on open-source intelligence investigations to members of the police. GRETA welcomes the programmes and activities implemented by the Cypriot authorities and invites them to develop further measures specifically aimed at preventing ICT-facilitated THB, including investing in capacity building and digital tools to conduct proactive investigations.

There is no data available concerning the number of victims of trafficking who have been granted free legal aid, but it appears that this number is very low: only nine victims of trafficking were provided a government appointed lawyer for the purpose of claiming compensation. The procedure for applying for free legal aid is onerous and courts are reluctant to grant free legal aid. GRETA once again urges the Cypriot authorities to ensure that victims of THB, including child victims, receive specialised legal assistance and free legal aid at an early stage of the criminal proceedings and throughout the proceedings.

While welcoming the appointment of lawyers to assist victims of THB with filing compensation claims as part of criminal proceedings, the report notes with concern that the number of victims who have been awarded compensation from perpetrators remains low and victims still do not have access to state compensation. Cypriot law provides for the creation of a fund to support victims of trafficking, in which any fines imposed upon perpetrators as well as the proceeds from confiscations are to be deposited, but such a fund remains to be established. Consequently, GRETA once again urges the Cypriot authorities to take steps to facilitate and guarantee access to compensation for victims of THB, including by setting up as a matter of priority a victim compensation fund, and building the capacity of legal practitioners to support victims in claiming compensation.

Cypriot legislation continues providing for the granting of a recovery and reflection period to identified victims of THB, which is at odds with Article 13 of the Convention, according to which a recovery and reflection period should be granted when there are reasonable grounds to believe that a person is a victim of human trafficking. GRETA was informed that, in practice, a recovery and reflection period is provided to presumed victims of trafficking as soon as they are referred to the police, however, no statistics were available regarding the number of victims who were granted this period. GRETA once again urges the Cypriot authorities to specify in law the right of presumed victims of THB to a recovery and reflection period as provided for in the Convention.

## General information on trafficking in human beings in Cyprus (covering the period from 2020 until 22 November 2024)

|  |  |
|--|--|
| Entry into force of the Council of Europe Convention on Action against Trafficking in Human Beings | 1 February 2008  |
| Previous evaluations by GRETA  | <ul style="list-style-type: none"> <li>• <a href="#">First evaluation report</a> (published on 12 September 2011)</li> <li>• <a href="#">Second evaluation report</a> (published on 6 November 2015)</li> <li>• <a href="#">Third evaluation report</a> (published on 11 June 2020)</li> </ul>   |
| Co-ordination of national action against THB   | <ul style="list-style-type: none"> <li>• Multidisciplinary Co-ordinating Group (MCG), chaired by the Ministry of the Interior</li> <li>• National Co-ordinator against trafficking in human beings: Permanent Secretary of the Ministry of Interior (until October 2024), Permanent Secretary of the Deputy Ministry of Migration and International Protection (after October 2024)</li> </ul>   |
| National Rapporteur on THB   | The role of external evaluator, which is equivalent to a National Rapporteur, has been assigned to the Commissioner for Administration and Protection of Human Rights (Ombudsperson), but the necessary legislative amendment is pending.  |
| Specialised bodies and NGOs members of the Multidisciplinary Co-ordinating Group                   | <ul style="list-style-type: none"> <li>• Police Office for Combating Trafficking in Human Beings</li> <li>• Anti-trafficking Unit of the Social Welfare Services</li> <li>• NGO Stop Trafficking</li> <li>• NGO SPAVO</li> <li>• NGO Caritas</li> <li>• NGO Wellspring</li> </ul>  |
| National Strategy/Action Plan  | <a href="#">National Strategy</a> on the Prevention and Combating of Trafficking in Human Beings (2023-2026) and related Action Plan   |
| Relevant legislation   | <ul style="list-style-type: none"> <li>• Law 60(I)/2014 on Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims (amended in 2019)</li> <li>• Criminal Code (Chapter 154)</li> <li>• Law 91(I)/2014 on Preventing and Combating Sexual Abuse and Sexual Exploitation of Children and Child Pornography</li> <li>• Law 165(I)/2002 on Legal Aid</li> <li>• Law on Minimum Guaranteed Income (Law 109(I)/2014)</li> <li>• Refugee Law (Law 109(I)/2014)</li> <li>• Aliens and Immigration Law</li> </ul> |
| National Referral Mechanism (NRM)  | The NRM was established in 2016. Any person or service which has reasonable suspicion that a person may be a victim of trafficking shall refer that person to the Social Welfare Services, which notify the police. The formal identification of victims is conducted by the Police Office for Combating Trafficking in Human Beings.  |
| Trafficking profile  | Cyprus is predominantly a country of destination for victims of trafficking. The majority of the presumed victims were female, while most formally identified victims were male. Labour exploitation was the predominant form of exploitation among both the presumed and formally identified victims. Many of the presumed victims were identified among asylum seekers who were exploited in the northern part of Cyprus.  |



## I. Introduction

1. Cyprus was amongst the first countries to ratify the Council of Europe Convention on Action against Trafficking in Human Beings ("the Convention") and has been in the first group of Parties to be evaluated by GRETA under each evaluation round.

2. Over the years, the Cypriot authorities have taken a series of steps to develop the legislative and institutional framework for action against THB, as well as to strengthen co-ordination between relevant actors and international co-operation. This includes the adoption of a comprehensive anti-trafficking law, the setting up of the Multidisciplinary Co-ordinating Group and the specialised Police Office for Combating Trafficking in Human Beings, and the establishment of a National Referral Mechanism (NRM). The authorities regularly adopt national action plans for combating THB. However, after three rounds of evaluation, GRETA concluded that there were continuing gaps in certain areas, such as the provision of assistance to victims of trafficking, in particular by ensuring availability of suitable accommodation for female, male and child victims, the granting of a recovery and reflection period, and victims' access to legal aid and compensation.

3. On the basis of GRETA's third report, on 12 June 2020 the Committee of the Parties to the Convention adopted a recommendation to the Cypriot authorities, requesting them to inform the Committee within a two-year period of measures taken to comply with the recommendation. The report submitted by the Cypriot authorities was considered at the 30th meeting of the Committee of the Parties (14 June 2022) and was made public.<sup>2</sup>

4. On 4 July 2023, GRETA launched the fourth round of evaluation of the Convention in respect of Cyprus by sending the questionnaire for this round to the Cypriot authorities. The deadline for submitting the reply to the questionnaire was 3 November 2023 and the authorities' reply was received on 10 November 2023.

5. An evaluation visit to Cyprus took place from 4 to 7 December 2023 in order to hold meetings with relevant governmental and non-governmental actors, collect additional information and examine the practical implementation of adopted measures. The visit was carried out by a delegation composed of:

- Ms Antoaneta Vassileva, First Vice-President of GRETA;
- Mr Georgios Vanikiotis, member of GRETA;
- Ms Asja Zujo, Administrator in the Secretariat of the Convention.

6. During the visit, the GRETA delegation met Mr Elikkos Elia, National Co-ordinator against Trafficking in Human Beings, as well as officials from the Civil Registry and Migration Department, the Ministry of Justice and Public Order, including the Police Office for Combating Trafficking in Human Beings (OCTHB) and the Cybercrime Unit, the Office of the Attorney General, the Unit for Combating Money Laundering (MOKAS), the Asylum Service, the Ministry of Labour, Welfare and Social Insurance, the Labour Inspectorate, the Ministry of Education, Sport and Youth, and the Ministry of Social Welfare. Further, the delegation met with judges and representatives of the Office of the Law Commissioner, the Commissioner for Gender Equality, the National Machinery for the Advancement of Women, the Commissioner for Administration and Protection of Human Rights (Ombudsperson), and the Commissioner for Children's Rights. The delegation also met with representatives of the Standing Committee on Human Rights and Equal Opportunities for Men and Women of the Parliament.

7. The GRETA delegation held separate meetings with non-governmental organisations (NGOs), and lawyers representing victims of human trafficking.

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<sup>2</sup> <https://rm.coe.int/report-submitted-by-cyprus-on-measures-taken-to-comply-with-committee-/1680a6fac5>.

8. Meetings were also held with representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), and the Representation of the European Commission.

9. In the course of the visit, the GRETA delegation visited the state shelter for female victims of trafficking, a semi-independent accommodation for unaccompanied children in Nicosia, as well as the reception centre for asylum seekers in Pournara. The delegation also met with victims of trafficking.

10. The list of the national authorities, NGOs and other organisations with which the delegation held consultations is set out in Appendix 3 to this report. GRETA is grateful for the information provided by them.

11. GRETA wishes to place on record the co-operation provided by the Cypriot authorities and in particular by the contact person appointed to liaise with GRETA, Ms Nantia Andreopoulou, Administrative Officer at the Civil Registry and Migration Department of the Ministry of the Interior of Cyprus.

12. The draft version of the present report was approved by GRETA at its 51st meeting (1-5 July 2024) and was submitted to the Cypriot authorities for comments. The authorities' comments were received on 4 November 2024 and were taken into account by GRETA when adopting the final report at its 52nd meeting (18-22 November 2024). The report covers the situation up to 22 November 2024; developments since that date are not taken into account in the following analysis and conclusions. GRETA's conclusions and proposals for action are summarised in Appendix 2.

## II. Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

13. Cyprus remains primarily a country of destination for trafficked persons. As regards **emerging trends in THB**, the number of presumed victims (1,330 over the period 2020 - August 2024) has increased since GRETA's third evaluation, but the number of formally identified victims (110) has gone down steadily (see the table in Appendix 1).<sup>3</sup> The majority of the presumed victims were female, while men and boys constituted the majority of formally identified victims. Labour exploitation was the predominant form of exploitation among both the presumed and formally identified victims. Many of the presumed victims were identified among asylum seekers who were exploited in the northern part of Cyprus (see paragraphs 23 and 24). The majority of the victims originated from Africa (e.g. Cameroon, the Democratic Republic of the Congo (DRC), Egypt, Morocco, Nigeria), Asia (e.g. Bangladesh, India, Nepal, Pakistan, the Philippines, and Sri Lanka), and Europe (Bulgaria, Ukraine, Romania, and Russia). There were also 29 presumed and 12 formally identified victims from Cyprus.<sup>4</sup> Migrant workers are also vulnerable to trafficking in human beings, particularly domestic workers from the Philippines, Sri Lanka, Nepal, India, Bangladesh and Vietnam.

14. There have been no changes with regard to the **legislative framework** for anti-trafficking action in Cyprus since GRETA's third evaluation, the main element of which is Law 60(I)/2014 on Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims, amended through Law 117(I)/2019 (hereinafter: "the Anti-trafficking Law").

15. As regards the **institutional framework** for anti-trafficking action, the Multidisciplinary Co-ordinating Group (MCG), which monitors the implementation of the Anti-trafficking Law and the National Action Plans against THB, has continued to be chaired by the Ministry of the Interior. At the time of GRETA's visit, Mr Elikkos Elia, the Permanent Secretary of the Ministry of Interior, had just taken up the position of National Co-ordinator. There had been plans to transfer the co-ordination of national action against THB from the Ministry of the Interior to the Ministry of Justice and Public Order.<sup>5</sup> At the time of GRETA's visit, a bill providing for the transfer of competence between the two ministries was pending approval of the Committee of Ministers and the Cypriot Parliament. A wide range of government and civil society representatives met by GRETA agreed that anti-trafficking action should be co-ordinated by the Ministry of Justice and Public Order, as most of the activities already fall within the competence of this ministry. Nonetheless, GRETA was informed that the abovementioned bill was subsequently withdrawn, in light of reservations from the Ministry of Justice and Public Order, and the co-ordination of national action against THB was instead transferred to the newly established Deputy Ministry of Migration and International Protection in October 2024. Representatives of the Standing Committee on Human Rights and Equal Opportunities for Men and Women of the Parliament and civil society organisations have criticised the transfer of competence to the Deputy Ministry of Migration and International Protection. GRETA notes that the Deputy Ministry of Migration and International Protection may not be the best placed to co-ordinate action against THB, given the fact that most of the relevant activities fall within the competence of the Ministry of Justice and Public Order, and that the placement of the co-ordination role within this ministry risks overlooking the internal dimension of THB.

16. The MCG is supposed to meet three times a year, but some of GRETA's interlocutors have noted that it does not meet regularly. GRETA was informed that the MCG decided at its meeting in October 2023 to increase its activities in order to improve the co-ordination of anti-trafficking action in the country. At

<sup>3</sup> By way of comparison, during the period covered by GRETA's third report, the number of presumed victims was 178 in 2015, 181 in 2016, 103 in 2017, 177 in 2018 and 162 in 2019 (a total of 801). The number of formally identified victims was 46 in 2015, 44 in 2016, 23 in 2017, 41 in 2018 and 36 in 2019 (a total of 190).

<sup>4</sup> In 2020: one presumed and one identified victim; in 2021: 19 presumed and 9 identified victims; in 2022: 9 presumed and 2 identified victims. Statistics for 2023 and 2024 were not provided.

<sup>5</sup> See GRETA's third evaluation report on Cyprus, paragraph 17.

the time of GRETA's visit, four NGOs participated in the work of the MCG (Stop Trafficking, SPAVO, Caritas and Wellspring). Some of these NGOs receive funding from the government for the services they provide to victims of THB. The total budget for the support of civil society organisations is around 15,000 euros (see paragraph 100). Some NGOs have observed that the application process for joining the MCG is rather onerous, requiring organisations to submit a lot of documentation.

17. In October 2023, the Social Welfare Services (SWS) set up an Anti-trafficking Unit comprising eight social workers (see paragraph 92). This unit is the first point of contact for all authorities or NGOs who detect presumed victims of THB and is responsible for co-ordinating victim care placements.

**18. Recalling the recommendations made in its previous reports, GRETA considers that the Cypriot authorities should strengthen the co-ordination of anti-trafficking action, ensure that the Multidisciplinary Co-ordinating Group is provided with adequate resources, establish clear roles and responsibilities of its members, and reinforce inter-agency co-ordination and co-operation with civil society.**

19. As noted in GRETA's previous reports,<sup>6</sup> Article 67 of Law 60(I)/2014 provides for the appointment of an external evaluator, who is equivalent to a National Rapporteur. The evaluator's tasks include studying trafficking trends, evaluating the results of action taken in Cyprus to combat THB, and gathering statistical data in co-operation with relevant institutions and NGOs. The role of external evaluator has been assigned to the Commissioner for Administration and Protection of Human Rights (Ombudsperson). Representatives of the Office of the Commissioner for Administration and Protection of Human Rights met by GRETA were of the opinion that the office has the necessary capacity to fulfil the role of National Rapporteur. However, an amendment to Law 60(I)/2014 required to enable the effective performance of this role has not yet been adopted. The Cypriot authorities have indicated that further consultations with relevant stakeholders are envisaged in order to ensure that the role of the National Rapporteur is effectively defined and implemented while enhancing the existing anti-trafficking mechanisms and avoiding duplication. **GRETA invites the Cypriot authorities to adopt legislative amendments necessary to enable the Office of the Commissioner for Administration and Protection of Human Rights to assume the role of National Rapporteur, and to ensure that it has sufficient resources to be able to monitor the anti-trafficking activities of state institutions and make recommendations, in line with Article 29, paragraph 4, of the Convention.**

20. During the reporting period, Cyprus implemented the **National Action Plan** for the period 2019-2022. At the time of GRETA's visit, the new National Strategy on the Prevention and Combating of Trafficking in Human Beings (2023-2026) and the related National Action Plan were pending adoption by the Council of Ministers and have since been adopted.<sup>7</sup> The documents were prepared by the MCG, which also prepared a report on the implementation of the previous National Action Plan (2019-2022). However, no independent evaluation of the previous National Action Plan was conducted. The new Strategy and National Action Plan have four pillars, namely, 1) strengthening the prevention and reduction of risks of victimisation, 2) suppression of crime, 3) protection, support and reintegration of victims, and 4) co-operation and co-ordination. Some of the actions are carried over from the previous NAP. Civil society organisation met by GRETA assessed the new Strategy and NAP positively but noted as shortcomings the fact that no separate budget is allocated for their implementation<sup>8</sup> and that no independent evaluation of these documents is envisaged. **GRETA welcomes the preparation of the new Strategy and National Action Plan and stresses the importance of ensuring that sufficient funding is secured for the implementation of all objectives and actions in the Strategy and the National Action Plan, as well as conducting an independent evaluation of the implementation of the Strategy and the Action Plan as a tool for assessing the impact of the activities and for planning future policies and measures to combat THB.**

<sup>6</sup> See GRETA's second evaluation report on Cyprus, paragraph 25, and third evaluation report on Cyprus, paragraph 19.

<sup>7</sup>

### III. Addressing vulnerabilities to trafficking in human beings

#### 1. Prevention of trafficking in human beings

##### a. Introduction

21. Prevention is crucial in combating trafficking in human beings. Article 5 of the Convention therefore requires States Parties to establish and/or strengthen effective policies and programmes to prevent THB in co-ordination between relevant public agencies, non-governmental organisations and other elements of civil society. Such policies and programmes should have a particular focus on persons vulnerable to trafficking and professionals concerned with trafficking in human beings, and shall include research, information, awareness-raising and education campaigns, social and economic initiatives and training programmes. In the development and implementation of prevention measures, States Parties are required to promote a human rights-based approach and to use gender mainstreaming and a child-sensitive approach, taking specific measures to reduce children's vulnerability to trafficking. Furthermore, Article 5 of the Convention requires States parties to take measures to enable migration to take place legally. In addition, Article 6 of the Convention places a positive obligation on Parties to adopt measures to discourage the demand that fosters all forms of exploitation of persons which leads to trafficking.

22. There has been no official research with regard to what makes people vulnerable to trafficking in human beings (THB) in Cyprus. The Cypriot authorities have informed GRETA that migrants and asylum seekers, and in particular persons from Eastern Europe, Asia and Africa, are vulnerable to becoming victims of different types of exploitation. Specifically, women from Bulgaria, Romania, Russia and Ukraine, as well as members of the Roma community, are at risk of sexual exploitation, which often takes place in hotel rooms and short-term rental apartments. Labour exploitation, for example in agriculture, affects persons from Asian and African countries such as Bangladesh, China, Egypt, Syria, India, Nepal, Sri Lanka, and Vietnam, who come to Cyprus on work permits. Further, the National Action Plan against Human Trafficking for 2023-2026 notes that persons with visible disabilities, together with the homeless, have been exposed to trafficking for the purpose of forced begging in recent years.<sup>9</sup>

23. GRETA was informed that the majority of the presumed victims of trafficking among asylum seekers (see paragraph 86) arrive through the northern part of Cyprus, which since 1974 is not under the control of the Government of the Republic of Cyprus.<sup>10</sup> Reportedly, vulnerable persons originating from African countries<sup>11</sup> usually come via Türkiye on student visas to attend one of the 23 universities in the northern part of Cyprus,<sup>12</sup> while nationals of south-Asian countries come on an employment visa.<sup>13</sup> Whether their arrival is organised by traffickers under false pretence that they would attend university or work in the EU,<sup>14</sup> or whether they come to the northern part on their own, many of these individuals end up being exploited and later cross the Green Line into the Republic of Cyprus and apply for asylum there.

