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**ICMPD**  
International Centre for  
Migration Policy Development

**Programme to Support the Development of Transnational Referral Mechanisms (TRM) for Trafficked Persons in South-Eastern Europe**

**REPORT  
STUDY VISIT**

***Cyprus, 23-25 April 2009***

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**2. List of contacts made in Cyprus in the framework of the meetings organised by ICMPD and La Strada, Moldova:**

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**3. List of contacts of the Moldovan delegation:**

Name	Position	Institution
Mr. Valeriu Hincu	Chief	Center to Combat Trafficking in Persons, Ministry of Internal Affairs
Mr. Alexandru Besleaga	Head of Operational Unit	Center to Combat Trafficking in Persons, Ministry of Internal Affairs
Mr. Oleg Nica	First Secretary	Ministry of Foreign Affairs and European Integration, Department of Consular Affairs
Ms. Alina Budecii	Dropping Center Manager	International Center "La Strada", NGO
Ms Tatiana	LLO	ICMPD

Fomina		
Ms Stela Rotaru	Repatriation Specialist	IOM Mission in Moldova (the cost of participation in the study visit has been covered by IOM)

#### 4. Topics discussed:

- Information about ICMPD and its role;
- Presentation of the TRM Programme;
- The situation regarding trafficking in human beings (THB) in Cyprus and Moldova;
- Presentation of current developments in Cyprus and Moldova in the field of anti-trafficking;
- The role of contacting parties according to the national legislation of each party and Standard Operating Procedures for the treatment of victims of trafficking (VoTs);
- A short description of specific trafficking cases between Moldova and Cyprus and existing problems in cooperation;
- Possible ways to improve the cooperation between Moldova and Cyprus in the future;

#### 5. Activities

- **Meeting with the Ministry of Interior (MoI):**

During the meeting with the MoI of Cyprus both delegations presented the current situation in the country with regard to THB, recent anti-trafficking activities and the roles of the anti-trafficking stakeholders according to the national legislation. The Cypriot delegation informed the Moldovan delegation that the MoI is in the lead of combating trafficking in human beings in Cyprus:

- the MoI is a national coordinator of the multidisciplinary group against trafficking established under the new legislation on THB;
- the MoI is overall responsible for the implementation of action plans against THB;
- the Migration Department of the MoI is responsible for residence permits for VoTs;
- the MoI provides funds for NGOs.

The Cypriot police, however, works under the Ministry of Justice and Public Order.

Both delegations expressed the desire to initiate practical cooperation in the anti-trafficking field and agreed to exchange information on THB cases between Moldova and Cyprus as well as to support each other's anti-trafficking activities in the future.

- **Meeting with the Ministry of Foreign Affairs (MFA) of Cyprus:**

The Moldovan delegation was informed that the MFA of Cyprus disseminates information material to prevent THB through the diplomatic representatives of Cyprus in the main countries of origin (Ukraine, Russia,

Moldova etc.). The MFA does not work directly with VoTs, but usually offers consultations on concrete cases. The role of the MFA with regard to the referral of VoTs is described in a special manual drafted by the Ministry of Labour and Social Insurance in 2006.

Mr. Besleaga from the Moldovan Police asked if it was possible to establish direct cooperation with the Cypriot authorities through the Consulate of the Republic of Cyprus in Moldova to exchange data. According to the Cypriot authorities this was not an option as there is only an Honorary Consul in Moldova, to whom no additional duties can be assigned. All contacts must be established through the Embassy of Cyprus accredited to Moldova (resident in Budapest).

After that the procedure of obtaining work visas/permits for Moldovan citizens was discussed. The representatives of the Cyprus MFA placed particular emphasis on the certification of authenticity by the Moldovan authorities of the documents presented by Moldovan nationals who apply for work permits in Cyprus.

- **Meeting with the Ministry of Justice and Public Order and the Office of Combating Trafficking in Human Beings, Cypriot Police:**

Ms. Elena Nicolaou, one of three employees at the Office of Combating Trafficking in Human Beings, a subdivision of the Cypriot Police, informed the Moldovan delegation that the main functions of her office consist of collecting information/statistics about THB, carrying out analyses and conducting training for the police. The Office of Combating Trafficking in Human Beings does not always participate in the investigation/prosecution of traffickers. Its main task is to support the operational staff of the police. Sometimes it supports the identification of VoTs in various establishments that employ artists (night clubs, casinos, bars etc.). In 2008 10 THB cases with Moldovan victims have been identified, 7 of them are currently with the Cypriot court.

The Moldovan delegation informed the Cypriot delegation that currently there were 3 cases of organization of illegal migration within the Moldovan court. In these cases Cyprus was used as transit country for illegal migration of Moldovan citizens to EU countries (Italy and Greece).

