

Preventing Trafficking in Human Beings for Labour Exploitation: “Decent Work and Social Justice”

Good morning ladies and gentlemen,

Firstly I would like to thank the organizers for giving me the opportunity to be here, to enrich my knowledge and to share with you a best practice case which was investigated by the Cyprus Police and concerns labour exploitation.

The anti trafficking legislation in Cyprus is fully harmonized with the European directives, the UN Protocol and the Convention of the Council of Europe. It provides for very strict penalties up to 25 years of imprisonment. The penalty for labour exploitation is 10 years of imprisonment.

The case for which I am going to speak in a while, is considered to be a best practice case not because of the great job done by the Police or the successful conviction, but mostly because of the promotion of the multi disciplinary approach in local and European level.

The investigation of this case was launched by the Police regarding the organized trafficking of Romanian citizens from Romania to Cyprus for the purpose of labour exploitation. Originally, intelligence concerning the illegal activities of the suspect was forwarded to the Police as well as to the Labour Office and the Romanian embassy in Cyprus. The suspect was very well known to the authorities as he was involved in a similar case before.

The Chief of Police initiated discussion between those three stakeholders as well as with the Welfare Office. The intelligence material was evaluated and in November 2009 the Police along with Labour Office inspectors, conducted a search at the premises of the suspect. During the operation, 103 Romanian citizens were found there, living under inhuman conditions. To give you just a small sample of what I mean by inhuman conditions, they were not provided with hot water, they had to pay for having bed linen, 8 to 10 persons sleeping in the same room, and all of them had skin infections as the rooms were full of insects and mice.

Among the evidence material collected during the search, there were copies of the identity cards of each person. On every copy, the holder of the Id card, signed a declaration accepting a debt to the suspect of up to 800 euro for commission fees.

Here are some pictures of the place where the workers were living

These are the bedrooms

The kitchen

Here you can see a construction site. It is located just opposite the place where the workers were living. It belongs to the suspect and it had been built by the workers without being paid.

This is a huge sign placed at the suspects premises. It is visible from a long distance and it advertises multi-skilled services provided by European workers for 24 hours a day. Any person who needs any kind of worker could easily apply to the suspect.

Here are the signed copies of the identity cards

Some other documents found during the search.

Now, few words about the facts of the case. Several agencies in Romania, advertised in local newspapers and internet sites job opportunities in Cyprus. Many Romanian citizens responded to those advertisements and they were offered well paid jobs in Cyprus always related to their skills. Before coming to Cyprus, the respondents were given contracts to sign. The monthly salaries promised to them were between 700-1200 euro. The workers paid 200-350 euro to the agencies for airline tickets and other fees.

Upon arrival in Larnaca airport, the workers were picked up by suspect's collaborators and taken to his premises.

There, the suspect himself informed them that they owed him money for finding them jobs and also for travelling expenses. After that, they were told to sign declarations for accepting the debt on copies of their id cards.

Instead of working to the employer, or at the field described on the contract, some of the workers were offered occasional jobs mostly in agriculture and the construction industry. Transportation from the suspect's premises to the workplace and reverse was arranged by the suspect. The majority of the employers, instead of paying the workers, gave the money to the suspect until the debt of the workers was paid off. The workers were given a weekly subsistence allowance of 20 euro. After the debt had been paid off, the workers were usually fired by the suspect or they were just let to stay at the place, without any source of income. Furthermore, the suspect brought in, some other persons from Romania, accepting the same debt and he was constantly gaining money.

After the intelligence phase, the Police conducted surveillance at the suspect's premises and an operation was carried out. The suspect was arrested and more than 150 statements were taken by the police.

All the facts of the case were submitted to Europol's analytical Work File, "Phoenix". With the support and coordination of Europol, an operational meeting between the Cyprus and the Romanian Police was held in Bucharest in December 2009. The decision of that meeting was that the enquiries should be expanded in Romania. The Romanian Police conducted searches and collected thousands of documents from several agencies in Romania. The evidential material was sent to Cyprus and it is currently being evaluated.

In this particular case, 90 Romanian citizens were identified as victims of trafficking with the purpose of labour exploitation. The Ministry of Labour and specifically the Welfare Office, was mostly involved in the area of supporting victims and found them, jobs in Cyprus as provided by the Law

The identification of the victims was mostly based on common indicators, like not having organized the trip or the visa or the housing by themselves and having gone through intermediaries difficult to identify, there was an important difference between the price paid by the workers for the trip and the price they should have paid, the workers were under pressure and/or threats, they didn't get any salary, they had a debt to the suspect, and they were obliged to live in appalling hygienic conditions, no medical care, and they were constantly in the presence of an accompanying person.

Moreover, during the whole procedure all the stakeholders used a victim focused approach. Victims were interviewed mostly by female non uniformed police officers with the help of translators one by one.

However, the added value of the specific case is not the investigation procedure or the judicial procedure. The added value is the support which was instantly provided to the identified victims. Even before the identification, all the potential victims were provided accommodation to hotels, food and medical treatment. Handling the large number of victims either for their support or even for taking statements from them was the most difficult task we had to cope with. Also from the beginning it was obvious that unless the Labour Office, the Welfare Office and the Police co-operate with each other, the case would not have had the same result and the victims would not have gained back their personalities and dignity. The whole procedure of supporting the victims cost to the governmental services euros.

Europol played a critical role in terms of investigation. With the support of Europol the investigators from both countries developed interpersonal relations and were in contact through the whole procedure of the investigation.

Recently the Romanian Police has sent additional evidential material and documents to the Law Office of the Republic of Cyprus which is being evaluated. It is very important that after two years of the initial investigation, the enquiries are still going on.

A major difficulty which is much more likely to be confronted in the future is to locate the victims in order for them to testify before the court. Many of them have already returned to Romania. However, that would be another challenge as recently a new law about the video-linked testimonies has been enacted. According to this law, the video-linked testimony of a witness would be acceptable as evidence before the court. Moreover, the aid of the Romanian authorities would be necessary.

To conclude, some areas like the coordinated action in local and international level, the exchange of intelligence and evidence, and the full support of potential victims are fundamental to combating trafficking in human beings either for labour or other type of exploitation.

Thank you for your attention