<sup>9</sup> National Action Plan against Human Trafficking for 2023-2026, p. 9.

<sup>10</sup> Since 1974, the island of Cyprus is divided by a UN-controlled buffer zone. According to the United Nations Peacekeeping Force in Cyprus (UNFICYP), "The buffer zone - also called 'the Green Line' - extends approximately 180 km across the island. In some parts of old Nicosia it is only a few metres wide, while in other areas it is a few kilometres wide. Its northern and southern limits are the lines where the belligerents stood following the ceasefire of 16 August 1974, as recorded by UNFICYP."

<sup>11</sup> Somalia, Nigeria, Cameroon and the Democratic Republic of Congo.

<sup>12</sup> GRETA was informed that it is easy to obtain a visa if one has a certificate of registration at one of the universities in the northern part (which costs around 1,000 euros).

<sup>13</sup> These include nationals of Bangladesh, India, Pakistan, Nepal, and Sri Lanka.

<sup>14</sup> GRETA was given the example of a young boy from Gambia who had been promised to be taken to Italy to study, but was instead brought to the northern part of Cyprus and locked in a room by his handlers. He was subjected to violence and mock executions and was later forced to try to leave Cyprus with fake documents at what time he was arrested by the Cypriot authorities.

24. In 2023, the number of persons crossing the Green Line and seeking asylum in the Republic of Cyprus reportedly decreased,<sup>15</sup> possibly due to the fact that Türkiye introduced double transit visas for third-country nationals travelling onwards to the northern part of Cyprus. On the other hand, GRETA was informed of an increased number of Syrian nationals coming by boat from Türkiye or Lebanon.<sup>16</sup> Some of them are unaccompanied children as young as 10 who claim to be older in order to be able to work legally.<sup>17</sup> Unaccompanied girls from Syria reportedly come to Cyprus for the purpose of arranged marriage. Children from African and Eastern European countries are also particularly vulnerable to trafficking and different types of exploitation.

25. GRETA's interlocutors have also pointed out that there is a growing trend of Cypriot and foreign women being recruited to act as surrogate mothers or to donate their eggs. While altruistic surrogacy and egg donation are legal in Cyprus,<sup>18</sup> there is reportedly little oversight when it comes to the operation of fertility clinics and there have been concerns that the surrogates and donors are not properly informed about possible health risks involved in the procedures.

26. The National Action Plan against Human Trafficking for 2023-2026 lists as a strategic objective "the prevention of cases of trafficking in human beings and discouraging demand by raising public awareness and strengthening the framework for respecting human rights and eliminating stereotypes, discrimination and racism based on gender, nationality or sexual orientation," based, *inter alia*, on the recommendations from GRETA's third evaluation report. The specific actions under this chapter of the Action Plan include carrying out awareness-raising campaigns, including through the organisation of conferences and workshops, aimed at the general public, relevant organisations and vulnerable populations, and the design and implementation of media campaigns to discourage demand for services of victims of trafficking for the purpose of sexual exploitation.

## **b. Measures to prevent the vulnerability of specific groups to trafficking in human beings**

27. This section examines the preventive measures taken with regard to certain vulnerable groups based on the information provided by the Cypriot authorities as well as non-state actors. GRETA underlines that not every individual belonging to one of these groups is vulnerable to human trafficking per se, as there are usually additional vulnerability factors involved. The different groups selected should be viewed with due regard to the complexity and intersectionality of vulnerabilities to trafficking.

### *i. Children*

28. GRETA's second report on Cyprus (2015) examined the measures taken to prevent trafficking in children, paying particular attention to awareness-raising among children and young people, the registration of births, and prevention of THB for the purpose of adoption.<sup>19</sup>

29. The authorities have reported a number of educational measures aimed at developing children's life and critical skills and fostering diversity and inclusion in schools, which can contribute to the identification and prevention of phenomena such as trafficking in human beings. The OCTHB in collaboration with the Ministry of Education, Sport and Youth (MOESY) delivered 10 lectures to students and staff of high schools on THB and ways to report incidents of exploitation. The Health Education Curriculum (HEC), developed by the MOESY, addresses issues such as violence (including domestic violence), bullying (including online bullying), social identities/gender development, homophobia, and respect for diversity. The Cyprus Pedagogical Institute (CPI) has provided training for teachers in relation

<sup>15</sup> According to available statistics, between January and October 2023, 9,176 new asylum applications were made, as compared to 18,348 applications made during the same period in 2022.

<sup>16</sup> GRETA was informed that Syrian nationals previously came to Cyprus to join their extended families, but that many of the new arrivals do not have any ties in Cyprus and many are children traveling on their own.

<sup>17</sup> Children aged 15 and older are allowed to work in Cyprus under certain conditions and for short periods of time.

<sup>18</sup> Surrogacy is regulated by the Medically Assisted Reproduction Law 2015 (69(I)/2015).

<sup>19</sup> See paragraphs 51-54 of GRETA's second report on Cyprus.

to the implementation of the HEC<sup>20</sup> and has developed various teaching materials and guides. GRETA was informed that the CPI is currently developing a programme for teachers on the subject of trafficking in human beings, in collaboration with the NGO Step Up Stop Slavery. In this context, GRETA refers to the recommendation of the UN Committee on the Rights of the Child that the Cypriot authorities “conduct awareness-raising activities to make parents and children aware of the dangers of trafficking.”<sup>21</sup>

30. Further, the MOESY has implemented an upgraded policy on intercultural education, which is aimed at facilitating the integration of pupils from diverse ethnic backgrounds into the Cypriot educational system. The policy focuses on five priority areas: 1) learning Greek, 2) reception of newly admitted children who have an immigrant background, 3) education and in-service training for teachers, 4) data collection and analysis of the needs of pupils/students from immigrant backgrounds, and 5) an intercultural approach in the new curricula. The Department of Primary Education provides all schools with materials aimed at promoting multicultural education, including textbooks for teaching Greek, and teachers’ books with methodological instructions and suggestions for communication activities.

31. Since the school year 2014-2015, MOESY has implemented its Code of Conduct against Racism and Guide for Managing and Recording Racist Incidents,<sup>22</sup> with the support of the CPI which facilitates the School Network for Supporting the Implementation of the Anti-Racist Policy.<sup>23</sup> In addition to training, the CPI provides support to the network through a helpline where racist incidents can be reported, a website and an information leaflet for parents available in seven languages (Arabic, Bulgarian, English, Greek, Romanian, Russian and Turkish). GRETA was informed during the visit that no suspected cases of trafficking in human beings have been reported through the anti-racist helpline. In this context, GRETA refers to the Sixth Report of the European Commission against Racism and Intolerance (ECRI) on Cyprus, which found that “in practice, the majority of schools do not or only rarely implement the code. They also exceptionally report racist incidents, allegedly for fear of stigmatisation, among other reasons.”<sup>24</sup>

32. The MOESY has also developed a National Strategy for Preventing and Addressing School Violence (2018-2022). The Cyprus Observatory on School Violence (COSV) implements actions aimed at addressing bullying and violence in schools and conducts research into school violence collecting data from all public and private schools for the school years 2020-2023. All high schools in Cyprus employ counsellors who assist vulnerable children in co-operation with other authorities. For information on measures taken to promote the safe use of the internet among children, see paragraph 133.

33. Socio-economic inequalities among children have been more pronounced since the Covid-19 pandemic and have contributed, together with other factors, to children dropping out of school. Both Cypriot and foreign children, including unaccompanied and separated children, are affected by this problem, but it was noted that foreign children often stop attending school because they leave the country with their families. GRETA was informed that schools report to the competent district office if a child has not attended school for six consecutive days (see paragraph 68 for measures specifically concerning Roma children). The police is also informed since Cypriot law provides that parents who do not enrol their children in school until the age of 15 can be prosecuted for denial of education.<sup>25</sup> According to the information provided by the Cypriot authorities, 628 children dropped out of public and 490 out of private

<sup>20</sup> See ECRI’s Sixth report on Cyprus (adopted on 6 December 2022 and published on 7 March 2023), (<https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/cyprus>), paragraphs 15 and 16.

<sup>21</sup> CRC, Concluding observations on the combined fifth and sixth periodic reports of Cyprus, 24 June 2022, paragraph 39(i).

<sup>22</sup> The policy conceptualizes racism in a broad manner, to include all types of discrimination (e.g. racism, homophobia, transphobia, sexism, antigypsyism, racist incident, discrimination, stereotypes, diversity, etc.).

<sup>23</sup> Each school year, the network consists of around 30 schools of all levels.

<sup>24</sup> ECRI recommended that “the relevant authorities take decisive action to secure the effective implementation of the Code of Conduct against Racism and Guide for Managing and Recording Racist Incidents in the field of education, notably by ensuring that the reporting of racist incidents is positively recognised” (see paragraph 12 of ECRI’s Sixth report).

<sup>25</sup> The Law on Compulsory Attendance and Provision of Free Education (No. 24(I)/1993) provides that all children residing in the Republic of Cyprus are entitled to free and compulsory education from the age of four years and eight months until the age of 15.



secondary schools in the period 2019-2023, representing 0.30% and 1.04% of enrolled students respectively. The authorities try to involve children who have dropped out of school in alternative educational settings, such as apprenticeships, depending on their specific abilities and interest.

34. In its second report, GRETA invited the Cypriot authorities to review the administrative procedure as regards the registration of children at birth with a view to ensuring that no children remain unregistered and thus at risk of THB. According to the Civil Registry Law (Articles 8-19), every birth in Cyprus must be registered within the first 15 days by the Registrar of the Province where the child was born or in any other Province whose Prefect/Registrar will act on behalf of the Prefect/Registrar of the Province where the birth took place. The necessary information regarding the child's birth can be provided to the Registrar by one of the child's parents, any person present during the birth, any person having the responsibility for the child, the doctor or midwife, or the owner or manager of the institution where the child was born. GRETA was informed that hospitals do not have an obligation to report the birth to the Registrar and that in practice they only prepare the necessary paperwork which is then supposed to be submitted to the relevant government office by the parents. The registration fee is five euros if the birth is registered within 15 days, and it increases to 30 and 60 euros if the registration is completed within 30 days and three months respectively. GRETA notes that the absence of the obligation for hospitals to report births and the late fees for the registration of births increase the risk that many children may remain unregistered. The Commissioner for Children's Rights has expressed concern regarding the problematic aspects of the birth registration procedure, as a result of which certain children remain undocumented. In the most recent communication from September 2023, the Commissioner asked the authorities to, *inter alia*, abolish the fees for the registration of births. The same has been recommended by the UN Committee on the Rights of the Child (CRC).<sup>26</sup>

35. Civil society representatives have reported that the expectation to play football professionally has been mentioned by unaccompanied children coming from the Democratic Republic of Congo and Cameroon as the main incentive for their travel to Europe. Reportedly, being an asylum seeker is an impediment to registration with a professional football club. GRETA was informed that young boys from these countries may fall victim to false promises and subsequent exploitation by persons pretending to be agents. In this context, GRETA refers to Recommendation CM/Rec(2012)10 of the Committee of Ministers to member States on the protection of child and young athletes from dangers associated with migration.<sup>27</sup>

36. While welcoming the measures aimed at fostering diversity and inclusion in schools and preventing violence against children, GRETA notes the absence of measures specifically related to the prevention of trafficking of children. As stressed in GRETA's 6th General Report,<sup>28</sup> the general education system can play a major role in raising awareness of THB. Specifically, awareness of child exploitation and child trafficking can be mainstreamed in the curriculum, through programmes such as those dealing with online security of children. In this context, it is important to address all forms of trafficking that can affect children, including grooming of children for sexual exploitation, forced labour, forced criminality, forced begging, etc. Teachers and other professionals need to be provided with training and guidance to alert them to the signs of trafficking and enable them to identify children who are at risk of falling victim or are already in the process of being trafficked.<sup>29</sup> Moreover, the prevention of child trafficking should include wider measures aimed at children from disadvantaged communities, such as ensuring birth registration.

<sup>26</sup> CRC, Concluding observations on the combined fifth and sixth periodic reports of Cyprus, 24 June 2022, paragraph 21(a).

<sup>27</sup> <https://www.refworld.org/legal/resolution/coeministers/2012/en/88911>.

<sup>28</sup> See 6th General Report on GRETA's activities, paragraph 89.

<sup>29</sup> See 6th General Report on GRETA's activities, paragraph 90.



**37. GRETA considers that the Cypriot authorities should strengthen measures to prevent trafficking of children, and in particular:**

- **raise awareness among children, parents and other caregivers regarding children's rights and the risks of human trafficking (including recruitment and abuse through Internet/social networks), paying particular attention to children in vulnerable situations, including children living in and leaving residential care, children from disadvantaged minorities, refugee children and unaccompanied or separated children;**
- **mainstream the prevention of child trafficking through the school curriculum, for example by including it in the existing school programmes for developing children's life and critical skills;**
- **provide training on trafficking in human beings to teachers and other professionals working with children;**
- **remove the fees for the registration of births.**

*ii. Vulnerabilities related to the gender dimension of human trafficking and of LGBTI persons*

38. The National Machinery for Women's Rights (NMWR), headed by the Gender Equality Commissioner,<sup>30</sup> is the main co-ordinating body for the promotion of gender equality in Cyprus. The Commissioner for Gender Equality and the NMWR drafted a strategy on gender equality for the period 2024-2026 which underwent a public consultation procedure before being approved by the Council of Ministers and entering into force on 1 January 2024. GRETA was informed that the Council of Ministers has also decided that each ministry/deputy ministry shall appoint a gender focal point. In 2021, Cyprus adopted the Law on the Prevention and Combating of Violence against Women and Domestic Violence, which refers to the obligation to protect victims of trafficking in human beings. The Commissioner for Gender Equality and the NMWR are also involved in prevention of trafficking in human beings as a form of violence against women. The NMWR has a sub-committee on THB and closely co-operates with law enforcement and relevant experts regarding the protection of women from sexual and labour exploitation.

39. According to civil society representatives, LGBTI persons, and especially transgender women, are vulnerable to exploitation in Cyprus due to discrimination, lack of family support and lack of access to employment. GRETA was not informed of any measures specifically aimed at addressing the vulnerability of LGBTI persons to trafficking in human beings. According to information provided by the authorities, none of the victims identified during the reporting period was subjected to exploitation on the basis of their sexual orientation and/or gender identity. The NGO Accept has started providing training to the police on homophobia and transphobia, and there are also plans to include LGBTI issues in the training of the Police Academy.

**40. While welcoming the measures taken to advance gender equality, GRETA considers that the Cypriot authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, in close co-operation with civil society organisations.**

<sup>30</sup> The NMWR is situated within the Ministry of Justice and Public Order and consists of four bodies: the Council for Women's Rights, composed of 19 women's rights NGOs and trade unions; the National Committee for Women's Rights, composed of 69 organisations promoting gender equality, including all members of the Council for Women's Rights and all public officers responsible for women's rights within the ministries and agencies; the Inter-Ministerial Committee on Gender Equality, composed of public officers who are focal points responsible for women's rights within all ministries and the Planning Bureau, and the General Secretariat. See [https://eige.europa.eu/gender-mainstreaming/countries/cyprus?language\\_content\\_entity=en#toc-structures](https://eige.europa.eu/gender-mainstreaming/countries/cyprus?language_content_entity=en#toc-structures).

### *iii. Migrant workers*

41. As mentioned in paragraph 13, foreign workers, particularly those from African and Asian countries, are vulnerable to trafficking for the purpose of labour exploitation which often takes place in the agricultural industry. The new National Action Plan against Human Trafficking envisages the signing of a memorandum of understanding between the Ministry of Labour and Social Insurance, the Deputy Ministry of Social Welfare, the Ministry of Justice and Public Order and the Police (Action I.7), for the purpose of combating trafficking in human beings, including for the purpose of labour exploitation, and the protection of victims of THB (see paragraph 92).

42. Victims of trafficking, persons who have been granted refugee status or temporary protection, and EU citizens have free access to employment in Cyprus.<sup>31</sup> Other third-country nationals require an entry permit which is granted by the Civil Registry and Migration Department (CRMD) upon request from the employer, and are subsequently issued a renewable residence permit in accordance with the Aliens and Immigration Law. GRETA was informed that the Department of Labour is promoting a simplified procedure for the employment of third-country nationals and asylum seekers in Cyprus. At the end of March 2024, the government announced that an action plan aimed at helping third-country nationals legally residing in Cyprus integrate into the labour market and the economy has been prepared.<sup>32</sup>

43. Third-country nationals have the possibility to change employers within the same occupation and economic activity, provided that the new employer has been approved by the Labour Department and the CRMD. This rule does not apply to domestic workers in private households.<sup>33</sup> Civil society organisations met by GRETA have raised a concern about the fact that, since foreign workers may only change employers within the same field of work, many of them are forced to leave abusive employers and become irregular, which exposes them to further exploitation and THB.

44. GRETA was informed that third-country nationals are excluded from the application of the minimum wage, which exists in some but not all sectors.<sup>34</sup> Instead, the applicable wage is fixed by the government and varies depending on the country of origin of the employee.<sup>35</sup> If there is a bilateral agreement between Cyprus and another country, the applicable wage may be determined by that agreement. GRETA was informed that the only country with which Cyprus has concluded a bilateral agreement to date is the Philippines. GRETA notes that the wages which are fixed for foreign workers are generally well below the national minimum wage, which renders these workers vulnerable to exploitation and trafficking in human beings.

45. In its previous reports on Cyprus, GRETA raised concerns regarding the vulnerability to THB of domestic workers in private households and issued specific recommendations in this regard.<sup>36</sup> Domestic workers, most of whom are women,<sup>37</sup> remain particularly vulnerable to exploitation in Cyprus, due to the lack of regulation and oversight. Many domestic workers come to Cyprus through an employment agency in their home country, to which they have to pay a fee (sometimes amounting to several thousand dollars). Their recruitment is legalised through the Ministry of the Interior, whereas all other professions are under the competence of the Ministry of Labour and Social Insurance. While they must sign a contract, they often work longer hours than those stated in their contract and the remuneration they receive is low and

<sup>31</sup> Asylum seekers have access to specific sectors of employment regulated by ministerial order (see paragraph 64).

<sup>32</sup> <https://cyprus-mail.com/2024/03/29/action-plan-to-help-integrate-migrants/>.

<sup>33</sup> See GRETA's third report on Cyprus, paragraphs 148-150 for more information on the regime applicable to domestic workers.

<sup>34</sup> <https://www.mlsi.gov.cy/mlsi/dlr/dlr.nsf/All/8DDF77319A9B6A17C22586E10038EA08?OpenDocument>

<sup>35</sup> E.g. the monthly salary of domestic workers from Sri Lanka is 350 euros, while the monthly salary of domestic workers from the Philippines is 450 euros.