Mr. Besleaga from the Moldovan Police asked the support of the Cypriot police in organising the participation of one VoT - Natalia C. - in a court hearing in Moldova. This victim received a work permit in Cyprus, and the Moldovan police had already sent a request for cooperation through INTERPOL, but had not received an answer. The Cypriot police informed the Moldovan delegation that they had received this request, but that the victim was afraid to go to Moldova. The representative of the Cypriot police assured the Moldovan delegation of the readiness of the Cypriot police to assist in every way possible not only in this case but also in future THB cases. In response to a question by Mr Besleaga, the representatives of the Cypriot police informed the Moldovan delegation that both the use of video conference evidence procedure and taking statements are possible and that under the provisions of our national law,( International Co-operation in Criminal Matters Law of 2001), all letters of request for assistance in criminal matters must be addressed to the Central Authority of the Republic, and specifically the Ministry of Justice and Public Order.

Additionally, and as identified in the Cypriot law, when a request of a foreign state is received and is:

(a) in the preliminary stage, then such request is forwarded to the competent judicial authority (namely The Police, The Customs, The Unit for Combating Money Laundering) for execution;

(b) before a Court of the foreign state, then the request is directed to a competent Court of the Republic, and it is a prerequisite that the request for assistance in such cases must be issued by the Court of the foreign state.

As to the specific case of taking evidence by means of videoconferencing, all Courts of the Republic have the facilities for taking such statements.

The delegations agreed to start a practical information exchange, but they also considered it useful for Moldova and Cyprus to start official negotiations to conclude a bilateral agreement in the field of anti-trafficking. (The recommendations in the TRM Guidelines might be useful for drafting such an agreement.)

- **Meeting with the Department of Labour and the Social Welfare Services, Ministry of Labour and Social Insurance**

Mr. Neocleus, Director of the Department of Labour, informed the Moldovan delegation that last year 2200 citizens of Moldova had obtained a work visa for Cyprus.

Since February 1, 2009 special work visas for artists do not exist anymore. Now each Cypriot employer who would like to invite a foreign employee (i.e. a third country national) must submit the visa application to the Department of Labour and obtain a special permit. The Department of Labour approves applications of employers for employment of third country nationals if a valid proof of the necessary qualifications (diploma, practical experience etc.) is presented. Each document/certificate submitted must be certified with a stamp and apostille issued in Moldova.

The representatives of the Department of Labour presented to the Moldovan delegation two files with documents, recently submitted to obtain work permits for two Moldovan women. Mr Besleaga from the Moldovan police shared his suspicion that some of the documents in these files were false and offered the support of the Moldovan police to check the validity of these documents. The Cypriot delegation showed interest in collaboration, but expressed concerns that in this case the procedure of document verification would be too complicated. Moldova should rather focus on controlling the procedure of certifying documents with an apostille in Moldova to prevent abuse. In this regard the Moldovan delegation mentioned the problem that currently it was very difficult to obtain an apostille for documents issued by private (non-state) structures in Moldova.

The Department of Labour successfully collaborates with the Honorary Consul of Moldova in Limasol, Cyprus.

The Cypriot authorities have taken several measures to protect foreign workers, such as: 1) working conditions are established in a collective agreement between the Government of Cyprus and trade unions; 2) the labour contract for foreign citizens is based on a standard document; 3) the

copy of each signed labour contract must be submitted to the Migration Police; 4) each foreign worker must have a valid residence permit.

A special body to resolve conflicts between employer and employee exists in Cyprus: the Mediation/Arbitration Committee.

The representatives of the Department of Labour mentioned that their main professional task was to inform third country nationals about the existing rules and rights with regard to employment in Cyprus.

The Welfare Services are the first contact authorities for VoTs with the task to provide all relevant information about victims' rights. They are responsible for the state run shelter for victims as well as for the provision of the rights stipulated in the law i.e. employment, welfare etc.

- **Visit at the Governmental Shelter for Victims of Trafficking in Human Beings**

Two persons from the Moldovan delegation were invited to visit the governmental shelter for VoTs. Ms Alina Budeci and Ms Stela Rotaru, accompanied by Ms Cristina Mani, Welfare Officer, visited the shelter.

The shelter is situated in the Nicosia region, in the premises of a two-storey house. The shelter has three staff members – the manager of the shelter and two employees responsible for the kitchen and maintenance. There is also a part-time employee, a psychologist, who works with victims. At the moment of the visit of the shelter, five female VoTs were in the shelter. One of them was from Russia and the members of the Moldovan delegation had a brief conversation with her. They provided the woman with a phone number of a psychologist from IOM Russia who could provide assistance after her return to Russia. The topics of discussion during the visit to the shelter were: a) types of assistance provided to the victims; b) procedure for granting assistance; c) procedure of assistance to women with children.

- **Meeting with Ms. Nicoletta Charalambidou, KISA – Action for Equality, Support, Antiracism, NGO**

The NGO KISA works with migrants, asylum seekers and VoTs. Ms. Charalambidou informed the Moldovan delegation that a National Referral Mechanism for VoTs had been established in Cyprus. The special NRM manual had been officially approved, but the role of NGOs was not clear.

