

**Mandates of the Special Rapporteur on trafficking in persons, especially women and children; the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur on the human rights of migrants and the Special Rapporteur on contemporary forms of slavery, including its causes and consequences**

Ref.: AL OTH 51/2025  
(Please use this reference in your reply)

20 May 2025

Dear Mr. Redif,

We have the honour to address you in our capacities as Special Rapporteur on trafficking in persons, especially women and children; Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur on the human rights of migrants and Special Rapporteur on contemporary forms of slavery, including its causes and consequences, pursuant to Human Rights Council resolutions 53/9, 53/3, 52/20 and 51/15.

We are independent human rights experts appointed and mandated by the United Nations Human Rights Council to report and advise on human rights issues from a thematic or country-specific perspective. We are part of the special procedures system of the United Nations, which has 60 thematic and country mandates on a broad range of human rights issues. We are sending this letter under the communications procedure of the Special Procedures of the United Nations Human Rights Council to seek clarification on information we have received. Special Procedures mechanisms can intervene directly with Governments and other stakeholders (including companies) on allegations of abuses of human rights that come within their mandates by means of letters, which include urgent appeals, allegation letters, and other communications. The intervention may relate to a human rights violation that has already occurred, is ongoing, or which has a high risk of occurring. The process involves sending a letter to the concerned actors identifying the facts of the allegation, applicable international human rights norms and standards, the concerns and questions of the mandate-holder(s), and a request for follow-up action. Communications may deal with individual cases, general patterns and trends of human rights violations, cases affecting a particular group or community, or the content of draft or existing legislation, policy or practice considered not to be fully compatible with international human rights standards.

In this connection, we would like to bring to your attention information we have received concerning allegations of trafficking in persons for purposes of forced labour of migrant workers in your facilities at Cypfruvex in Morphou, as well as the related lack of accountability and access to effective remedies for victims of these serious human rights violations and serious crimes.

According to the information received:

In June 2024, exploitative practices had been observed regarding the recruitment procedures and employment conditions of third-country nationals brought to work in the citrus harvesting sector under preliminary permits issued by the

Cypfruvex Ltd.

company Cypfruvex, a state-owned citrus company. According to information received, which reported these practices were large scale and systematic, the number of potential victims has increased to 600 workers.

Trafficking in persons for forced labour in the northern part of the island primarily affects young men between the ages of 18 and 35, in the construction, farming, and agricultural sectors, from countries of origins including Bangladesh, India, Kazakhstan, Pakistan, Senegal, Turkey, Turkmenistan, and Uzbekistan.

#### *Recruitment practices and debt bondage*

According to information received, victims of trafficking for forced labour were deceived by intermediaries in countries of origin acting on behalf of Cypfruvex. Victims were brought to the island under the promise that they would work in Cyprus and elsewhere in the European Union for long-term employment, the first six months in agriculture and the subsequent six months in construction or casinos. Victims were also promised eight-hour workdays, minimum wage pay, and that their accommodation and food would be provided by the employer. Recruitment intermediaries requested approximately 6000 euros to each worker (the amount varied depending on the country of origin of the worker and recruiter). Regarding victims recruited in Bangladesh, half of the amount was collected by a representative in Bangladesh through bank transfer, and the other half was collected in cash by a representative of Cypfruvex who met the victims at Ercan airport and took them to a house in Gönyeli.

Victims were brought to the northern part of the island under preliminary permits issued by the labour and social authorities in the northern part of the island on behalf of Cypfruvex. Once arrived on the island, Cypfruvex officials took victims' passports, transported victims between locations and placed them in labour camps or arranged for their sheltering by others, albeit keeping control over shelter arrangements and victims themselves.

Victims were forced to work seven days a week, 12-13 hours per day, often without pay or/and under inhumane conditions. When workers became ill or protested about the terms and conditions of their work, they were subjected to threats, coercion, and violence by company-controlled intermediaries who engaged in direct acts of violence and suppression, and by company officials who used their influence to make public threats. Following a systemic practice reported in the region, working permits were left to expire purposely to increase workers' vulnerability. In this case, it was reported that workers were threatened with deportation to their home countries or being reported to the police.

In addition, Cypfruvex company-controlled intermediaries are reported to systematically abuse and intimidate workers through physical violence to force workers to continue working. It has been reported that workers who were gravely ill had been forced to return to work immediately after being discharged from the hospital. Additionally, workers were also forced to witness acts of violence against co-workers who had protested about the conditions of work.

### *Accommodation and access to food*

According to the information reported, health and hygiene concerns have also been raised regarding the conditions in the camps where the workers are forced to live. Living conditions are reportedly inhumane, the sewage runs free on the ground and there is no food or clean water available. 7 to 8 workers are accommodated in single rooms and each camp hosts 30 to 40 workers. There is insufficient lightning at night, and harassment and threats by company personnel or their intermediaries supervising the camps are frequent. Numerous workers have reported health issues due to living conditions, heavy workload and a lack of food and clean water.