<sup>36</sup> See for example GRETA's third report on Cyprus, paragraphs 148-150 and 153.

<sup>37</sup> Typically, domestic workers originate from Sri Lanka, Vietnam, and the Philippines.

irregular.<sup>38</sup> Domestic workers cannot easily change employers, but it is reportedly not uncommon for them to be sent by their employers to work in other households, in addition to their regular employment. GRETA was informed that Cyprus is in the process of ratifying ILO Convention No. 189 concerning decent work for domestic workers. **GRETA encourages the Cypriot authorities to complete this process as a matter of priority.**

46. The authorities have put in place certain measures aimed at protecting foreign workers from exploitation and informing them of their rights. The Department of Labour provides information on the conditions for employment in Cyprus on its website, in Greek and English.<sup>39</sup> The website also provides a template for a contract of employment, which includes the terms and conditions of employment (e.g. the remuneration, working hours, overtime work, annual and sick leave and national holidays) and information on the rights and obligations of both parties. A new system was introduced in September 2021 under which all employers are required to register each new employee, which is expected to further reduce the number of undeclared workers. The contract signed by the employer and each foreign employee must be approved by the Department of Labour, upon verification that it complies with the labour law and collective agreements.

47. Third-country workers may submit complaints regarding their employment to the Immigration Unit of the CRMD, pursuant to the Council of Ministers Decision of 15 November 2019. If the complaint concerns a labour dispute, it will be forwarded to the Department of Labour, while complaints concerning sexual abuse and similar issues are forwarded to the police. The Ministry of Labour, Welfare and Social Insurance operates an anonymous hotline for the reporting of labour-related complaints. Migrant workers also have access to District Labour Relations Offices which must examine complaints related to violations of employment contracts within three weeks from the date the complaint is submitted. The District Labour Relations Offices have issued a brochure with information to foreign workers regarding their rights in order to prevent exploitation. Where there is evidence that an employer has violated the contract or the regulations on working conditions, appropriate measures can be taken against the employer, including the revocation of the employer's authorisation to employ third-country nationals. GRETA was informed that there were no cases in which employers had their authorisation to employ third-country nationals revoked during the reporting period.

48. The operation of private employment agencies is regulated under the Private Employment Agencies Law 126(I)/2012 and related regulations (R. 280/2012 and R. 417/2013). As described in GRETA's third evaluation report,<sup>40</sup> the law sets the conditions and qualifications that need to be fulfilled in relation to natural or legal persons operating such agencies and provides for control mechanisms which may lead to the withdrawal of an agency's operating license and the imposition of administrative and penal sanctions for the infringement of the law. Further, the law prohibits private employment agencies from imposing any direct or indirect fee on employees for the purpose of job search, placement and maintenance of employment, as well as from providing false information regarding the terms and conditions of employment and the qualifications of the applicants. GRETA was informed that in 2022, 183 private employment agencies were inspected and 18 had their licenses revoked due to failure to comply with the provision of the above-mentioned law, while one agency was issued an administrative fine for involvement in fraudulent practices. During 2023, 181 agencies were inspected and 21 had their licenses revoked. None of the revocations were related to trafficking in human beings. Three cases involving suspected illegal operation of private employment agencies and/or exploitation of workers, based on complaints received, were referred to law enforcement authorities for investigation. The National Action Plan envisages annual training on THB for private employment agencies, encompassing, *inter alia*, the indicators of THB, the profile of perpetrators and the consequences for the victims. In this framework,

<sup>38</sup> According to the Commissioner for the Administration and the Protection of Human Rights Report on the Status of Foreign Domestic Workers in Cyprus (December 2020), given the number of hours they were asked to work, the average hourly wage received by the domestic workers surveyed was 1.29 euros (p. 17).

<sup>39</sup> [https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/page5a\\_en/page5a\\_en?OpenDocument](https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/page5a_en/page5a_en?OpenDocument).

<sup>40</sup> GRETA's third evaluation report on Cyprus, paragraph 146.

training was organised in 2023 and a workshop on the topic of prevention and combating of THB was organised for all private employment agencies and Department of Labour Officers in October and November 2024 (Action I.11). Moreover, annual inspections of private employment agencies are envisaged to be carried out by the Department of Labour (Action I.12).

49. As noted in GRETA's third report,<sup>41</sup> the mandate of the Labour Inspectorate Service covers the enforcement of labour laws. Trafficking in human beings is not explicitly included in the mandate of labour inspectors. Further, their mandate does not include health and safety in the workplace, but labour inspectors have to inform the police and the Department of Labour of any issues noted during the inspections. Private households can only be inspected upon court order. Inspections are conducted by teams consisting of at least one inspector and several co-inspectors, who are distributed in four districts. There are currently eight inspectors and 35 co-inspectors, after 20 new co-inspectors were hired in 2022. All eight inspectors have received basic training on THB for the purpose of labour exploitation, based on a manual prepared by the Labour Inspectorate, while two of the inspectors are considered to be more specialised in THB issues and serve as contact points for the police. GRETA was informed that labour inspectors conduct more than 7,000 inspections per year and have focused on the detection of undeclared employment, the incidence of which has reportedly decreased from 15% in 2017 to 7% in 2022. Representatives of the Labour Inspectorate met by GRETA noted that more training on THB is needed for labour inspectors.

50. GRETA was informed that the Labour Inspectorate concluded a memorandum of understanding with the Police Office for Combating Trafficking in Human Beings (OCTHB) and SWS in 2022. Labour inspectors conduct joint inspections with the police and the immigration authorities. In 2022, there were 21 joint inspections (mostly concerning agriculture, scrap metal premises and recycling facilities), and in 2023, three joint inspections. By way of example, a joint inspection conducted in Nicosia during GRETA's visit resulted in the detection of six foreign workers in the agriculture industry, who were living in bad conditions. The investigation in the case is ongoing.

51. GRETA was also informed that the Cyprus Employers and Industrialists Federation (OEB) provides training and advice to businesses on their legal obligations. Further, OEB co-operates with CSR Cyprus, a member of CSR Europe (European Business Network for Corporate Sustainability and Responsibility), as part of which they conduct joint awareness raising campaigns.

52. GRETA welcomes the measures put in place by the Cypriot authorities to protect foreign workers, including the increase in the number of labour inspectors. In this regard, GRETA recalls the importance of ensuring that the allocated human resources are sufficient to guarantee the effectiveness of labour inspectors, and refers to the relevant standards established by ILO.<sup>42</sup> Further, GRETA notes with concern the number of remaining gaps, such as the lack of protection for domestic workers and the fact that work permits issued to migrant workers only cover employment in specific sectors, which leave foreign workers exposed to exploitation and possibly trafficking in human beings. **Referring to GRETA's Guidance Note on combating trafficking for labour exploitation<sup>43</sup> and the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation,<sup>44</sup> GRETA urges the Cypriot authorities to take measures to:**

- **ensure that migrant workers enjoy the same rights and protections, including the same minimum wage, as Cypriot and EU workers;**

<sup>41</sup> GRETA's third evaluation report on Cyprus, paragraph 142.

<sup>42</sup> See ILO, Guidelines on general principles of labour inspection (2022), pp.20-21. See also ILO, Committee on Employment and Social Policy, Strategies and practice for labour inspection (2006) GB.297/ESP/3, paragraph 13.

<sup>43</sup> <https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c>.

<sup>44</sup> <https://rm.coe.int/booklet-preventing-and-combating-trafficking-in-human-beings-for-the-p/1680aa08ef>.

- **increase oversight of the employment of foreign domestic workers and allow them to change employers without their immigration status being affected.**

53. **Further, GRETA considers that the Cypriot authorities should take additional steps to protect migrant workers from trafficking in human beings, in particular by:**

- **reducing migrant workers' dependency on their employers by issuing work permits that allow workers to work in different sectors and provide for a period of unemployment while workers are in the process of changing employers or looking for new employment;**
- **providing further training on trafficking in human beings to labour inspectors and other relevant officials, with a focus on vulnerabilities that lead to THB and on early detection of cases of THB for the purpose of labour exploitation;**
- **raising awareness among the general public as well as, in a targeted manner, among migrant workers, about the risks of THB for the purpose of labour exploitation and the rights of victims of trafficking, as well as on workers' rights under labour laws.**

*iv. Asylum seekers and refugees*

54. As noted in paragraphs 23 and 24, foreign nationals who come through the northern part of Cyprus or by boat are particularly vulnerable to being trafficked or re-trafficked. The lack of access to asylum procedures at the crossing points on the Green Line since 2020 (all asylum applications must be made in the Pournara Reception Centre) exacerbates this vulnerability, as individuals may be stranded in the buffer zone without access to reception conditions which leaves them exposed to exploitation. GRETA is particularly concerned by reports that since mid-May 2024, asylum seekers, including highly vulnerable individuals with serious health issues, have been systematically pushed back into the buffer zone when attempting to cross the Green Line, or even after they had been intercepted in the vicinity of the Pournara Reception Centre. It is reported that approximately 60 individuals, one of whom presented several indications of having been trafficked, were pushed back into the buffer zone between May and August 2024. Some of them were reportedly deprived of food, water and medical care, and were allegedly ill-treated by the police (see the recommendation in paragraph 91). In a letter to the Cypriot authorities dated 23 October 2024, the Council of Europe Commissioner for Human Rights expressed concern regarding 35 persons who have been stranded in the buffer zone for several months.<sup>45</sup>

55. Moreover, GRETA was informed of pushbacks of foreign nationals (mostly Syrian) arriving to Cyprus by boat, which reportedly began in 2020. By way of example, around 100 Syrian nationals who had arrived by boat in the summer of 2023 were reportedly returned to Lebanon without a prior vulnerability assessment. GRETA notes the concern expressed by the then Council of Europe Commissioner for Human Rights in her letter to the Cypriot Minister of the Interior dated 10 March 2021, regarding reports "indicating that boats carrying migrants, including persons who may be in need of international protection, have been prevented from disembarking in Cyprus, and summarily returned, sometimes violently, without any possibility for their passengers to access the asylum procedure."<sup>46</sup> This concern was reiterated in the letter mentioned above.

<sup>45</sup> The letter notes that "Prolonged stays in poor conditions expose them to significant risks of violation of the human rights enshrined in the European Convention on Human Rights (ECHR), including the prohibition of inhuman and degrading treatment and the right to private and family life." See <https://www.coe.int/en/web/commissioner/-/cyprus-commissioner-of-flaherty-expresses-concern-about-the-situation-of-migrant-and-asylum-seeking-people-stranded-in-the-buffer-zone-and-allegations-of-summary-returns-at-sea>.

<sup>46</sup> <https://www.coe.int/en/web/commissioner/-/cypriot-authorities-should-investigate-allegations-of-pushbacks-and-ill-treatment-of-migrants-improve-reception-conditions-and-ensure-an-enabling-envi>. On 8 October 2024, the European Court of



56. Foreign nationals who apply for asylum in Cyprus are initially placed in the Pournara Reception Centre where they undergo a vulnerability assessment conducted by the staff of the Asylum Service and the European Union Agency for Asylum (EUAA). GRETA was informed that the vulnerability assessment is not applied systematically and it is typically performed after a person has been flagged as vulnerable during the initial registration procedure. As a result, the needs of some vulnerable asylum seekers may not be identified and they may not receive the necessary support in Pournara and after they leave the reception centre (see paragraph 99). The unsystematic application of the vulnerability assessment was highlighted by the UN Human Rights Committee which recommended in 2023 that the Cypriot authorities “[s]trengthen measures to ensure early identification, referral, assistance and support for all vulnerable asylum-seekers, including by establishing a formal and comprehensive procedure for identifying, assessing and addressing the specific needs of vulnerable asylum-seekers.”<sup>47</sup> According to the Cypriot authorities’ comments to the draft report, all women among asylum seekers, as well as men who were flagged as vulnerable when lodging their application for international protection, undergo a vulnerability assessment in the Pournara Reception Centre.

57. During the visit, the GRETA delegation visited the Pournara Reception Centre near Nicosia where all newly arrived asylum seekers are accommodated.<sup>48</sup> Apart from a zone for adult asylum seekers, there are four safe zones (A, B, C and D) accommodating respectively underage girls, single women with children, underage boys, and families with young children.<sup>49</sup> Zones A and B can accommodate up to 60 persons each, while the capacity of Zones C and D is 90 persons each. Unaccompanied and separated children who are younger than 13 are placed in other institutions or foster families. At the time of GRETA’s visit, there were around 1,000 persons accommodated in the centre, including 247 unaccompanied children (20 of whom were girls). There are two social workers in the centre, as well as nine institutional officers from the Asylum Service who are present around the clock.<sup>50</sup> Security is provided by a private company, and there are several interpreters present in the centre. During the visit, the GRETA delegation observed crowding in the area accommodating adult asylum seekers. GRETA refers to the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) report on the periodic visit to Cyprus from 9 to 17 May 2023, which highlights the undignified living conditions and lack of services at the Pournara Reception Centre,<sup>51</sup> as well as the fact that the centre is a closed facility and that asylum seekers accommodated there are effectively kept in detention.<sup>52</sup> At the time of GRETA’s visit, the authorities were in the process of building an extension to the reception centre. During the visit, GRETA observed the efforts of staff at the Pournara Reception Centre who work in difficult conditions, with limited human and financial resources.

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Human Rights issued the judgment in the case *M.A. and Z.R. v. Cyprus*, which concerned the interception of Syrian nationals at sea by the Cypriot authorities and their immediate return to Lebanon. The Court found that there had been, on account of the applicants’ return to Lebanon, a violation of the prohibition of inhuman or degrading treatment, a violation of the prohibition of collective expulsion of aliens, a violation of the right to an effective remedy and, on account of the applicants’ treatment by the Cypriot authorities, a violation of the prohibition of torture. See <https://www.echr.coe.int/w/judgment-concerning-cyprus-1>.

<sup>47</sup> CCPR/C/CYP/CO/5, 11 September 2023, paragraph 30.

<sup>48</sup> The other reception centre, located in Kofinou, is undergoing expansion, expected to be completed in 2024, after which its capacity will increase from 600 to 750 persons. A rudimentary reception centre was established in Limnes in 2021, which houses asylum seekers whose applications were rejected under accelerated procedures or who have opted for voluntary return.

<sup>49</sup> Adult male members of the family are accommodated outside the safe zone.

<sup>50</sup> According to information provided by the authorities, the SWS recruited 42 social welfare officers in 2021 and an additional 50 officers under an EU Asylum, Migration and Integration Fund (AMIF), to work with asylum seekers. In addition, a total of 35 institutional officers have been recruited and placed in reception centres for asylum seekers.

<sup>51</sup> In its [report](#), the CPT observed that “such dire living conditions are an affront to human dignity and may amount to inhuman and degrading treatment contrary to Article 3 of the European Convention on Human Rights” (paragraph 209). The CPT “urged Cypriot authorities to take immediate action to provide decent living conditions to unaccompanied and separated children, as well as other vulnerable categories of persons, families and single mothers with small children, elderly persons, foreign nationals with mental health, psychiatric problems and serious medical problems, survivors of trafficking in human beings, survivors of sexual and gender-based violence, torture victims and persons with disabilities. Persons of these categories should be removed from Pournara and provided with alternative accommodation and support that meets their needs” (paragraph 214).

<sup>52</sup> The CPT also refers (paragraph 202) to reports of inter-detainee violence and sexual abuse, including an alleged gang rape of a Nigerian woman in November 2022 by five men in the camp.

58. After spending up to several months in the Pournara Reception Centre, most asylum seekers start living independently. While asylum seekers are excluded from the Guaranteed Minimum Income (GMI) Scheme,<sup>53</sup> they receive assistance for a period of three months, pursuant to the Council of Ministers Decision of 7 October 2020, which is granted to vulnerable persons and to families of applicants for international protection with children. In addition, the SWS advises and supports vulnerable persons in relation to finding and securing housing, makes specific housing allocation, and provides interpretation services where needed. GRETA was informed that the assistance granted to asylum seekers amounts to less than half of the GMI,<sup>54</sup> and it is insufficient to cover their living costs. Moreover, asylum seekers cannot register as beneficiaries of the new General Healthcare system (GESY), irrespective of contributing, but can access care at state hospitals and pharmacies. Further, asylum seekers with disabilities are not eligible for the disability benefits and assistance which is available to Cypriot citizens. The insufficient support granted to asylum seekers often leads to destitution and homelessness, and thus increases the risk that they may fall victim to exploitation and trafficking in human beings.

59. Pursuant to Decree no. 413/2021, asylum seekers have access to employment in nine sectors, all of which involve low-paid unskilled positions, such as cleaning, agriculture, deliveries, certain jobs in the hospitality industry and night-shift work. In order for employment to be considered legal, the contract and related documentation must be submitted to the Department of Labour by the employer and approved by the former. Whereas asylum seekers were previously eligible to apply for a job one month after the submission of their asylum application, this period was extended to nine months as of 1 October 2023.<sup>55</sup> Considering the limited amount of assistance granted to asylum seekers this delay in access to employment leaves them particularly vulnerable to exploitation.<sup>56</sup> GRETA was informed that the Road Transport Department decided in 2021 to deprive asylum seekers of the right to obtain a driving license,<sup>57</sup> which further limits their employment opportunities. Asylum seekers can be assisted by Labour Officers from the Department of Labour when seeking employment. GRETA was informed that the Department of Labour recruited 10 additional Labour Officers in 2024, who are based in Nicosia (5), Limassol (2), Larnaca (2) and Paphos (1).

60. At the time of GRETA's visit, there were 1,300 unaccompanied or separated children in Cyprus, 247 of whom were living in Pournara. The other children were either accommodated in the Kofinou Reception Centre or in semi-independent living facilities and hotels (for children over the age of 15). Unaccompanied and separated children are appointed legal guardians and the director of the Social Welfare Services serves as their representative within the framework of the criminal investigation and procedure, in co-operation with the Commissioner for Children's Rights.<sup>58</sup> The legal guardian is present during the vulnerability assessment in the reception centre. Of the three hotels used to accommodate unaccompanied children, two are operated as shelters and have staff, including guardians, who are present around the clock. Boys and girls are housed separately.

<sup>53</sup> <https://ec.europa.eu/social/main.jsp?catId=1105&intPageId=5009&langId=en>.

<sup>54</sup> For the rates of assistance granted to asylum seekers, see <https://help.unhcr.org/cyprus/applying-for-asylum/your-rights-and-duties-as-an-asylum-seeker/>. GRETA was informed that the amount of assistance is capped at five persons per family, regardless of the number of children.

<sup>55</sup> Official Gazette of the Republic of Cyprus, Annexe III(I), No. 5825 (312/2023), p. 2375.

<sup>56</sup> See Angeli, Maria, Mediterranean Institute of Gender Studies, *Integration into the Labour Market and Skills Training of Migrants in Cyprus* (2020), pp. 13-15.

<sup>57</sup> Circular No. 32/2020 (9 September 2020) and Circular No. 09/2021 (12 May 2021).