Ms. Charalambidou also mentioned the problem of trafficking for labour exploitation in Cyprus, which would need to be taken into consideration in the national anti-trafficking response.

- **Meeting with Ms. Elena Pissaridou, Stigma Foundation, NGO**

Stigma Foundation was the first Cypriot NGO to work with VoTs. Ms Elena Pissaridou informed the Moldovan delegation about the services available for victims (short term stay shelter, psychological, medical and other assistance). The participants of the meeting discussed a concrete case (there was one Moldovan woman accommodated in the NGO shelter) and agreed on ways of future cooperation.

- **Meeting with Ms. Mine Yucel, Center for Migration Identity and Rights Studies, NGO**

Ms. Yucel informed the Moldovan delegation about the situation in the part of Cyprus occupied by Turkey. There is no anti-trafficking legislation on this

territory. If a Moldovan citizen enters Cyprus through the airport located in the occupied territory, this person is not permitted to enter the government-controlled area of Cyprus.

It is very easy for foreign women to receive a 6-month work permit for the occupied territory of Cyprus. According to this permit, the women do not have the right to change the employer. During the whole duration of employment the passports and return tickets are kept by the police. In case an exploited woman manages to escape she is searched by the police and returned back to the place of exploitation.

About 400 foreign women permanently work in night clubs and restaurants in the occupied territory. 50%-60 % of them are from Moldova.

The Moldovan delegation was informed about the activities/services for VoTs provided by this NGO. Ms Yucel recently got funds to open a shelter for victims in the occupied territory of Cyprus.

- **Meeting with Mr. John Rhatigan and Ms. Juliette Dickstein, US Embassy to Cyprus**

The representatives of the US Embassy were informed about the latest developments of the TRM programme and briefed on the issues discussed during the meetings with the Cypriot authorities. Furthermore, Ms. Brigitte Stevkovski was invited to participate in a workshop on 4-5 June 2009 organised by the US Embassy in collaboration with the Turkish Cypriot Human Rights Foundation and the British High Commission on victim services and regional networking.

## **6. Questions:**

a. *Were the counterparts interested in the TRM SEE project?*

The Cypriot authorities expressed interest in matters related to the TRM and trafficking issues in general. In particular, it was mentioned that the authorities of Cyprus were interested in cooperating with other countries and participating in regional seminars.

b. *Do they have any previous knowledge/experience with transnational referral?*

The Cypriot authorities did not know the term "transnational referral mechanism," but the concept of a National Referral Mechanism (NRM) is very well known in Cyprus. In addition, a special Manual on the NRM is used by the national stakeholders.

c. *Are they interested in participating in the other TRM SEE activities?*

During the Moldovan study visit to Cyprus it was mentioned that this study visit could be used as a starting point to further develop links between TRM activities and the Cypriot authorities. Ukraine was mentioned as a country of special interest.

d. *Were these the relevant officials that were useful for your delegation?*

All meetings were relevant and useful for the members of the Moldovan delegation. Meetings with both state structures and NGOs, incl. the NGO from the occupied territory of Cyprus allowed to clarify the specific situation in Cyprus, to establish operational level contacts and start future collaboration.

## **7. Things learned**

- Structure of the Cypriot authorities and functions of state structures (the police is under the Ministry of Justice and Public Order, the Office of Combating Trafficking in Human Beings is in communication with investigators and prosecutors in trafficking cases and in certain cases also participates in investigations. The prosecution of trafficking in human beings cases is handled by the prosecutors of the Attorney General's Office).
- Info about the recent changes in employment procedures for Moldovan citizens in Cyprus obtained.
- Comprehensive info about the situation of trafficking in human beings in Cyprus (incl. the occupied territory) obtained.

**8. Results** of the study visit (please list the practical results of the study visit)

- Operational level contacts between Moldovan and Cypriot authorities established;
- Information and ideas for future bilateral/multilateral collaboration collected;
- Specific trafficking cases involving victims from Moldova, problems faced and ways of solving them discussed;
- Collaboration between Moldovan GOs and NGOs strengthened.

**9. Follow-up steps** (please list what follow-up steps have been agreed upon, if any)

- Mr Hincu, the Chief of the Center to Combat Trafficking in Persons will inform the Moldovan Government about the results of the study visit to Cyprus and recommend to start the official process of negotiations to conclude a bilateral agreement between Moldova and Cyprus in the field of anti-trafficking.
- Mr Besleaga, the head of the Operational Unit of the Center to Combat Trafficking in Persons, Moldova, will directly contact the Office of Combating Trafficking in Human Beings, Cyprus with regard to the above-mentioned THB case.
- ICMPD will invite the representatives of the Cypriot authorities to attend the Final TRM Seminar in Ohrid and offer expert assistance in the planning and implementation of anti-trafficking activities.

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