



REFERENCE: YH/follow-up/Cyprus/61

22 September 2015

Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the combined sixth and seventh periodic reports of Cyprus at the Committee's fifty-fourth session, held in February 2013. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/CYP/CO/6-7). You may recall that in the concluding observations, the Committee requested Cyprus to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraph 12 and in paragraph 20 of the concluding observations.

The Committee welcomes the follow-up report received with a one-month delay in March 2015 (CEDAW/C/CYP/CO/6-7/Add.1) under the CEDAW follow-up procedure. At its sixty-first session, held in July 2015 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 12** of the concluding observations that the State party “strengthen the existing national machinery, by providing it with adequate authority and visibility, as well as human, financial and technical resources, and establish effective coordination among all the existing bodies for the advancement of women and the promotion of gender equality”: The State party indicated that, in 2014, the Commissioner for Gender Equality was established by the President of the Republic with competence to further promote gender equality and the elimination of discrimination against women, preside over and coordinate the work of the National Machinery for Women's Rights (NMWR), monitor the implementation of laws and policies promoting equality between men and women, and organize seminars, training courses and information campaigns on gender equality and women's rights. The Commissioner for Gender Equality is directly accountable to the President of the Republic and is assisted by administrative staff of the Gender Equality Unit of the Ministry of Justice and Public Order in the fulfilment of her tasks, which are covered by the budget of the NMWR. The State party added that the chapter on the «Administrative/Institutional Reform for the Effective Promotion of Equality between Men and Women» of the new Strategic Plan on Equality between Women and Men 2014-2017, which was adopted in December 2014, contains actions for the coordination among all the existing equality bodies. The Committee considers that the State party took significant steps towards the implementation of the recommendation. It considers that, for the period under consideration, the recommendation **has been implemented**.

His Excellency
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Regarding the recommendation made in **paragraph 20** of the concluding observations that the State party “provide adequate assistance and protection to all victims of human trafficking, irrespective of their capacity or willingness to cooperate in the legal proceedings against traffickers, and ensure that such assistance includes psychological support, rehabilitation and social reintegration”: The State party mentioned that the new National Action Plan Against Trafficking in Human Beings 2013-2015, which is currently being implemented, covers all aspects of the issue, including assistance and protection to victims. In addition, the Preventing and Combating Trafficking and Exploitation in Human Beings and Protection of Victims Law, which came into force in April 2014, provides for, inter alia, access to free legal advice and legal representation for claiming compensation, irrespective of the victim’s willingness to cooperate with the prosecuting authorities, access to the witness protection programme for victims wishing to cooperate with the prosecuting authorities, and access to physical, psychological, economic and social rehabilitation. Victims of trafficking holders of a temporary residence permit or a registration certificate have also the right to access the labour market in the same way as Cypriot citizens, to access vocational training and education as well as programmes aiming at facilitating their rehabilitation and reintegration in the social life. Nevertheless, the State party stated that the temporary residence permit or the registration certificate of a victim may be revoked by the Ministry of Interior, along with the rights prescribed in the law, if the said victim ceases to cooperate with the prosecuting authorities. The Committee considers that the State party took some steps to provide adequate assistance and protection to all victims of human trafficking and ensure that such assistance includes psychological support, rehabilitation and social reintegration. However, it remains concerned that some protection and assistance measures provided for in the law may be lifted if the victim is unwilling to cooperate with the prosecuting authorities in the legal proceedings against traffickers. The Committee considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “take effective measures to strictly enforce existing legislation pertaining to private employment agencies and monitor their activities, with a view to preventing the trafficking of migrant women as domestic workers, and consider ratifying ILO Convention No. 181 concerning private employment agencies (1997)”: The State party mentioned that the criminal record of the natural or legal persons involved in the establishment and operation of private employment agencies is examined, in order to ensure that they have not been convicted for offences, such as sexual exploitation or trafficking in human beings, or any other serious criminal offence. Moreover, since 2012, training for the owners of such agencies has been taking place once a year on the provision of the Private Employment Agency Law (2012). In addition, the regulations made by virtue of the Temporary Agency Work Law (2012) provide for the procedure of licensing and inspection of the operation of temporary employment agencies. Besides, the State party indicated that departments having competence in the matter are currently considering all issues relating to the ratification of ILO Convention No. 181. The Committee considers that the State party took some measures to enforce existing legislation pertaining to private employment agencies and monitor their activities. However, it considers that the State party failed to indicate whether these measures are aimed at preventing the trafficking of migrant women as domestic workers. The Committee further considers that the State party failed to provide information on any significant steps to ratify ILO Convention No. 181 concerning private employment agencies (1997). It considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “ensure a strict control of the new visa regime so that it does not facilitate or result in trafficking of migrant women, and conduct an impact assessment of the regime currently in place”: The State party mentioned that, since 2012, no changes have taken place regarding the policy concerning “performing” artists (which replaced that concerning the “artist visa”). This policy seems to have positive results as the number of performing artists is reducing. Specifically, in 2009, 1136 such work permits were issued, where only 28 were issued from January until the beginning of December 2014. The Committee

considers that it **did not receive sufficient information** to assess whether the new visa regime has been strictly controlled so that it does not facilitate or result in trafficking of migrant women.

The Committee recommends that, in relation to paragraph 20 of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1) Ensure that all victims of human trafficking are provided with adequate assistance and protection, irrespective of their capacity or willingness to cooperate in the legal proceedings against traffickers;

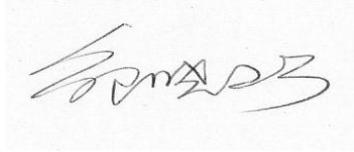
2) Strictly enforce existing legislation pertaining to private employment agencies and monitor their activities, with a view to preventing the trafficking of migrant women as domestic workers, and ratify ILO Convention No. 181 concerning private employment agencies (1997); and

3) Ensure a strict control of the new visa regime so that it does not facilitate or result in trafficking of migrant women, and conduct an impact assessment of the regime currently in place.

The Committee looks forward to pursuing its constructive dialogue with the authorities of Cyprus on the implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Xiaoqiao Zou
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women