<sup>58</sup> In its third evaluation report on Cyprus (paragraph 133), GRETA noted concerns raised by the Commissioner for Children's Rights with regard to provisions of Law 60(I)/2014 which are not sufficient to effectively guarantee the rights of child victims of trafficking, including that "Articles 38-41 on the legal representation of children should be clarified as the Social Welfare Services have the role of guardian under the law and can decide about the legal representation, thereby potentially depriving the Commissioner for Children's Rights of her competence to ensure the legal representation of the child." This concern was reiterated to GRETA during the fourth evaluation visit.

61. The semi-independent facilities are operated in 26 locations around the country (in Nicosia, Larnaca and Limasol) by the IOM with the funding from the SWS. Boys and girls are housed separately. At the time of GRETA's visit, there were around 200 children accommodated in these facilities. GRETA was informed that the SWS and the IOM have concluded a new memorandum of understanding under which 500 new places for unaccompanied and separated children will be added by 2026. The GRETA delegation visited one of the semi-independent living facilities for girls in Nicosia, which was located in a house in a residential neighbourhood. The house consisted of four rooms, with four beds in each room, as well as two bathrooms, a kitchen and a big living room area. At the time of the visit, there were 10 girls staying at the house. They received a weekly allowance for food which they prepared themselves. The average stay in the house is between one year and 14 months. The children are supported by a multi-disciplinary team consisting of a social worker, legal counsellor and psychologist, under the guidance of the child's legal guardian. These professionals develop specific plans for each child, including an integration plan for children who have never been to school. The children are provided with education, which includes Greek language classes, under programmes specifically developed for unaccompanied children by the Ministry of Education. GRETA was informed that children are required to be back at the house by 22.00 and are not allowed to be away at the weekend. There are Standard Operating Procedures for cases when children abscond and the police is informed of the case. Reportedly, children usually abscond due to emotional distress (e.g they miss their family back home) or difficulties at school. According to the representatives of the SWS, most children do not go far from their accommodation and are located quickly.

62. Some of GRETA's interlocutors have raised safety concerns regarding the accommodation facilities for unaccompanied children, especially with regard to the risks young girls might be exposed to due to lack of supervision. During the visit to the Pournara Reception Centre, GRETA was informed that there had been cases of young girls engaging in sexting<sup>59</sup> and being intimidated by adults in the centre who took pictures of the girls and sent them to their relatives in their home country. GRETA notes that sexting could potentially increase vulnerability to exploitation and trafficking through grooming and sextortion, coercion or manipulation online by others. This could involve threats to share explicit images or videos publicly unless the individual complies with demands, which could escalate to more severe exploitation or trafficking situations. Apart from organising information sessions on online safety in co-operation with the Ministry of Education, there appear to be no other preventive and safety measures applied to the unaccompanied children accommodated in Pournara.

63. The Commissioner for Children's Rights has on several occasions raised the issue of unaccompanied children's limited access to rights and services, which renders them particularly vulnerable to exploitation. Specifically, she has highlighted the delay in procedures and the fact that children often stay in the Pournara Reception Centre, a closed facility, for extended periods of time,<sup>60</sup> which effectively amounts to a deprivation of liberty during which they do not have access to education. Moreover, the Commissioner raised a concern with regard to the exercise of guardianship over children accommodated in Pournara and Henipa Hotel in Larnaca, as well as their insufficient access to healthcare, mental health services and education.<sup>61</sup> She found that there was a lack of institutionalised procedures and protocols related to the exercise of guardianship over unaccompanied and separated children, and that the guardians were not sufficiently trained to work with this vulnerable group. The living conditions in the Henipa Hotel were assessed to represent a safety and health risk to the children. According to the Commissioner, 14 unaccompanied children have gone missing in Cyprus in the period 2019-2022.

64. GRETA was informed that all undocumented children undergo an age determination process, involving an interview with the Asylum Service which can refer the person for a medical exam if this is

<sup>59</sup> Sexting refers to the exchange of sexually explicit messages, images, or videos among individuals, children and adolescents. With widespread use of smartphones and social media platforms, sexting often occurs within peer or other type of groups or romantic relationships, where individuals may feel pressure to engage in sexting as a form of social validation, curiosity, or exploration of sexuality. See <https://inhope.org/EN/articles/what-is-sexting>, accessed on 17 July 2024.

<sup>60</sup> In a communication dated 8 August 2023, the Commissioner found serious violations of the rights of a 15-year old asylum seeker who was accommodated in Pournara for seven months, where the child lacked access to educational and recreational activities as well as to other services.

<sup>61</sup> Communications dated 16 May 2022 and 20 December 2022.



deemed necessary (dental cavity, wrist and collar bone examination). Pursuant to an amendment to the Cyprus Refugee Law 109(I)/2014 which came into force in July 2023,<sup>62</sup> persons who refuse to undergo a medical examination for the purpose of age assessment are presumed to be adults. The age assessment cannot be appealed independently before the decision on the asylum claim is issued, at which point the person may have become an adult. The Commissioner for Children's Rights has raised a concern with regard to shortcomings in the age assessment procedure as well as the lack of possibility to challenge the decision on the age assessment. The CPT has also found that delays in the age assessment process resulted in the longer stay of children in the Pournara Reception Centre, as compared to the adults.<sup>63</sup>

65. Around 178,655 Ukrainian nationals arrived in Cyprus between February 2022 and November 2023, and 19,242 had been granted a temporary residence permit as of 16 October 2023. Ukrainian nationals who apply for temporary protection do not systematically undergo a vulnerability assessment upon arrival in Cyprus. Thus, there is no information with regard to the extent to which this group may be vulnerable to THB and exploitation. GRETA was informed that the temporary hotel accommodation scheme for vulnerable Ukrainian nationals was set to end in December 2023 after which they could apply for a rental subsidy in order to secure autonomous accommodation. According to the Cypriot authorities, no victims of THB were identified among Ukrainian nationals during the reporting period. In this context, GRETA refers to its Guidance note on addressing the risks of trafficking in human beings related to the war in Ukraine.<sup>64</sup>

66. **GRETA urges the Cypriot authorities to take measures to prevent asylum seekers from becoming victims of trafficking in human beings, in particular by:**

- **ensuring that a vulnerability assessment is systematically carried out in respect of all persons accommodated in asylum reception centres in order to identify their individual vulnerabilities and needs (see also the recommendation in paragraph 91);**
- **ensuring that asylum seekers, including those with disabilities, have access to adequate support and health care;**
- **providing timely access to the labour market for asylum seekers;**
- **reducing the amount of time unaccompanied and separated children spend in asylum reception centres and ensuring that they are placed in safe and appropriate accommodation and have access to education as early as possible;**
- **ensuring that the age assessment procedure is conducted without delay and in line with international standards, including the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)22 on human rights principles and guidelines on age assessment in the context of migration;**
- **end the practice of forced returns (pushbacks) of asylum seekers, including vulnerable individuals, into the buffer zone, as it increases the risk that these individuals will be exposed to human trafficking.**

*v. Disadvantaged minorities*

<sup>62</sup> Official Gazette of the Republic of Cyprus, Annex I(I), No. 4957, Law 86(I)2023, 27/7/2023.

<sup>63</sup> CPT report on Cyprus, paragraph 225.

<sup>64</sup> <https://rm.coe.int/guidance-note-on-addressing-the-risks-of-trafficking-in-human-beings-r/1680a663e2>.

67. The Roma population of Cyprus, which is considered to be part of the Turkish Community, is estimated to range between 650 and 1,250 people (0.11% of the population).<sup>65</sup> The Roma face a number of obstacles in accessing education and the labour market, thus increasing their vulnerability to exploitation. The National Roma Strategic Framework (2021-2030), which is expected to be updated every five years, outlines programmes developed by the relevant Cypriot authorities and sets out goals and measures aimed at enhancing the equality, inclusion and participation of the Roma living in areas under the effective control of the Government of the Republic of Cyprus.<sup>66</sup> The European Commission against Racism and Intolerance (ECRI) has recommended that the authorities develop a Roma-specific action plan in connection with the National Roma Strategic Framework, in close consultation with Roma representatives.<sup>67</sup>

68. There is a high drop-out rate among Roma children, with only few Roma students attending secondary education.<sup>68</sup> This is partly due to the fact that many members of the Roma community do not speak Greek, but also to the difficult living conditions of Roma children and the fact that they often face discrimination and segregation in schools.<sup>69</sup> GRETA was informed of a number of measures implemented by the Departments of Primary and Secondary Education aimed at encouraging school attendance among Roma children. These include the employment of bilingual teachers, as well as the provision of Greek language lessons, as a second language, and classes in Turkish and Gurbetcha, the languages spoken by the Roma population. Greek language classes were also made available to the parents and guardians of Roma children and the authorities organised seminars for parents in order to encourage them to enrol their children in school. The authorities have also provided additional support to Roma pupils through the programme "School and Social Inclusion Actions+", co-funded by the EU.

69. Poor knowledge of Greek and lack of education account for the high levels of unemployment among the Roma population. The Roma have access to assistance from the Public Employment Service (see paragraph 101), including 30 temporary employment counsellors who were hired in the period 2018-2023 (additional temporary counsellors are expected to be hired in 2024-2029), who provide support to unemployed persons belonging to vulnerable groups. However, it would appear that members of the Roma community do not take part in the available schemes.<sup>70</sup> According to available information, the Turkish Cypriot Property Management Service of the Ministry of Interior provides some housing to the Cypriot Roma, either in the form of prefabricated, container-like units in Roma settlements or in houses in Limassol and Paphos districts, which belong to Turkish Cypriots who fled the hostilities in 1964-1974.<sup>71</sup>

**70. GRETA welcomes the measures taken by the Cypriot authorities to address vulnerabilities of the Roma community and invites them to continue their efforts towards the prevention of trafficking in human beings among this disadvantaged minority.**

<sup>65</sup> ECRI's Sixth report on Cyprus (adopted on 6 December 2022 / published on 7 March 2023), paragraph 105.

<sup>66</sup> [National Roma Strategic Framework](#) (2021-2030).

<sup>67</sup> ECRI's Sixth report on Cyprus, paragraph 112.

<sup>68</sup> ECRI's Sixth report on Cyprus, paragraph 106.

<sup>69</sup> [https://migrant-integration.ec.europa.eu/library-document/cypriot-roma-and-failure-education-anti-discrimination-and-multiculturalism-post\\_en](https://migrant-integration.ec.europa.eu/library-document/cypriot-roma-and-failure-education-anti-discrimination-and-multiculturalism-post_en)

<sup>70</sup> ECRI's Sixth report on Cyprus, paragraph 110.

<sup>71</sup> ECRI's Sixth report on Cyprus, paragraph 109.

*vi. Persons with disabilities*

71. Persons with disabilities<sup>72</sup> are not expressly mentioned in the Council of Europe Anti-Trafficking Convention, but their vulnerability to human trafficking is documented in reports issued by GRETA and other international bodies. Amongst the factors which render persons with disabilities vulnerable to THB are dependence on caregivers or support systems, limited access to information and resources, difficulty communicating or advocating for themselves, stigma and discrimination, as well as lack of or limited access to the labour market and decent work.<sup>73</sup> Reference can also be made to the Committee on the Elimination of Discrimination against Women' (CEDAW) General recommendation No. 38 (2020), which states that women and girls with disabilities are a group particularly vulnerable to being trafficked, and calls on States to provide them with special economic and social support.<sup>74</sup>

72. Cyprus ratified the UN Convention on the Rights of Persons with Disabilities in 2011, through Law 8(III)/2011. The Department for Social Inclusion of Persons with Disabilities, within the Ministry of Labour, Welfare and Social Insurance, was designated as the focal point for the implementation of the UN Convention. It co-ordinated the preparation of the first National Disability Strategy (2018-2028) and its three action plans,<sup>75</sup> which were based in part on the recommendations of the UN Committee on the Rights of Persons with Disabilities (CRPD) from 2017.<sup>76</sup> The Strategy and the Third National Disability Action Plan (2021-2023) contain a number of measures aimed at improving the quality of life of children and adults with disabilities, such as promoting access to education, provision of new social services in the community to support independent living of persons with intellectual disabilities, adoption of a new law for the creation of social enterprises and mechanisms to facilitate access to employment for persons with disabilities, and expansion of access to rehabilitation services through the national health care system.<sup>77</sup>

73. GRETA was informed that persons with disabilities have access to home care and rehabilitation services through the general health care system in Cyprus. Moreover, they are assisted by the Social Welfare Services (SWS) through a personal care plan and can be placed in private homes for persons with disabilities following an individualised assessment. The SWS covers the accommodation costs for those who do not have the necessary financial resources. GRETA was informed that the transition house run by the NGO Wellspring Association and one of the shelters for victims of domestic violence (Sophie's House) run by the NGO SPAVO, which provide specialised housing and support to victims of THB (see paragraph 98), can accommodate persons with disabilities who are victims of trafficking. The Guaranteed Minimum Income<sup>78</sup> which is granted to persons who have insufficient financial resources, includes a rent allowance and an allowance for persons with disabilities. However, these services are not available to asylum seekers with disabilities. In this regard, GRETA refers to the recommendation of the CRPD that the Cypriot authorities should "ensure an adequate standard of living, including access to disability support schemes and allowances in law and in practice for all non-nationals with disabilities residing in the State party on an equal basis with Cypriot citizens."<sup>79</sup> In their comments to the draft report, the Cypriot authorities stressed that they prioritise providing housing support to vulnerable applicants for international protection,

<sup>72</sup> According to Article 1 of the UN Convention on the Rights of Persons with Disabilities, persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

<sup>73</sup> See OSCE, *Invisible Victims: The Nexus between Disabilities and Trafficking in Human Beings*, March 2022, p.16.

<sup>74</sup> CEDAW, [General recommendation No. 38 \(2020\) on trafficking in women and girls in the context of global migration](#), paras. 40 and 55.

<sup>75</sup> [http://www.dmsw.gov.cy/dmsw/dsid/dsid.nsf/dsipd8b\\_en/dsipd8b\\_en?Openform#:~:text=The%20First%20National%20Disability%20Strategy%202018%2D2028%20is%20built%20on,Persons%20with%20Disabilities%20Committee%2C%20the](http://www.dmsw.gov.cy/dmsw/dsid/dsid.nsf/dsipd8b_en/dsipd8b_en?Openform#:~:text=The%20First%20National%20Disability%20Strategy%202018%2D2028%20is%20built%20on,Persons%20with%20Disabilities%20Committee%2C%20the).

<sup>76</sup> CRPD, Concluding observations on the initial report of Cyprus (2017), paragraph 16(b), available at: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2FC%2FCYP%2FCO%2F1&Lang=en, accessed on 17/07/2024](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2FC%2FCYP%2FCO%2F1&Lang=en, accessed on 17/07/2024).

<sup>77</sup> See [Cyprus' Input Regarding the HRC RES 44/10](#) from 10 October 2022, p. 1, as well as Cyprus' comments to ECRI's Sixth report on Cyprus, p. 60.

<sup>78</sup> <https://ec.europa.eu/social/main.jsp?catId=1105&intPageId=5009&langId=en>.

<sup>79</sup> See CRPD, Concluding observations on the initial report of Cyprus (2017), paragraph 16(b).

including persons with disabilities, pursuant to the Council of Ministers Decision of 7 October 2020 (see paragraph 58).

74. GRETA was informed that the Department of Labour implements a subsidy scheme which provides incentives for part-time or full-time employment of persons with disabilities. The scheme is accessible to persons with disabilities who are registered as unemployed with the district or local employment office, and it covers the salary of the person for a period of 24 months.<sup>80</sup> While welcoming the existence of the incentives for employment of persons with disabilities, GRETA notes that the temporary nature of the subsidy provided (24 months) exposes the persons concerned to a lack of stability and risk of unemployment after the termination of the contract which may increase their vulnerability.

75. Children with disabilities are either enrolled in mainstream schools where they can benefit from special education depending on their needs or can attend schools designed for children with disabilities (special schools).<sup>81</sup> GRETA was informed that less than one percent of children in Cyprus are enrolled in schools for children with disabilities. Children with disabilities are included in the inclusive and anti-racist educational policies described in paragraphs 30 and 31. According to available information, during the school year 2020-2021, three of the 124 racist incidents recorded by 38 schools in Cyprus were based on the pupils'/students' disabilities.<sup>82</sup>

76. As mentioned in the National Action Plan, trafficking in human beings for the purpose of forced begging affects persons with disabilities in Cyprus. According to the statistics provided by the authorities, the total number of presumed and identified victims of trafficking for the purpose of forced begging in the period 2019-2022 was five, including two children.<sup>83</sup> However, GRETA was informed that none of the victims of THB identified during the reporting period had a disability.

**77. GRETA considers that the Cypriot authorities should extend the support measures for persons with disabilities to asylum seekers in order to prevent them from becoming victims of exploitation and human trafficking.**

**78. Further, GRETA considers that the Cypriot authorities should conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group.**

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<sup>80</sup> <https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/All/A72160EC9593EE23C22587880048B0D3?OpenDocument>.

<sup>81</sup> [https://www.moec.gov.cy/eidiki\\_ekpaidefsi/en/gen\\_info\\_special\\_education.html](https://www.moec.gov.cy/eidiki_ekpaidefsi/en/gen_info_special_education.html).

<sup>82</sup> Cyprus' comments to ECRI's Sixth Report on Cyprus, p. 48.

<sup>83</sup> GRETA was informed that a short video concerning trafficking in human beings for the purpose of forced begging was promoted on television in order to raise awareness of this form of trafficking.

## 2. Measures to protect and promote the rights of victims of trafficking

79. Chapter III of the Convention provides for a series of measures to protect and promote the rights of victims. In the first place, it is of paramount importance to identify victims of trafficking correctly as identification enables them to benefit from the other measures and rights contained in the Convention. Pursuant to Article 10 of the Convention, States Parties shall ensure that the authorities competent to identify victims of trafficking have persons trained and qualified to perform the identification, and that these authorities collaborate with relevant support organisations in the identification process. Further, Article 12 of the Convention sets out the assistance measures which States Parties must provide to trafficking victims. Paragraph 7 of this article requires Parties to ensure that services are provided taking due account of the special needs of persons in a vulnerable position as well as the rights of children. Given the relevance of victim identification and assistance to the thematic focus of the fourth evaluation round of the Convention, this part of the report examines the application of these two provisions. Other provisions of Chapter III of the Convention, which have been examined in detail by GRETA during the previous evaluation rounds, are discussed in the chapter of the report entitled "Follow-up issues".

### a. Identification of victims of THB

80. As noted in GRETA's third evaluation report,<sup>84</sup> the National Referral Mechanism (NRM) has been in place in Cyprus since 2016.<sup>85</sup> It defines the co-operation framework between the relevant services and NGOs and provides guidance and standard operating procedures for handling victims of trafficking in human beings. According to the NRM, any person or service which has reasonable suspicion that a person may be a victim of trafficking shall refer that person to the Social Welfare Services (SWS), which notifies the Police Office for Combating Trafficking in Human Beings (OCTHB). The latter employs staff specialised to perform victim identification and is responsible for the formal identification of victims. A standardised referral form was introduced in 2019 in order to facilitate the identification and referral of victims of trafficking, and the NRM Handbook contains a list of indicators.

81. GRETA was informed that the OCTHB applies the Manual for the Identification of Victims of THB, which contains indicators of trafficking, as well as a special assessment form introduced in July 2020. Upon identification by the OCTHB, victims are issued with a "certificate of identification" which entitles them to full access to services.

82. A number of GRETA's interlocutors have noted that the NRM does not function properly in practice and that it does not sufficiently outline the operating procedures necessary for the referral of and assistance to victims. It can take up to six months for a victim identification decision to be issued by the OCTHB, during which time the victim may only have limited access to assistance (see paragraph 97). It appears that the police decision on the formal identification is based on whether the case can be successfully prosecuted, which is of particular concern in light of the fact that many presumed victims were trafficked in the northern part of the Cyprus where the Cypriot authorities cannot carry out investigations. GRETA was informed that in 2023 there were only three victims who were formally identified without there being a criminal case. This approach appears to account for the significant difference in the number of presumed and identified victims. Other factors that may contribute to the low number of formally identified victims are the insufficient human resources of the OCTHB (see paragraph 114) and the possibility that not all presumed victims are referred to the police. Furthermore, GRETA was informed that negative decisions concerning the formal identification of a victim of trafficking by the police are usually short, without a justification, and cannot be appealed. **GRETA considers that the Cypriot authorities should allow for appeal of a negative decision on formal identification and ensure that assistance continues to be provided while the appeal process is ongoing.**

<sup>84</sup> GRETA's third evaluation report on Cyprus, paragraph 158.

<sup>85</sup> The procedure is outlined in Law 60(I)/2014 on Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims.

83. While the number of presumed victims (1,330) in the period 2020-2024 has increased as compared to the previous reporting period, the number of formally identified victims (110) has gone down (see the table in Appendix 1).<sup>86</sup> Although women constituted the majority of presumed (58%) victims, male victims represented more than half of the formally identified victims. Labour exploitation was the predominant form of exploitation among both presumed (55%) and formally identified victims (52%). Other forms of exploitation concerned trafficking for the purpose of forced criminality (35 presumed victims and 10 identified victims), sham marriage (two identified victims), forced begging (one identified victim and two presumed victims), illegal adoption (four presumed victims and one identified victim), and organ removal (one presumed victim).<sup>87</sup>

84. The police operates two hotlines (1497 and 1460) where cases of THB or other crimes can be reported anonymously and victims can receive information and assistance. The police distribute leaflets in places where potential victims gather in order to inform them of their rights and encourage them to report their case. In September 2022 the authorities also launched an online platform for reporting THB cases, which is linked to the website of the police and is monitored daily by the OCTHB. GRETA was informed that the authorities plan to issue leaflets and videos in order to promote the telephone hotline (1497) and the police website where trafficking cases can be reported, as well as to provide training to the relevant front-line officials with regard to the prevention, identification and protection of victims of trafficking. The Multidisciplinary Co-ordinating Group (see paragraph 15) has prepared a guide and a leaflet for victims of trafficking which include information on the identification and referral procedure, victims' rights and contact information of public services, NGOs and diplomatic missions in Cyprus. GRETA was informed that the guide had been translated into 12 languages.<sup>88</sup>

85. As noted in paragraph 57, all asylum seekers are initially accommodated in the Pournara Reception Centre. In October 2020, the Refugee Law was amended to introduce an accelerated procedure for the assessment of asylum applications.<sup>89</sup> Under this procedure, applications from persons coming from 'safe countries' shall be decided within 30 days from the date of submission, with the possibility of extension for up to two months. Appeals against a negative decision must be lodged within 15 days from the date of notification. The list of safe countries, which is based on the common EU list, includes some of the countries from which victims of trafficking have originated, such as Nigeria. According to the authorities, police officers who conduct interviews with asylum seekers are trained to recognise signs of THB through specialised questioning techniques and observation. Any case where trafficking is suspected is immediately referred to the SWS. Nonetheless, GRETA notes that the inconsistent application of the vulnerability assessment in the Pournara Reception Centre and the accelerated asylum procedure which may not leave enough time to detect indicators of trafficking, as well as the reported pushbacks of persons attempting to enter Cyprus by boat and those crossing the Green Line (see paragraphs 54 and 0), may hinder the proper identification of all possible victims of trafficking among asylum seekers and the provision of assistance to them.

86. Once a presumed victim has been identified among asylum seekers, the Asylum Service notifies the SWS. GRETA's interlocutors have noted the increase in the number of presumed victims detected among asylum seekers in recent years: 73 in 2021 (29 female and 44 male victims), 153 in 2022 (142 female and 11 male victims), and 106 up until 20 September 2023 (99 female and 7 male victims). GRETA welcomes the increased attention to detecting presumed victims of THB during the asylum procedure, as a result of the increased sensitivity and training of the staff in the Pournara Reception Centre and the asylum procedure. However, GRETA notes that only a small number of the presumed victims were formally identified by the police (3 in 2020, 2 in 2021 and 2 in 2022). The low number of formally identified victims

<sup>86</sup> By way of comparison, the number of presumed victims identified during the previous reporting period was 178 in 2015, 181 in 2016, 103 in 2017, 177 in 2018, and 162 in 2019. The number of formally identified victims was 46 in 2015, 44 in 2016, 23 in 2017, 41 in 2018, and 36 in 2019.

<sup>87</sup> The data includes statistics for the period 2020-2022.

<sup>88</sup> Bengali, Bulgarian, English, Farsi, French, Indian (it is not specified which of the languages spoken in India), Romanian, Russian, Ukrainian, Somali, Turkish, and Vietnamese.

<sup>89</sup> <https://euaa.europa.eu/easo-asylum-report-2021/433-accelerated-procedures#:~:text=In%20Cyprus%2C%20the%20amended%20Refugee,of%20submission%20of%20an%20application.>



is due in part to the difficulties related to the investigation of the case as well as the fact that the police may not find the allegations of trafficking to be credible. GRETA is concerned by the fact that most of these victims are not formally recognised and are thus effectively deprived of the assistance measures guaranteed to them under the Convention (see paragraph 97).

87. As noted in paragraph 49, the Labour Inspectorate Service conducts inspections in teams consisting of one inspector and several co-inspectors. There are two labour inspectors who are specialised in THB and they have been provided with a manual on THB which was developed within the Labour Inspectorate. The Labour Inspectorate also conducts joint inspections with the police, and has concluded a memorandum of understanding with the OCTHB. GRETA was informed that the joint inspections usually focus on the sectors which employ asylum seekers. Moreover, labour inspectors participate in EMPACT Action Days, together with immigration and police authorities.

88. As outlined in paragraph 83, the number of identified victims of labour exploitation has increased. However, while domestic workers are particularly vulnerable to exploitation (see paragraph 45), there appears to be insufficient identification of possible victims of trafficking among persons employed as domestic workers. Only three cases were investigated during the reporting period. This may partly be due to the fact that private households can only be inspected upon court order. There also seems to be a lack of recognition by the authorities that domestic workers may be victims of trafficking in human beings or exploitation, and a general distrust towards the police on the part of the domestic workers. GRETA was informed of foreign domestic workers who had tried to report problems they were experiencing to the authorities but did not receive any support.

89. GRETA has paid particular attention to the awareness of staff working in prisons and remand prisons to the issue of THB, due to the fact that some victims of trafficking might be detained/imprisoned as a result of the failure to carry out the identification procedure and apply the non-punishment principle. Nicosia Central Prison, which is the only prison facility in Cyprus, is located near the buffer zone. Adult prisoners and persons in pre-trial detention are placed in different parts of the prison.<sup>90</sup> There are no facilities for juvenile offenders. GRETA was informed that all convicted persons undergo a medical examination and a vulnerability interview upon arrival in the prison, which is conducted by a doctor who has been trained to recognise vulnerabilities under the Istanbul Convention. There are staff members who speak French, Russian, German and Bulgarian, and translators for other languages can be engaged if needed. Reportedly, prison staff are familiar with trafficking in human beings and there are plans to include THB-related training in the curriculum of the Prison Officers Training Academy. GRETA was informed that if staff suspect that a prisoner may have been a victim of THB, they will notify the police. No presumed victims of trafficking have been identified during the reporting period.

90. Every year, the Cyprus Police Academy provides training on the detection of trafficking in human beings to approximately 250 first-line officers from the Aliens and Immigration Service, the Community Police and the Crime Investigation Department. Training on THB is provided to all new police recruits. GRETA was also informed that the European Union Asylum Agency (EUAA) organised training on the rights of asylum seekers for staff working in asylum centres and immigration detention centres. Nonetheless, GRETA's interlocutors stressed the need for more training to be provided to other professionals involved in the identification of victims of trafficking in human beings, such as social workers, asylum officers, and health care professionals.

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<sup>90</sup> At the time of GRETA's visit, there were 1,020 persons in the prison, although the maximum capacity is 620 persons. Around one third of the prison population were persons in pre-trial detention, and around 10% were women.

91. While welcoming the increased number of presumed victims identified in the asylum procedure and the training provided to various professionals, GRETA is concerned by the decreasing number of formally identified victims in Cyprus. **GRETA urges the Cypriot authorities to take further steps to improve the identification of victims of trafficking, including by:**

- **ensuring that the formal identification of victims of trafficking by the OCTHB is not dependent on the possibility to investigate and prosecute the case;**
- **proactively identifying victims of trafficking in human beings among domestic workers;**
- **ensuring that a vulnerability assessment is systematically carried out in respect of all asylum seekers and that it includes the detection of possible indicators of trafficking in human beings;**
- **ensuring that a proper procedure is in place for the identification of victims of trafficking among irregular migrants, including by duly conducting individualised risk assessments prior to any forced return, fully assessing the risks of trafficking or re-trafficking on return. In this context, full consideration should be given to the UNHCR's Guidelines on the application of the Refugees Convention to trafficked persons and GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection;**
- **providing training on THB to social workers, asylum officers, health care providers, prison staff and other relevant professionals involved in the identification of victims of trafficking in human beings.**

#### **b. Assistance to victims**

92. As noted in GRETA's third evaluation report,<sup>91</sup> pursuant to Law 60(I)/2014, the Social Welfare Services (SWS) are responsible for ensuring that all victims of trafficking are provided with suitable accommodation and other assistance measures. All authorities who identify presumed victims are under obligation to refer them to the SWS, which in turn informs the police. In January 2022, the SWS, the Deputy Ministry of Social Welfare, the Ministry of Justice and Public Order, and the police signed a memorandum of understanding regarding the referral and provision of assistance to victims of trafficking. Since 21 October 2023, the SWS has operated a specialised Anti-trafficking Unit consisting of eight social workers who have been trained in trafficking in human beings and who are located in different cities around the country. Representatives of the SWS met by GRETA stated that the SWS provides assistance to all victims who are referred to them, regardless of whether or not they have been formally identified by the police.

93. Once a victim is referred to the SWS, the SWS informs the victim of their rights and conducts an initial needs assessment in order to provide the person with services tailored to their needs. For example, GRETA was told that the SWS makes special arrangements for LGBTI persons in order to provide them with safe accommodation. Victims who are accommodated in the state shelter for female victims of THB for the purpose of sexual exploitation (see paragraph 96) are issued with a personal care plan which is prepared in consultation with the victim. The government provides a rent subsidy and a monthly allowance for victims who choose not to stay at the shelter, as well as to female victims of other forms of exploitation and male victims. Trafficking victims have the right to apply for the Guaranteed Minimum Income, which includes a rent allowance. The SWS also provides emergency financial assistance to cover basic needs and accommodation if needed. Furthermore, the SWS assists victims after they leave the shelter, in

<sup>91</sup> GRETA's third evaluation report on Cyprus, paragraph 165.



particular with finding accommodation. GRETA was given the example of a victim whom the SWS helped secure housing close to the university she was attending, as well as free tuition and childcare.

94. According to statistics provided by the authorities, 199 victims were referred to assistance (150 women and 49 men) and 69 were accommodated in shelters in 2019. In 2020, 174 victims were referred to assistance (120 women and 54 men) and 52 were provided with accommodation. In 2021, the number of referrals was 106 (65 women and 41 men) and the number of victims provided with accommodation was 28, while in 2022 147 victims were referred to assistance (134 women and 13 men) and 20 victims were provided with accommodation. The amount of financial support granted to victims of trafficking was: 30 000 euros in 2019 and 2020, 45 000 euros in 2021, and 30 141 euros in 2022. A total of 109 victims have received the Guaranteed Minimum Income, of which 20 cases continue to be supported.

95. GRETA was informed that the SWS is conducting a survey of victims of THB who have received assistance in the past in order to identify areas that require improvement. At the time of GRETA's visit, the SWS had completed interviews with six victims who were accommodated in the state shelter and it planned to interview 150 more victims who had been accommodated there in the past. **GRETA welcomes this initiative and would like to be informed of the outcome of the survey.**

96. GRETA visited the state shelter for female victims of THB for the purpose of sexual exploitation in Nicosia, which can accommodate up to 15 female victims. At the time of GRETA's visit, there were two victims accommodated at the shelter, both of whom were working on jobs outside of the shelter. In addition, one victim who was accommodated elsewhere came to the shelter once a month in order to reunite with her children who had been placed in a foster family. The shelter is located in a two-story house which has four bedrooms, two toilets, a kitchen, a dining room, a crafts room and a living room area. There is a spacious garden where victims can spend time during the day. Since May 2023, the shelter has employed a specially trained social worker and a psychologist who provide tailored support to the victims based on an individual needs assessment. The shelter also employs other staff who prepare meals for the victims and provide other types of support. The support provided at the shelter includes counselling, development of social skills, Greek language lessons, and assistance with finding work and outside accommodation. The support can be extended for up to six months after the victim leaves the shelter. Victims stay at the shelter between two and three months on average, but accommodation can be extended for up to one year in case of need. All victims receive a weekly allowance of 25 euros. The staff of the shelter met by GRETA were aware of different vulnerabilities among the victims who have been accommodated in the shelter (e.g. poor socio-economic background, exposure to substance abuse, lack of education) and were attentive to their needs.

97. GRETA welcomes the holistic and victim-centred approach applied by the SWS and the staff of the state shelter when providing assistance to victims of trafficking. However, GRETA is concerned by the fact that only a small number of presumed victims are assisted by the SWS. Of particular concern is the fact that many of the presumed victims of trafficking who are identified in the asylum procedure are not provided with specialised accommodation and services. Moreover, representatives of civil society met by GRETA have noted the particular vulnerability of presumed victims who are identified outside the asylum procedure but are not assisted by the SWS. Unless such individuals are supported by NGOs, who have limited resources, they will be exposed to homelessness, destitution and exploitation.

98. Apart from the state shelter, adult victims of trafficking can be accommodated in the transition house run by the NGO Wellspring in Limasol, which receives funding from the government. The house can receive up to six formally identified victims. At the time of GRETA's visit, there were four victims staying there. The victims receive psychological support, English and Greek language lessons, as well as sewing, art and cooking lessons. Wellspring also assists the victims with finding jobs. The average stay in the house is around two years. The NGO also runs a drop-in centre for women in need and a charity shop, and it has prepared a flyer in English with information on the services they provide. The government had also concluded a protocol of co-operation with and provided funding to the NGO Stop Trafficking, which

used to run a shelter for young mothers and babies, but now focuses on awareness-raising activities. Further, the NGO SPAVO operates three shelters for victims of domestic violence, one of which has been designated for young mothers with children who are asylum seekers. At the time of GRETA's visit, there was one formally identified victim of THB for the purpose of forced marriage from Cameroon staying at one of these shelters.

99. During the visit to the Pournara Reception Centre (see paragraph 57), GRETA was informed that 45 victims of trafficking had been identified in the reception centre between June and December 2023. Thirty-two of those victims were placed in the safe zone B, while the remainder chose to stay in the general population area. It appears that none of these victims were provided with specialised services and accommodation outside of Pournara. GRETA is concerned by the lack of protection and assistance provided to most presumed victims of trafficking both while they are waiting for the vulnerability assessment to be conducted as well as after their identification by the relevant authorities, as these victims continue to be accommodated in the Pournara Reception Centre.

100. While a number of NGOs provide support to victims of trafficking, GRETA is concerned by the limited funding provided by the Government for the services that they provide. As noted in paragraph 16, the total budget allocated for the support of civil society organisations, which is provided by the SWS, is 15 000 euros. The funds are limited to NGOs which participate in the MCG and are mostly used for awareness-raising. GRETA was informed that the amount allocated under the previous National Action Plan was greater, but it was reduced due to lack of participation from NGOs. On the other hand, NGOs met by GRETA indicated that the procedure for joining the MCG and accessing funds was burdensome. GRETA notes that, in light of their expertise and experience, civil society organisations play an important role in the protection of victims of trafficking and vulnerable persons who fall outside of the system of state support. Their important contribution should be duly recognised and supported by further involving them in the NRM and providing them with the necessary resources.

101. Victims of trafficking have access to the labour market and can receive assistance in securing a job either from the SWS or the Labour Officers of the Department of Labour/Public Employment Service. GRETA was informed that employers who employ victims of trafficking do not have to go through the regular procedure for employing a third-country national. Whenever possible, employers are not told that the person is a victim of trafficking, in order to protect the victim's privacy. The authorities make an effort to place the person with trusted employers and in jobs that are 'safe', such as hairdressing and cleaning jobs, while avoiding night jobs and jobs that require the victim to live with the employer (e.g. domestic work). GRETA was informed that 10 victims of trafficking, all of whom were victims of labour exploitation, have sought the assistance of the Public Employment Service in finding a job in the past couple of years, and seven of those victims were successfully employed.

102. The number of child victims of trafficking identified during the reporting period is small: 11 presumed and 7 formally identified child victims (see the table in Appendix 1). According to information provided by the authorities, two child victims of trafficking were appointed legal guardians during the reporting period. Child victims of trafficking are placed in shelters or in foster families, according to the best interests of the child. As noted in paragraph 60, there are a number of shelters (located in hotels) and semi-independent living facilities that can accommodate unaccompanied and separated children after they leave the Pournara Reception Centre.

103. While GRETA welcomes the establishment of the Anti-trafficking Unit within the SWS, and the victim-centred approach taken by the SWS when providing assistance to victims of trafficking, it is concerned by the fact that only a small number of presumed victims have access to such assistance.

**GRETA urges the Cypriot authorities to:**

- **ensure that all presumed victims of trafficking receive the assistance measures they are entitled to under Article 12 of the Convention, tailored to their specific needs;**
- **ensure that presumed victims of trafficking identified in the asylum procedure are provided with specialised assistance and adequate accommodation outside of reception centres, fully taking into account their vulnerabilities and ensuring that they are not exposed to further exploitation and re-trafficking;**
- **provide adequate funding for NGOs which provide assistance measures and accommodation to victims of trafficking.**

### **3. Substantive criminal law and procedural law**

104. The Convention places on States Parties a series of obligations aimed at enabling the effective prosecution of traffickers and ensuring that they are punished in a proportionate and dissuasive manner. As the implementation of these provisions of the Convention was examined in detail by GRETA during the preceding evaluation rounds, given the focus of the fourth round, particular attention is paid to the notion of “abuse of a position of vulnerability” and its application in case-law. Further, GRETA has decided to examine as part of the fourth evaluation round the application of Article 19 of the Convention on the criminalisation of the use of services of victims of trafficking.

#### **a. Notion of “abuse of a position of vulnerability” in the law and case-law**

105. Abuse of a position of vulnerability is an integral part of the international legal definition of trafficking in human beings and is central to any understanding of trafficking.<sup>92</sup> It is one of the means by which trafficking acts are committed and is relevant to all forms of trafficking and all exploitative purposes. Abuse of a position of vulnerability occurs when “an individual’s personal, situational or circumstantial vulnerability is intentionally used or otherwise taken advantage of, to recruit, transport, transfer, harbour or receive that person for the purpose of exploiting him or her, such that the person believes that submitting to the will of the abuser is the only real or acceptable option available to him or her, and that belief is reasonable in light of the victim’s situation.”<sup>93</sup>

106. Article 6 of Law 60(I)/2014 on Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims,<sup>94</sup> lists the abuse of a position of vulnerability of the victim as one of the means used in the commission of trafficking in human beings in the case of adult victims. The abuse of a position of vulnerability also appears as a means in the criminal offences defined in Articles 7-9 (e.g. labour exploitation) which concern different types of exploitation but differ from trafficking in human beings in the sense that they do not contain the element of “action”, and they require that the exploitation actually take place. The proof of the use of means is not required when the victim is a child (Article 10). According to Article 19 (c), the fact that the defendant was not aware or did not believe that the victim was a child or in a particularly vulnerable position is not a defence.

<sup>92</sup> See UNODC Issue Paper *Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons*, United Nations, April 2013, p. 3.

<sup>93</sup> UNODC [Guidance Note](#) on “abuse of a position of vulnerability” as a means of trafficking in persons in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized.

<sup>94</sup> As amended by Law 117(I)/2019.

107. Articles 2 and 6(e) of Law 60(I)/2014 provide that “abuse of a position of vulnerability” occurs when a victim is in a situation in which there is no real or acceptable alternative but to undergo or succumb to a particular abuse. The non-exhaustive list of criteria for evaluating the vulnerability of a person as set out in the police manual for identifying victims of human trafficking includes: a) difficult family situation; b) difficult personal situation (psychological); c) irregular status; d) lack of education; e) language barrier; f) economic hardships; g) cultural barriers; h) religious engagements; i) dependence on the exploiters.<sup>95</sup>

108. The particular vulnerability of a victim of trafficking in human beings is considered as an aggravating factor when determining the sentence of the offender. Article 13 (b) provides that the following circumstance shall be taken into consideration as aggravating by the court: “the criminal offence has been committed against a victim who was particularly vulnerable, such as for example, a person with a mental or physical disability, in a state of addiction or in a state of physical or mental incapacity, including a child victim in a particularly vulnerable situation.”<sup>96</sup>

109. According to the Cypriot authorities, the form of vulnerability which is most commonly abused by offenders in human trafficking cases is the difficult economic situation of the victim. GRETA was informed that courts have a well-established practice when it comes to adjudicating trafficking cases which involve the abuse of a position of vulnerability. Reportedly, expert testimony from a clinical psychologist, who testifies as to the victim’s psychological state, is routinely presented in THB cases. GRETA was informed that a training on THB for mental health professionals will be organised in November 2024.

110. The Cypriot authorities have referred to two cases which illustrate how courts have interpreted the abuse of a position of vulnerability in case law. The first (case no. 20869/21) concerned, *inter alia*, the trafficking of one person (as a child and an adult) for the purpose of sexual exploitation. In the judgment dated 28 June 2023 convicting the defendant pursuant to Article 17A of Law 60/2014 which concerns the use of services of victims of trafficking (see also paragraph 127), the Court referred to the UNODC Issue Paper Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons.

111. The second case (case no. 60/22) concerned trafficking of a woman from South-Eastern Europe for the purpose of sexual exploitation. The victim came from a poor family and her mother suffered from cancer. In order to finance her mother’s treatment, the victim borrowed money from loan sharks and was later persuaded to travel to Cyprus and engage in prostitution there in order to pay off her debt. Once in Cyprus, the victim was verbally abused by the trafficker who took all of her money. The defendant appealed the conviction, arguing that the victim had come to Cyprus of her own free will and that he did not abuse her position of vulnerability. In its decision dated 23 November 2022, the Supreme Court upheld the conviction finding that the defendant had abused the victim’s position of vulnerability. In elaborating its decision, the court referred to the analysis of the Dutch National Rapporteur “Trafficking in Human Beings, Case Law on Trafficking in Human Beings 2009-2012, as well as several UNODC documents.”<sup>97</sup>

112. GRETA was informed that a seminar on trafficking in human beings was organised for district and family court judges and legal officers of the Supreme Court in March 2020 by the Cyprus Judicial Training School of the Supreme Court, in collaboration with the Ministry of the Interior and with the support of the U.S. Embassy in Cyprus. The seminar covered the relevant international instruments and the case law of the European Court of Human Rights, as well as judicial challenges and good practices with a focus on the protection of victims of trafficking in human beings, the vulnerabilities exploited by traffickers and understanding the trauma and the needs of victims.

<sup>95</sup> See GRETA’s second evaluation report, paragraph 129.

<sup>96</sup> Unofficial translation.

<sup>97</sup> UNODC, Background Paper “An Introduction to Human Trafficking: Vulnerability, Impact and Action” (2008) and UNODC, Evidential Issues in Trafficking in Persons Cases: Case Digest (2017).

**113. GRETA welcomes the application of the concept of abuse of a position of vulnerability in the case-law in Cyprus, including the use of expert testimony to establish its existence, and invites the Cypriot authorities to continue providing training and guidance to the relevant professionals on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.**

#### **b. Investigation, prosecution and sanctions**

114. As noted in GRETA's third evaluation report,<sup>98</sup> the Police Office for Combating Trafficking in Human Beings (OCTHB) investigates all cases of THB throughout the country, performs the formal identification of victims of THB, and provides support and guidance to local police departments concerning issues of THB and exploitation. The staff of the OCTHB have been trained on THB and they also provide training to other relevant actors and represent the Cyprus Police in the Multidisciplinary Co-ordinating Group and EMPACT working groups. At the time of GRETA's visit, the OCTHB consisted of 13 officers (four men and nine women). Although an additional staff member was added to the OCTHB since the last evaluation, GRETA's interlocutors have noted that this is still not sufficient to effectively combat and investigate THB in Cyprus. There are two staff members who speak Arabic and Romanian, the languages often spoken by traffickers.

115. The representatives of the OCTHB met by GRETA stressed the importance of collaboration with other stakeholders, including NGOs, in order to enhance the detection of THB cases and the provision of assistance to the victims. To this end, in January 2022 the OCTHB concluded a memorandum of understanding with the Ministry of Justice and Public Order, the Deputy Ministry of Social Welfare and the SWS, concerning the referral and support for victims of THB. As mentioned previously, the OCTHB has also signed a memorandum of understanding with the Labour Inspectorate. While welcoming the enhanced co-operation between the OCTHB and other stakeholders, GRETA notes the concern expressed by some civil society organisations that the OCTHB has been difficult to reach thus making it hard for them to report cases and refer victims for identification.

116. NGOs have also noted that the police could benefit from further training on trauma and avoiding re-traumatisation, as there have been instances where victims were treated in a manner that was not sensitive to the trauma they had suffered. According to the information provided by the authorities, the OCTHB members have continued to receive systematic training on issues related to the handling of vulnerable victims, and a clinical psychologist from the Mental Health Services participates in the trainings organised by the OCTHB. It is also noted that the OCTHB has had an ongoing co-operation with the Commissioner for Gender Equality, who conducted an official visit to the office in October 2023.

117. There are 80 public prosecutors in Cyprus, 20 of whom deal with serious criminal cases which are adjudicated by the Assize Court, including most THB cases. GRETA was informed that prosecutors have had an opportunity to participate in a number of trainings on THB during the reporting period. By way of example the OCTHB organised an online training on the prosecution of THB cases in 2021, which was carried out by the British High Commission in Nicosia. Another training, on THB for the purpose of sexual exploitation, was organised by CEPOL. A number of prosecutors have also completed the Council of Europe HELP course on trafficking in human beings. Moreover, THB courses are expected to be included in the curriculum of the newly established Academy of the Legal Service of the Office of the Attorney General.

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<sup>98</sup> GRETA's third evaluation report on Cyprus, paragraph 107.

118. According to statistics provided by the Cypriot authorities (see the table in Appendix 1), the number of THB cases investigated every year has remained stable (seven to 13 cases per year). The number of prosecuted cases was as follows: 10 cases, involving 24 victims, in 2020; 12 cases, involving 19 victims, in 2021; nine cases, involving 10 victims in 2022, six cases, involving 32 victims in 2023, and four cases, involving five victims in 2024. The cases concerned trafficking for the purpose of sexual exploitation, labour exploitation, forced criminality, as well as forced begging and adoption.

119. It appears from the statistics provided by the Cypriot authorities that most of the cases which were investigated as THB and which proceeded to trial resulted in convictions for other offences (see the table in Appendix 1). Thus, in 2020, one case which had originally been investigated as THB for sexual exploitation resulted in the conviction of the defendant (a man from Bulgaria) for the offence of securing registration by false pretences and giving false information to the police, for which he was punished with a fine. Of the 12 persons (three women and nine men)<sup>99</sup> prosecuted in 2021, six were convicted of trafficking in human beings while the other six were convicted of labour exploitation, infliction of bodily harm, illegal possession of drugs, and other offences. Namely, two persons were convicted of THB for the purpose of sexual exploitation and sentenced to two years' imprisonment and a fine of 14,950 euros respectively; one person was convicted of trafficking of a child for the purpose of sexual exploitation and sentenced to a suspended sentence of two years' imprisonment; and three persons were convicted of THB for the purpose of forced begging and sentenced to 20 months (two defendants) and two years' imprisonment. The latter was the first conviction for THB for the purpose of forced begging in Cyprus. All of the cases prosecuted in 2022 resulted in convictions for trafficking in human beings (5 convictions). Specifically, two men (from Greece and Romania) were convicted of trafficking for the purpose of sexual exploitation and sentenced to three and eight years' imprisonment respectively. One male perpetrator (from Cyprus) was convicted of THB for the purpose of both sexual and labour exploitation and sentenced to 10 years' imprisonment, while two men (from Greece and Egypt) were convicted of THB for the purpose of labour exploitation and sentenced respectively to 20 months and three years' imprisonment.

120. A particular challenge in the investigation of THB cases is presented by cases in which THB occurred in the northern part of the Cyprus to the Cypriot authorities' lack of effective control over that part of the country and their inability to investigate cases brought by asylum seekers. GRETA was informed that the UN facilitates the work of a bi-communal Technical Committee on Crime and Criminal Matters, which brings together law enforcement officials and legal experts from the two communities of Cyprus who exchange information on ongoing investigations. However, the Committee does not work on investigations into THB cases.

121. As noted in GRETA's third evaluation report,<sup>100</sup> the Unit for Combating Money Laundering (MOKAS) has the power to give instructions on the basis of Article 55(1) of the AML/CFT Law for the non-execution of a transaction, where there is reasonable suspicion that the transaction relates to money laundering or terrorism financing, for the purpose of analysing a suspicious transaction or for the future issuance or registration of a restraint order or confiscation of assets. MOKAS has to be informed about financial investigations carried out by the OCTHB<sup>101</sup> when the proceeds or assets are suspected to be the outcome of THB offences, and it can ensure the freezing of assets during the investigation. GRETA was informed that MOKAS ordered the freezing of 4,000 euros in early 2023 in a case which involved sham marriages.

122. In 2022, in co-operation with the OSCE, MOKAS developed a strategic analysis report on "Financial intelligence information for combating trafficking in human beings." The report was launched in January 2023 and circulated to all reporting entities and posted on MOKAS' website. The purpose of the analysis was to provide red flag indicators of THB and increase the number of THB-related suspicious transaction or activity reports (STRs/SARs) submitted to MOKAS. A new indicator "trafficking in human beings" was added to the reports submitted by the reporting entities. The strategic analysis report resulted in an increase in the number of reports submitted to MOKAS in which THB indicators were identified: four

<sup>99</sup> The defendants originated from Bulgaria (3), Pakistan, India, Cyprus (3), Greece, China, Nigeria and Romania.

<sup>100</sup> GRETA's third evaluation report on Cyprus, paragraphs 82 and 83.

<sup>101</sup> The OCTHB is a partner in the OSCE project "Follow the money."

reports in 2019, seven in 2020, seven in 2021 and nine in 2022. In all of the cases, indicators of THB were not flagged by the reporting entity but by MOKAS upon analysis of the submitted information. On the other hand, in 2023, following the launch of the strategic analysis report, reporting entities submitted 11 reports with indicators of THB, and THB was identified in an additional 14 reports by MOKAS based on the information submitted. The number of reports submitted by MOKAS to the police was: six in 2021, nine in 2022, and nine in 2023.<sup>102</sup>

123. As noted in GRETA's third evaluation report,<sup>103</sup> a Children's House operated by the NGO Hope for Children<sup>104</sup> was set up in Nicosia based on the Barnahus model. Pursuant to Article 38 of Law 60/2014, interviews with child victims of trafficking shall be carried out by a specially trained professional or with their assistance by a person of the same gender as the child, and in the presence of the child's legal guardian or the Commissioner for Children's Rights. In its third evaluation report,<sup>105</sup> GRETA urged the Cypriot authorities to take additional measures to ensure that the best interests of the child are the primary consideration in all proceedings relating to child victims of THB, and to avoid as far as possible the cross-examination of child victims of THB, referring to the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice. In their report to the Committee of the Parties, the Cypriot authorities indicated that they were considering, together with the Supreme Court, the possibility to limit the scope of cross-examination of children through the adoption of relevant procedural regulations by the Supreme Court.

124. In 2022, the authorities set up new premises for conducting interviews with victims of trafficking, with the aim of providing a safe space where victims can feel secure and comfortable. The premises consist of two interview rooms which resemble a real-life living room, as well as an office equipped with two desks and a computer where statements can be taken from victims. The space also includes a playroom for child victims. All police interviews with presumed and identified victims of trafficking are conducted by an officer of the same gender as the victim. Moreover, members of the police OCTHB arrange for a psychological evaluation of the victim to be carried out, in co-operation with the SWS.

125. GRETA welcomes the increase in the number of staff of the OCTHB, as well as the co-operation between the OCTHB, the Office for Combating Cybercrime (OCC) and the Unit for Combating Money Laundering (MOKAS) in the investigation of trafficking cases. At the same time, GRETA is concerned by the low number of convictions for THB. **GRETA considers that the Cypriot authorities should take further measures to strengthen the criminal justice response to trafficking in human beings, in particular by:**

- **ensuring that the OCTHB has sufficient resources to investigate proactively cases of trafficking in human beings;**
- **improving the co-operation between the OCTHB and specialised NGOs with a view to ensuring a prompt and efficient investigation of THB cases;**
- **ensuring that human trafficking offences are prosecuted as such, rather than as lesser offences, every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted;**
- **providing further training to law enforcement on the severe impact of exploitation on victims of trafficking in order to prevent further traumatising.**

<sup>102</sup> There is no direct correlation between the year of the submission of the report and the year of the dissemination of the intelligence to the police i.e. a report may have been received in 2022 but the analysis was concluded in 2023, thus it was disseminated to the police in 2023.

<sup>103</sup> GRETA's third evaluation report on Cyprus, paragraph 130.

<sup>104</sup> <https://uncrcpc.org.cy/programmes/children-s-house>.

<sup>105</sup> GRETA's third evaluation report on Cyprus, paragraph 132.

### **c. Criminalisation of the use of services of a victim**

126. Article 17 of Law 60(I)2014 criminalises the use of services provided by victims of THB where the client should reasonably have been able to conclude or suspect that the service was provided by a victim of trafficking. As noted in GRETA's third report,<sup>106</sup> in 2019 the penalty for this offence was increased to 10 years of imprisonment or 50,000 euros, or both. In the event that the victim is a child, the penalty was increased to life imprisonment or 100,000 euros or both. Article 19(a), also amended in 2019, further stipulates that the fact the accused did not know that the person from whom he/she requested, received or used sexual services was subjected to trafficking and/or exploitation does not constitute a defence.

127. In addition, a new Article 17A was added in 2019 concerning exclusively the criminalisation of the use of sexual services. According to it, any person who demands, receives or uses the services of a victim of sexual exploitation is guilty of the offence, without the requirement to prove that the accused should reasonably have suspected that the person was a victim.<sup>107</sup> The penalties are the same as in Article 17.

128. According to the Cypriot authorities, Article 17 has never been applied, due to the fact that it was practically impossible to prove that the user of services could reasonably have assumed that the person was a victim of trafficking. Since the introduction of Article 17A, one person has been convicted for the use of services of a victim of trafficking. In the judgment dated 28 June 2023 (case no. 20869/21, mentioned also in paragraph 110), the court found that the accused received sexual services from the victim in exchange for a fee and that these services were the object of sexual exploitation after the victim was forced (in a manner analysed in the decision) to engage in prostitution.

## **IV. Addressing human trafficking facilitated by information and communication technology (ICT)**

129. Countries monitored by GRETA have reported an increased use of information communication technologies (ICT) for recruiting and controlling victims of trafficking. In 2022, GRETA conducted a study to assess the extent to which technology impacts trafficking and explore the operational and legal challenges that states face in detecting, investigating and prosecuting online and ICT-facilitated trafficking.<sup>108</sup> As highlighted by the study, the impact of technology is particularly acute in relation to the recruitment and exploitation of victims, including their control throughout the different stages of the trafficking process. This study highlighted a number of challenges to the identification, investigation and prosecution of THB cases due to the high volume of online activities and the associated high volume of digital evidence, the use of encrypted communications, nicknames and aliases, and the time-consuming process of acquiring evidence from private companies and/or other jurisdictions. At the same time, anti-trafficking stakeholders are using technological innovations to prevent human trafficking, protect victims, and prosecute traffickers. It is therefore essential to invest in human capital and technological tools to harness the potential of ICT for effectively combating human trafficking.

130. The Cypriot authorities have noted a routine use of the internet for the recruitment of victims in cases involving both sexual and labour exploitation. Victims often come in contact with traffickers through social media or through websites offering fake job or educational opportunities. Once the victims have been recruited, traffickers use the internet to advertise the services provided by them. The use of live web cams in the exploitation of the victims has also been detected, as well as the use of the internet to facilitate online child sexual abuse.

<sup>106</sup> GRETA's third evaluation report on Cyprus, paragraphs 15 and 155.

<sup>107</sup> While prostitution is not illegal in Cyprus, operating brothels, organising prostitution rings, living off the profits of prostitution, encouraging prostitution or forcing a person to engage in prostitution are illegal.

<sup>108</sup> Paolo Campana, *Online and Technology-Facilitated Trafficking in Human Beings*, Council of Europe: <https://rm.coe.int/online-and-technology-facilitated-trafficking-in-human-beings-full-rep/1680a73e49>, published in April 2022.



131. Cyprus is a party to the Council of Europe Convention on Cybercrime (Budapest Convention). However, it has not ratified the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence. In 2020, the Ministry of Research, Innovation and Digital Policy published the new Cybersecurity Strategy, which focuses on seven priority areas: 1) organisation of the different competent State bodies, 2) creation of an integrated legislative and regulatory framework, 3) creation and/or adoption of the necessary structures and mechanisms, 4) formulation of technical and organisational measures and procedures relating to the preparation, protection, detection and response to cyber threats and other events, 5) development of the necessary skills and appropriate training, 6) effective co-operation between the State and the competent bodies of the public/private sectors, and 7) development of research and innovation.<sup>109</sup>

132. The Office for Combating Cybercrime (OCC) of the Cyprus Police, which is the specialised body for cybercrime investigation, plays an important role in the implementation of the Cybersecurity Strategy. The OCC co-operates with internet service providers and participates in awareness raising in schools and among parents of school children. Since 2014, the OCC has been operating an online reporting platform for cybercrime,<sup>110</sup> as well as a mobile application for smart phones and a website containing information and tips related to cyber security.<sup>111</sup> Moreover, the Digital Security Authority (DSA), an independent body established in 2018 under the Commissioner of Communication, is responsible for the implementation of the European Network and Information Security (NIS) Directive.<sup>112</sup> The Cypriot authorities have also adopted a National Digital Strategy (2020 -2025)<sup>113</sup> and a Research and Innovation Strategy Framework (2019 -2023), which are accompanied by action plans.<sup>114</sup> The two strategies advocate for the development of lifelong media literacy and cybersecurity skills among the younger population, with the aim of increasing their resilience to the risks associated with the use of the internet.

133. The Cypriot Safer Internet Centre (SIC),<sup>115</sup> which was established under the auspices of the Cyprus Pedagogical Institute (CPI), conducts nationwide awareness raising campaigns aimed at increasing children's media literacy and skills related to cyber security, in line with the abovementioned strategic documents. During the school year 2022-2023, 114 actions were carried out with the participation of 4 538 students, 348 teachers and 270 parents. Further, the SIC operates an awareness centre through which the younger population can access content pertaining to internet safety. The SIC also operates a helpline and hotline (1480)<sup>116</sup> which provides advice related to internet security and where cases of online child sexual abuse can be reported. GRETA was informed that the SIC co-operates closely with the OCC and informs them of any cases of online child sexual abuse. According to the information provided by the authorities, the SIC helpline/hotline received 7,100 reports in the period 2020 - July 2024, which included reports of online sexual exploitation of children (158 reports were related to children in general, rather than online sexual exploitation of children).

134. Furthermore, school counsellors in secondary schools implement several projects aimed at developing children's media literacy and online safety, which include media literacy workshops, online safety seminars and peer discussions. The authorities also implement the "eSafe Schools," a national yearly educational programme for schools, teachers and students, and organise the CyberSafety Youth Panel of Cyprus (as part of the European project 'Cyprus Safer Internet Centre – CyberSafety-Better Internet for Kids'), whose members design and implement various activities in schools and communities throughout the school year. The CPI also organises a biennial conference on media literacy, aimed at

<sup>109</sup> [https://www.coe.int/en/web/octopus/country-wiki-ap/-/asset\\_publisher/CmDb7M4RGb4Z/content/cyprus/pop\\_up](https://www.coe.int/en/web/octopus/country-wiki-ap/-/asset_publisher/CmDb7M4RGb4Z/content/cyprus/pop_up).

<sup>110</sup> <https://cybercrime.police.gov.cy>.

<sup>111</sup> [www.cyberalert.cy](http://www.cyberalert.cy).

<sup>112</sup> <https://dsa.cy/en/>.

<sup>113</sup> [https://www.dmrid.gov.cy/dmrid/research.nsf/all/927EA351714F99EDC22587CE0028C090/\\$file/Digital%20Strategy%202020-2025.pdf?openelement](https://www.dmrid.gov.cy/dmrid/research.nsf/all/927EA351714F99EDC22587CE0028C090/$file/Digital%20Strategy%202020-2025.pdf?openelement)

<sup>114</sup> <https://www.research.org.cy/wp-content/uploads/InnovateCyprusCYRISStrategyFramework2019-2023NBRIMay2019.pdf>, and <https://dsa.cy/images/pdf-upload/csdc-en-2020.pdf>.

<sup>115</sup> <https://internetsafety.pi.ac.cy/>.

<sup>116</sup> <https://www.betterinternetforkids.eu/practice/articles/article?id=7263651>

teachers, university students and researchers, as well as the annual competition "Together for a Better Internet" during which students learn about the production of films and increase their media literacy.

135. The OCC operates the Digital Forensic Laboratory (DFL), which uses tools and software commonly used in other European countries (e.g. FTK, XRY, UFED, Magnet Axiom, etc.). It also closely co-operates with Europol, Interpol and the FBI. GRETA was also informed that the mandate of the OCC will be expanded to include cryptocurrency investigations and buying chain analysis software.

136. Members of the OCC have provided training on open-source intelligence investigations (OSINT) to the members of Cyprus Police, including the OCTHB. The OCTHB also uses evidence from telecommunications obtained through telecommunication disclosure orders. In cases in which a more specialised investigation is needed, the unit co-operates closely with the OCC. For example, in cases involving ICT-facilitated trafficking in human beings, the OCTHB may request the OCC to carry out an investigation and prepare an evidence package. The OCC received three such requests in 2019, two in 2020, three in 2021 and six in 2022.

137. There has been an increase in the number of cases involving online child sexual abuse. GRETA was informed that the OCC closely co-operates with the Safer Internet Centre (SIC) which regularly transmits to them reports on online child sexual abuse obtained through their dedicated helpline (see paragraph 133). The OCC received around 260 such reports in 2023, which involved, *inter alia*, cases of grooming and possession and distribution of child abuse materials. In case of suspicion that a case may involve THB, the OCC informs the OCTHB and closely co-operates with them in the investigation. None of the reported cases contained indicators of trafficking in human beings.

138. There is no legal obligation for internet service providers to proactively monitor, filter and remove THB-related internet content. The only obligation concerns the notice and takedown of child sexual abuse and terrorism-related materials after the internet service provider has been informed or upon order of the court. Representatives of the OCC met by GRETA stated that internet service providers usually respond quickly in such cases and remove or block the relevant content.

**139. GRETA welcomes the above-mentioned programmes and activities of the Cypriot authorities and invites them to develop further measures specifically aimed at preventing ICT-facilitated trafficking in human beings, including investing in capacity building and digital tools to conduct proactive investigations.**

**140. Further, GRETA invites the Cypriot authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence.**

## V. Follow-up topics specific to Cyprus

### 1. Legal assistance and free legal aid (Article 15)

141. In the third report on Cyprus,<sup>117</sup> GRETA noted that no legal aid is provided to victims of trafficking before or during the investigation and that, in practice, the trafficking victims' right to legal assistance, representation and legal aid is limited to claiming compensation. Further, it noted several shortcomings with regard to the provision of legal assistance and legal aid to child victims, as elaborated below. GRETA urged the Cypriot authorities to strengthen their efforts to facilitate and guarantee access to justice to victims of trafficking in human beings by, *inter alia*, ensuring that they receive specialised legal assistance and free legal aid throughout the criminal proceedings.

142. There have been no changes since GRETA's third evaluation. Victims of trafficking are mainly provided with legal advice by the police and NGOs. Once the investigation is completed, the prosecutor is responsible for providing the victim with any information or support needed. The Commissioner for Children's Rights has raised concerns regarding the fact that the relevant legislation does not adequately cover the needs and rights of child victims of trafficking with regard to access to legal assistance and free legal advice and has recommended that the legislation be amended accordingly.<sup>118</sup> In its third report, GRETA considered that the Cypriot authorities should review and amend the provisions of Law 60(I)/2014 with a view to ensuring that the rights of child victims of THB are effectively guaranteed, including with regard to the provision of legal advice to child victims.<sup>119</sup> As far as GRETA is aware, there have been no developments in this regard.

143. GRETA was informed that there is no data available concerning the number of victims of trafficking who have been granted free legal aid during the reporting period. However, it appears that this number is very low: only nine victims of trafficking were provided a government appointed lawyer for the purpose of claiming compensation (see paragraph 148). According to GRETA's interlocutors, courts are reluctant to grant free legal aid in general, and according to recent statistics only 5% of the overall free legal aid budget has been used. Moreover, the procedure for applying for free legal aid seems to be quite onerous, as the applicant must appear before the court to defend his/her application (through an interpreter if necessary), often against the opposition from the Attorney General's Office.

144. The Cypriot authorities have indicated that the government is examining different options to establish formal co-operation with NGOs, through a protocol of co-operation or funding agreement, to provide legal counselling to victims of trafficking through a lawyer or a person who has received legal training. GRETA was informed during the visit that one NGO has been approached by the government with regard to providing such services to victims of trafficking, but no concrete progress was made in this regard. GRETA was also informed that new rules of civil procedure which came into force in 2023 provide for simplified procedures and online forms with the aim of facilitating individuals' access to courts without the assistance of a lawyer.

**145. GRETA once again urges the Cypriot authorities to ensure that victims of THB, including child victims, receive specialised legal assistance and free legal aid at an early stage of the criminal proceedings, and throughout the latter. Legal assistance should be provided 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 THB.**

<sup>117</sup> GRETA's third evaluation report on Cyprus, paragraphs 41-46.

<sup>118</sup> Opinion dated 2 August 2022. See also GRETA's third evaluation report on Cyprus, paragraph 133.

<sup>119</sup> GRETA's third evaluation report on Cyprus, paragraph 134.

## 2. Compensation (Article 15)

146. In its third evaluation report,<sup>120</sup> GRETA noted that victims of trafficking face a number of obstacles in obtaining compensation from perpetrators, including the fact that compensation is dealt with almost exclusively in civil courts and that a claim in civil proceedings can be rejected if the defendant was acquitted in criminal proceedings. Moreover, victims of trafficking did not have access to state compensation. GRETA therefore urged the Cypriot authorities to adopt measures to facilitate and guarantee access to compensation from the perpetrators, as well as to set up as a matter of priority a victim compensation fund.

147. As noted in GRETA's third evaluation report, victims of THB can claim compensation through criminal proceedings or a civil claim.<sup>121</sup> GRETA was informed that for a compensation order to be issued by a criminal court, the amount of damages must be clearly defined either as a fact proven during the evidentiary proceedings or as a result of an agreement between the parties (prosecution and defence). In practice, criminal courts will decide on claims that do not involve large amounts<sup>122</sup> and that have been agreed by the parties, while all other claims for damages are dealt with in civil proceedings.<sup>123</sup> A criminal conviction against the trafficker is a prerequisite for an award of compensation in civil proceedings. GRETA was informed that new rules of civil procedure were introduced in 2023 which provide for simplified procedures and online forms, including for a claim of compensation, with the aim of facilitating individuals' access to courts without the assistance of a lawyer.

148. As noted in GRETA's third report,<sup>124</sup> in case of a criminal investigation concerning trafficking in human beings, the Unit for Combating Money Laundering (MOKAS) of the Attorney General's Office can file an application to the court to issue a freezing order. Upon conviction of the trafficker, MOKAS can proceed with the forfeiture order. Where there are identified victims, the confiscated amount is in principle used to compensate the victim; otherwise, it is paid to the budget of the Ministry of Finance. GRETA was informed of two cases in which assets were confiscated from the accused and/or have been awarded to a victim of trafficking as compensation. In the first case (case no. 4968/21), which concerned, *inter alia*, THB for the purpose of sexual exploitation, money found in apartments which had been rented by the accused was confiscated and deposited in the fund maintained by the Ministry of the Interior (see below). In the second case (case no. 13490/20), which concerned THB for the purpose of labour exploitation, the first accused agreed to compensate two victims from Nepal for the wages he had not paid them while he was their employer. GRETA was also informed that nine victims of trafficking have claimed compensation as part of criminal proceedings through government-appointed lawyers.

149. Law 60(I)2014 provides, in Article 62, for the creation of a fund to support victims of trafficking, in which any fines imposed upon perpetrators as well as the proceeds from confiscations are to be deposited. The fund is supposed to compensate victims who cannot be compensated by the perpetrators, but only if civil claims for compensation are pursued and fail. As previously reported, the Ministry of the Interior maintains a budget line for the purpose of compensation claims, which in 2022 had €15,000. In their report to the Committee of the Parties, the authorities indicated that a Technical Committee consisting of representatives of the Ministry of Labour and Social Insurance, the Ministry of Interior and the Social Welfare Services met to examine the possibility of providing state compensation in the form of a fixed amount (lump sum) to all victims, following the criminal procedure. In this regard, the Technical Committee has discussed the possibility of establishing an institutional framework to define criteria for granting compensation to victims, as a lump sum based on the victim's circumstances, possibly

<sup>120</sup> See, for example, GRETA's third evaluation report on Cyprus, paragraphs 52-65.

<sup>121</sup> GRETA's third evaluation report on Cyprus, paragraph 55.

<sup>122</sup> The jurisdiction of the Assize Court to order payment of compensation is limited to 10,000 euros and that of the District Court – exercising criminal jurisdiction – to 6,000 euros.

<sup>123</sup> Report submitted by the authorities of Cyprus on measures taken to comply with Committee of the Parties Recommendation Cp/Rec(2020)04 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, pp. 2-3.

<sup>124</sup> GRETA's third evaluation report on Cyprus, paragraph 63.

considering other benefits/compensation received by the victim, and on the basis of reports to be prepared by the competent services.<sup>125</sup> At the time of GRETA's visit, no further progress had been made with regard to the establishment of a state compensation fund for victims of trafficking, and GRETA was informed that there were certain legal obstacles to the establishment of the fund.

150. While welcoming the appointment of lawyers to assist victims of trafficking with filing compensation claims in court, GRETA notes with concern that the number of victims who have been awarded compensation from perpetrators remains low and that many of the problems identified during the previous evaluation persist. Moreover, victims still do not have access to state compensation. Therefore, **GRETA once again urges the Cypriot authorities to take further steps to facilitate and guarantee access to compensation, and in particular to:**

- **set up as a matter of priority a victim compensation fund and amend the legislation with a view to ensuring that state compensation is not conditional on failure to obtain compensation through civil proceedings;**
- **enable all victims of trafficking to exercise their right to compensation, by ensuring access to legal aid and building 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;**
- **ensure victims' right to claim compensation through civil proceedings regardless of the outcome of the criminal proceedings;**
- **include compensation in the training programmes for prosecutors and the judiciary, and encourage them to use all the possibilities the law offers to uphold compensation claims by victims of THB.**

### **3. Recovery and reflection period (Article 13)**

151. As noted in GRETA's third report, pursuant to Article 45(5) of Law 60(I)/2014, identified victims of THB, regardless of whether they are EU or third-country nationals, are entitled to a reflection period of at least one month (two months for children) to escape the influence of the traffickers and decide whether to co-operate with the prosecution. At the time of the third evaluation, the Cypriot authorities informed GRETA that in practice the recovery and reflection period had also been granted to presumed victims of trafficking since mid-2019 and that there were plans to amend the legislation accordingly.<sup>126</sup>

152. During the fourth evaluation visit, GRETA was informed that in practice a recovery and reflection period is provided to presumed victims of trafficking as soon as they are referred to the police, rather than only after they are officially identified by the OCTHB. However, GRETA was not provided with statistics regarding the number of victims who were granted this period. GRETA was informed that the Ministry of the Interior had drafted amendments to Law 60(I)/2014 in order to include presumed victims among the persons to whom the recovery and reflection period should be granted. However, GRETA was not informed of any further developments in this regard. According to the information provided by the authorities, 92

<sup>125</sup> Report submitted by the authorities of Cyprus on measures taken to comply with Committee of the Parties Recommendation Cp/Rec(2020)04 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, p. 4.

<sup>126</sup> GRETA's third evaluation report on Cyprus, paragraph 176.

victims were granted the recovery and reflection period in 2020, 139 in 2021, 164 in 2022, 207 in 2023 and 86 in 2024 (as of 5 August).

**153. While welcoming the practice of granting the recovery and reflection period to both presumed and identified victims of trafficking, GRETA reiterates that pursuant to Article 13 of the Convention, a recovery and reflection period should be granted when there are reasonable grounds to believe that a person is a victim of human trafficking, and once again urges the Cypriot authorities to specify this in law. In this context, GRETA refers to its Guidance Note on the recovery and reflection period.<sup>127</sup>**

#### **4. Residence permits**

154. As noted in GRETA's second evaluation report,<sup>128</sup> at the expiry of the reflection period, victims of trafficking can be issued a renewable temporary residence permit for the duration of six months, if the victim has expressed a clear intention to co-operate with the authorities and has ceased all contacts with the suspected traffickers (Article 55(1) of Law 60(I)/2014). The residence permit is granted by the Civil Registry and Migration Department upon the approval of the Minister of the Interior. Further, pursuant to Article 56(3) of Law 60(I)/2014, the Minister of the Interior may grant a victim of THB a temporary residence permit or a temporary registration certificate beyond the reflection period, if that is in the interest of the victim due to humanitarian or other reasons. An assessment of the personal situation of the victim must be submitted to the Minister of the Interior.

155. According to information provided by the authorities, the number of victims of THB who were granted a residence permit was 62 in 2020, 55 in 2021, 45 in 2022, and 52 in 2023.<sup>129</sup> The number of victims of trafficking who have been given refugee status or subsidiary/complementary protection was: seven in 2021, nine in 2022 and four in 2023 (until 20 September).

<sup>127</sup> <https://rm.coe.int/guidance-note-on-recovery-and-reflection-period-group-of-experts-on-ac/1680b1a3ca>.

<sup>128</sup> Second evaluation report on Cyprus, paragraphs 103 and 104.

<sup>129</sup> As far as GRETA understands, these statistics include both first-time and renewed residence permits.

## VI. Conclusions

156. Since the publication of GRETA's third report on Cyprus on 11 June 2020, progress has been made in a number of areas covered by that report.

157. A new National Strategy on the Prevention and Combating of Trafficking in Human Beings (2023-2026), accompanied by a National Action Plan, were prepared by the Multidisciplinary Co-ordinating Group, which involves relevant public agencies, local authorities and NGOs. The staff of the Police Office for Combating Trafficking in Human Beings, which is responsible for the formal identification of victims and the investigation of cases of THB, has been increased. Further, in 2023 the Social Welfare Services set up an Anti-Trafficking Unit, comprising eight social workers, which is responsible for co-ordinating the provision of assistance to victims. The National Referral Mechanism, which has been in place since 2016, has led to an increase in the detection of presumed victims of trafficking, in particular amongst asylum seekers, as well as victims of labour exploitation. Training and guidance on detecting human trafficking has been provided to relevant staff, including those involved in the asylum procedure and labour inspectors.

158. GRETA welcomes these positive developments in Cyprus. However, despite the progress achieved, several issues continue to give rise to concern. A certain number of recommendations made repeatedly by GRETA in its preceding reports have not been implemented or have been only partially implemented. In this report, GRETA once again urges the Cypriot authorities to take action in the following areas:

- **Assistance to victims** (Article 12 of the Convention). The Cypriot authorities should ensure that all presumed victims receive assistance measures, including safe and suitable accommodation, tailored to their needs. This includes presumed victims of trafficking identified in the asylum procedure who should be provided with specialised assistance and adequate accommodation outside of reception centres, fully taking into account their vulnerabilities and ensuring that they are not exposed to further exploitation and re-trafficking.
- **Recovery and reflection period** (Article 13 of the Convention). The Cypriot authorities should amend Law 60(I)/2014 in order to ensure that the recovery and reflection period is granted whenever there are reasonable grounds to believe that a person is a victim of trafficking, i.e. prior to formal identification as a victim.
- **Legal assistance and free legal aid** (Article 15 of the Convention). The Cypriot authorities should ensure that victims of THB, including child victims, receive specialised legal assistance and free legal aid at an early stage of the criminal proceedings and throughout the proceedings.
- **Compensation** (Article 15 of the Convention). The Cypriot authorities should facilitate victims' access to compensation from perpetrators, including by providing access to legal aid for victims, ensuring that the collection of evidence about the harm the victim has suffered is part of the criminal investigations, and including victim compensation in the training of relevant professionals. Further, the authorities should guarantee access to compensation for victims of trafficking, including by setting up as a matter of priority a victim compensation fund and amending the relevant legislation to ensure that state compensation is not conditional on failure to obtain compensation through civil proceedings.

159. Given that these recommendations have been made repeatedly, their priority implementation is requested and will be followed up as part of the monitoring of the implementation of the Convention.



160. As regards the thematic focus of the fourth evaluation round, which is on **vulnerabilities to trafficking in human beings**, the authorities have acknowledged the vulnerabilities related to gender, age, migration status, ethnicity and disabilities, and have included relevant measures to address them in the National Action Plan against Human Trafficking for 2023-2026, as well as in other programmes aimed at facilitating access of vulnerable persons to education, employment and support services.

161. While welcoming the measures taken by the Cypriot authorities to prevent trafficking through measures addressed at vulnerable groups, GRETA has identified a number of areas of concern which require further action. The following issues should be addressed as a matter or priority:

- ensure that **migrant workers** enjoy the same rights and protections, including the same minimum wage, as Cypriot and EU workers, and allow foreign domestic workers to change employers without their immigration status being affected;
- ensure that a vulnerability assessment is systematically carried out in respect of all persons accommodated in asylum reception centres, and that **asylum seekers** have access to adequate support and health care, as well as to the labour market;
- place **unaccompanied and separated children** in safe and appropriate accommodation, provide them with access to education, and conduct age assessment in line with international standards;
- improve the **identification** of victims of trafficking, by ensuring that the formal identification is not dependent on the possibility to investigate and prosecute the case.

162. GRETA welcomes the awareness-raising campaigns concerning online safety which have been implemented in schools and through the Cypriot Safer Internet Centre, and the participation of the Office for Combating Cybercrime of the Cyprus Police in the investigation of cases of human trafficking. In order to address the routine **use of ICT** to recruit and exploit victims of trafficking, the Cypriot authorities should develop further measures specifically aimed at preventing ICT-facilitated trafficking in human beings, including capacity building and digital tools to conduct proactive investigations.

163. GRETA invites the Cypriot authorities to keep it regularly informed of developments as regards the implementation of the Convention. GRETA trusts that there will continue to be a political commitment in Cyprus to sustain the efforts to combat human trafficking by following the human-rights based approach of the Convention, and looks forward to continuing the dialogue with the Cypriot authorities and civil society.

## Appendix 1

### Statistics on victims and cases of THB in Cyprus in 2020-2024

The data presented in the table is not directly comparable across States Parties to the Convention due to variations in the methodologies used for data collection

| Indicator  |                   | Years                                   |   |   |   |  |
|--|-------------------|---|---|---|---|--|
|  |                   | 2020                                    | 2021                                    | 2022                                    | 2023                                    | 2024<br>(01/01-05/08)                  |
| <b>Number of presumed victims</b>                                  |                   | <b>171</b>                              | <b>169</b>                              | <b>236</b>                              | <b>542</b>                              | <b>212</b>                             |
| By:  |                   |   |   |   |   |  |
| <b>Sex and age group</b>   | Women             | 85                                      | 91                                      | 160                                     | 323                                     | 112                                    |
|  | Men               | 81                                      | 72                                      | 76                                      | 214                                     | 98                                     |
|  | Girls             | 4                                       | 3                                       | 0                                       | 4                                       | 0                                      |
|  | Boys              | 1                                       | 3                                       | 0                                       | 1                                       | 2                                      |
| <b>Type of exploitation</b>  | Sexual            | 63                                      | 79                                      | 135                                     | 162                                     | 103                                    |
|  | Labour            | 85                                      | 76                                      | 99                                      | 376                                     | 102                                    |
|  | Others            | 26                                      | 14                                      | 2                                       | 4                                       | 7                                      |
| <b>Number of formally identified victims (by the Police OCTHB)</b> |                   | <b>25</b>                               | <b>21</b>                               | <b>16</b>                               | <b>33</b>                               | <b>15</b>                              |
| By:  |                   |   |   |   |   |  |
| <b>Sex and age group</b>   | Women             | 11                                      | 10                                      | 11                                      | 7                                       | 3                                      |
|  | Men               | 14                                      | 6                                       | 3                                       | 19                                      | 11                                     |
|  | Girls             | 0                                       | 2                                       | 2                                       | 5                                       | 1                                      |
|  | Boys              | 0                                       | 3                                       | 0                                       | 2                                       | 0                                      |
| <b>Type of exploitation</b>  | Sexual            | 5                                       | 11                                      | 5                                       | 7                                       | 3                                      |
|  | Labour            | 13                                      | 7                                       | 3                                       | 18                                      | 11                                     |
|  | Sexual and labour | 4                                       | 0                                       | 0                                       | 1                                       | 0                                      |
|  | Other             | 3                                       | 3                                       | 8                                       | 7                                       | 1                                      |
| <b>Number of investigations</b>                                    |                   | <b>11 cases</b><br>involving 24 victims | <b>13 cases</b><br>involving 20 victims | <b>11 cases</b><br>involving 12 victims | <b>10 cases</b><br>involving 35 victims | <b>7 cases</b><br>involving 11 victims |
| <b>Number of prosecutions</b>                                      |                   | <b>10 cases</b><br>involving 24 victims | <b>12 cases</b><br>involving 19 victims | <b>9 cases</b><br>involving 10 victims  | <b>6 cases</b><br>involving 32 victims  | <b>4 cases</b><br>involving 5 victims  |
| <b>Number of convictions (persons)</b>                             |                   | <b>0</b>                                | <b>6</b>                                | <b>5</b>                                | <b>9</b>                                | <b>3</b>                               |

## **Appendix 2**

### **List of GRETA's conclusions and proposals for action**

The position of the proposals for action in the text of the report is shown in parentheses.

#### **Topics related to the fourth evaluation round of the Convention**

##### ***Measures to prevent the vulnerability of specific groups to trafficking in human beings***

###### *Children*

- GRETA considers that the Cypriot authorities should strengthen measures to prevent trafficking of children, and in particular:
  - raise awareness among children, parents and other caregivers regarding children's rights and the risks of human trafficking (including recruitment and abuse through Internet/social networks), paying particular attention to children in vulnerable situations, including children living in and leaving residential care, children from disadvantaged minorities, refugee children and unaccompanied or separated children;
  - mainstream the prevention of child trafficking through the school curriculum, for example by including it in the existing school programmes for developing children's life and critical skills;
  - provide training on trafficking in human beings to teachers and other professionals working with children;
  - remove the fees for the registration of births (paragraph 37).

###### *Vulnerabilities related to the gender dimension of human trafficking and of LGBTI persons*

- While welcoming the measures taken to advance gender equality, GRETA considers that the Cypriot authorities should take steps to address the vulnerability of LGBTI persons to trafficking in human beings, in close co-operation with civil society organisations (paragraph 40).

###### *Migrant workers*

- Referring to GRETA's Guidance Note on combating trafficking for labour exploitation and the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation, GRETA urges the Cypriot authorities to take measures to:
  - ensure that migrant workers enjoy the same rights and protections, including the same minimum wage, as Cypriot and EU workers;
  - increase oversight of the employment of foreign domestic workers and allow them to change employers without their immigration status being affected (paragraph 52);

- GRETA considers that the Cypriot authorities should take additional steps to protect migrant workers from trafficking in human beings, in particular by:
  - reducing migrant workers' dependency on their employers by issuing work permits that allow workers to work in different sectors and provide for a period of unemployment while workers are in the process of changing employers or looking for new employment;
  - providing further training on trafficking in human beings to labour inspectors and other relevant officials, with a focus on vulnerabilities that lead to THB and on early detection of cases of THB for the purpose of labour exploitation;
  - raising awareness among the general public as well as, in a targeted manner, among migrant workers, about the risks of THB for the purpose of labour exploitation and the rights of victims of trafficking, as well as on workers' rights under labour laws (paragraph 53).

### *Asylum seekers and refugees*

- GRETA urges the Cypriot authorities to take appropriate measures to prevent asylum seekers from becoming victims of trafficking in human beings, in particular by:
  - ensuring that a vulnerability assessment is systematically carried out in respect of all persons accommodated in asylum reception centres in order to identify their individual vulnerabilities and needs (see also the recommendation in paragraph 91);
  - ensuring that asylum seekers, including those with disabilities, have access to adequate support and health care;
  - providing timely access to the labour market for asylum seekers;
  - reducing the amount of time unaccompanied and separated children spend in asylum reception centres and ensuring that they are placed in safe and appropriate accommodation and have access to education as early as possible;
  - ensuring that the age assessment procedure is conducted without delay and in line with international standards, including the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)22 on human rights principles and guidelines on age assessment in the context of migration;
  - end the practice of forced returns (pushbacks) of asylum seekers, including vulnerable individuals, into the buffer zone, as it increases the risk that these individuals will be exposed to human trafficking (paragraph 66).

### *Disadvantaged minorities*

- GRETA welcomes the measures taken by the Cypriot authorities to address vulnerabilities of the Roma community and invites them to continue their efforts towards the prevention of trafficking in human beings among this disadvantaged minority (paragraph 70).

### *Persons with disabilities*

- GRETA considers that the Cypriot authorities should extend the support measures for persons with disabilities to asylum seekers in order to prevent them from becoming victims of exploitation and human trafficking (paragraph 77);
- Further, GRETA considers that the Cypriot authorities should conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically aimed at this group (paragraph 78).

### ***Identification of victims of THB***

- GRETA considers that the Cypriot authorities should allow for appeal of a negative decision on formal identification and ensure that assistance continues to be provided while the appeal process is ongoing (paragraph 82);
- GRETA urges the Cypriot authorities to take further steps to improve the identification of victims of trafficking, including by:
  - ensuring that the formal identification of victims of trafficking by the OCTHB is not dependent on the possibility to investigate and prosecute the case;
  - proactively identifying victims of trafficking in human beings among domestic workers;
  - ensuring that a vulnerability assessment is systematically carried out in respect of all asylum seekers and that it includes the detection of possible indicators of trafficking in human beings;
  - ensuring that a proper procedure is in place for the identification of victims of trafficking among irregular migrants, including by duly conducting individualised risk assessments prior to any forced return, fully assessing the risks of trafficking or re-trafficking on return. In this context, full consideration should be given to the UNHCR's Guidelines on the application of the Refugees Convention to trafficked persons and GRETA's Guidance note on the entitlement of victims of trafficking, and persons at risk of being trafficked, to international protection;
  - providing training on THB to social workers, asylum officers, health care providers, prison staff and other relevant professionals involved in the identification of victims of trafficking in human beings (paragraph 91).

### ***Assistance to victims***

- GRETA urges the Cypriot authorities to:
  - ensure that all presumed victims of trafficking receive the assistance measures they are entitled to under Article 12 of the Convention, tailored to their specific needs;
  - ensure that presumed victims of trafficking identified in the asylum procedure are provided with specialised assistance and adequate accommodation outside of reception centres, fully taking into account their vulnerabilities and ensuring that they are not exposed to further exploitation and re-trafficking;
  - provide adequate funding for NGOs which provide assistance measures and accommodation to victims of trafficking (paragraph 103).

### ***Notion of "abuse of a position of vulnerability" in the law and case-law***

- GRETA welcomes the application of the concept of abuse of a position of vulnerability the case-law in Cyprus, including the use of expert testimony to establish its existence, and invites the Cypriot authorities to continue providing training and guidance to the relevant professionals on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking (paragraph 113).

### ***Investigation, prosecution and sanctions***

- GRETA considers that the Cypriot authorities should take further measures to strengthen the criminal justice response to trafficking in human beings, in particular by:
  - ensuring that the OCTHB has sufficient resources to investigate proactively cases of trafficking in human beings;

- improving the co-operation between the OCTHB and specialised NGOs with a view to ensuring a prompt and efficient investigation of THB cases;
- ensuring that human trafficking offences are prosecuted as such, rather than as lesser offences, every time the circumstances of the case allow this, and lead to effective, proportionate and dissuasive sanctions for those convicted;
- providing further training to law enforcement on the severe impact of exploitation on victims of trafficking in order to prevent further traumatising (paragraph 125).

### ***Addressing human trafficking facilitated by information and communication technology (ICT)***

- GRETA welcomes the above-mentioned programmes and activities of the Cypriot authorities and invites them to develop further measures specifically aimed at preventing ICT-facilitated trafficking in human beings, including investing in capacity building and digital tools to conduct proactive investigations (paragraph 139);
- GRETA invites the Cypriot authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence (paragraph 140).

## **Follow-up topics specific to Cyprus**

### ***Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking***

- Recalling the recommendations made in its previous reports, GRETA considers that the Cypriot authorities should strengthen the co-ordination of anti-trafficking action, ensure that the Multidisciplinary Co-ordinating Group is provided with adequate resources, establish clear roles and responsibilities of its members, and reinforce inter-agency co-ordination and co-operation with civil society (paragraph 18);
- GRETA invites the Cypriot authorities to adopt legislative amendments necessary to enable the Office of the Commissioner for Administration and Protection of Human Rights to assume the role of National Rapporteur, and to ensure that it has sufficient resources to be able to monitor the anti-trafficking activities of state institutions and make recommendations, in line with Article 29, paragraph 4, of the Convention (paragraph 19);
- GRETA welcomes the preparation of the new Strategy and National Action Plan and stresses the importance of ensuring that sufficient funding is secured for the implementation of all objectives and actions in the Strategy and the National Action Plan, as well as conducting an independent evaluation of the implementation of the Strategy and the Action Plan as a tool for assessing the impact of the activities and for planning future policies and measures to combat human trafficking (paragraph 20).

### ***Legal assistance and free legal aid***

- GRETA once again urges the Cypriot authorities to ensure that victims of THB, including child victims, receive specialised legal assistance and free legal aid at an early stage of the criminal proceedings, and throughout the latter. Legal assistance should be provided 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 THB (paragraph 145).

***Compensation***

- GRETA once again urges the Cypriot authorities to take further steps to facilitate and guarantee access to compensation, and in particular to:
  - set up as a matter of priority a victim compensation fund and amend the legislation with a view to ensuring that state compensation is not conditional on failure to obtain compensation through civil proceedings;
  - enable all victims of trafficking to exercise their right to compensation, by ensuring access to legal aid and building 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;
  - ensure victims' right to claim compensation through civil proceedings regardless of the outcome of the criminal proceedings;
  - include compensation in the training programmes for prosecutors and the judiciary, and encourage them to use all the possibilities the law offers to uphold compensation claims by victims of THB (paragraph 150).

***Recovery and reflection period***

- While welcoming the practice of granting the recovery and reflection period to both presumed and identified victims of trafficking, GRETA reiterates that pursuant to Article 13 of the Convention, a recovery and reflection period should be granted when there are reasonable grounds to believe that a person is a victim of human trafficking, and once again urges the Cypriot authorities to specify this in law. In this context, GRETA refers to its Guidance Note on the recovery and reflection period (paragraph 153).



### **Appendix 3**

#### **List of public bodies, intergovernmental organisations and civil society actors with which GRETA held consultations**

##### **Public bodies**

- Ministry of the Interior
  - National Co-ordinator against Trafficking in Human Beings
  - Civil Registry and Migration Department
- Ministry of Justice and Public Order
  - Cyprus Police
  - Office for Combating Trafficking in Human Beings
  - Cybercrime Unit
- Ministry of Labour, Welfare and Social Insurance
  - Department of Labour
  - Labour Inspectorate
- Ministry of Education, Sport and Youth
- Deputy Ministry of Social Welfare
  - Social Welfare Services
  - Department for Social Inclusion of Persons with Disabilities
- Asylum Service
- Judges
- Office of the Attorney General
- Unit for Combating Money Laundering (MOKAS)
- Office of the Law Commissioner
- Office of the Commissioner for Administration and Protection of Human Rights
- Office of the Commissioner for Children's Rights
- Office of the Commissioner for Gender Equality
- National Machinery for the Advancement of Women
- Standing Committee on Human Rights and Equal Opportunities for Men and Women of the Parliament

##### **Intergovernmental organisations**

- International Organization for Migration (IOM)
- United Nations High Commissioner for Refugees (UNHCR)
- European Commission

**Civil society actors**

- Accept
- Association for the Prevention and Handling of Violence in the Family (SPAVO)
- Caritas
- Cyprus Employers and Industrialists Federation (OEB)
- Cyprus Refugee Council
- Hope for Children
- Human Rights Platform
- Mediterranean Institute for Gender Studies
- Movement for Equality, Support and Antiracism (KISA)
- Organisation for the Protection of Sexual Exploitation Victims (STIGMA)
- Room for Hope
- Step Up Stop Slavery
- Stop Trafficking
- Wellspring Association

## **Government's comments**

GRETA engaged in a dialogue with the Cypriot authorities on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version.

The Convention requires that "the report and conclusions of GRETA shall be made public as from their adoption, together with eventual comments by the Party concerned." GRETA transmitted its final report to the Cypriot authorities on 20 December 2024 and invited them to submit any final comments. The authorities did not wish to submit any comments.