After complaints were raised by workers to the law enforcement authorities in the northern part of the island, eleven of these labour camps have been discovered. According to information reported, some camps were emptied, and the remaining workers were redistributed to other camps or sent to the Cypfruvex factory, where living conditions were reportedly extremely poor. Out of 600 workers, 445 remained within Cypfruvex facilities and camps, while the remaining workers were allegedly re-trafficked to other places by the same intermediaries in exchange for another 1000 euros, or pending payment, placing workers into situations of debt bondage.

### *Insufficient assistance and protection measures and access to effective remedies for victims of trafficking in persons for labour exploitation*

On 26 August 2024, it was reported in the media that four victims of trafficking in persons for forced labour had approached the police. Following the exposure of the victims' identities and photographs in the media, threats were directed toward them. We have been informed that support, including accommodation and food, was provided by a civil society organization, and consideration was given to the risks of a return of the workers to the camp.

On 28 August a gathering of over 100 individuals, identified as potential victims of trafficking in persons, assembled outside the police station in Morphu seeking protection and access to legal remedies. Civil society organizations stepped in to provide legal assistance and interpreters, facilitating the workers in their interactions and statements to the police. It was reported that only one police officer was designated to conduct the initial investigation and record the statements, which significantly slowed the process and increased the risk of retaliation against those waiting to give their statements. The police escorted the victims back to the camps, ensuring security by regularly patrolling the area throughout the night. By the end of August 2024, there was a marked increase in the number of victims reaching out to the police station or civil society organizations for assistance, with estimates suggesting the number of victims had risen to 600.

Reports have indicated that workers' complaints had gone unaddressed due to the insufficient availability of legal aid, preventing their cases from being referred to judicial authorities. Moreover, a lack of confidence in achieving a

favorable outcome through judicial procedures, coupled with concerns about the potentially prolonged duration of such processes, has reportedly led workers to pursue financial settlements outside of judicial channels.

After victims' complaints to law enforcement and aid organizations, during the week of 2 September 2024, Cypfruvex company officials called the workers to come to the company and to collect payments and their passports. In this operation carried out by the company, some workers received small payments but in exchange they were forced to sign documents in Turkish, a language they did not understand, and of which they were not allowed to take pictures of. These documents reportedly stated that the workers who had signed them had received more money from the company than they actually did, and they waived their legal right to complain.

Complaints were reportedly submitted to the northern part of the island labour authorities, who allegedly acknowledged that a file had been created, and the case was under investigation alongside the police. However, despite the full identification of the perpetrators, particularly the intermediaries, no arrests have been made to date. Concurrently, the northern part of the island labour authorities allegedly issued permits for the renewal of workers' contracts, which intermediaries used to transfer workers to other jobs, thereby obstructing police investigations. It was further reported that at least three of the initial four workers who filed complaints with the police were coerced by intermediaries to withdraw their complaints after these intermediaries arranged new employment for them.

As of September 2024, following the complaints, conditions in the camps reportedly remained unchanged, with persistent issues such as the shortage of basic hygiene products, food, and other essentials. The support provided was largely limited to that offered by civil society organizations. According to information received, workers continue to receive threats and the police investigation is slow and ineffective.

#### *The general situation in the northern part of the island*

According to information reviewed, trafficking in persons was criminalized in legislation applicable in the northern part of the island for the first time in 2020, in particular article 254B(1) of the Criminal Code which provides that 'Any person who enables someone to enter the Trafficking country [...] in order to force them into labour or into prostitution or to serve others or to be subjected into servitude or slavery or removal of organs, commits a serious crime called Human Trafficking and, if convicted, is sentenced with up to 10 (ten) years of imprisonment or punished with a punitive fine or both.'. However, the law does not provide for any measures regarding the protection of victims including legal, financial, or psychological support to victims of trafficking in persons and there is no specific institutional framework regarding trafficking in persons and mechanisms for early identification. It was also reported that generally migrants in irregular situations who were also victims of trafficking in persons were allegedly deported before the complaints could be further investigated. The absence of available protection services for victims of trafficking, including a

shelter, was also raised as a concern and a cause for the lack of complaints or the further pursuance of these.

According to information received some of the workers generally arrive under a student visa regime but do not attend university because, although the registration fee is paid, they cannot afford the tuition fees. Consequently, they reportedly become irregular migrants, increasing their vulnerability and likelihood of exploitation. On the other hand, those with work permits are also facing situations of risk due to the unlawful behaviour of employers. Upon arrival, workers need the necessary documentation (including the preliminary permit), which require employers to present their passports to authorities. Some employers retain these passports and refuse to return them, while others either neglect to secure the permits or let them expire. This results in the workers becoming irregular migrants, placing them at risk of deportation if they approach authorities to report poor working conditions, as has been reported in this particular case.

Workers holding either student or work permits are reportedly exposed to trafficking in persons by recruitment intermediaries. These intermediaries arrange flights from the worker's home country, provide accommodation in the northern part of the island, and secure employment. In doing so, reportedly workers accumulate financial debts that must be repaid from their initial salaries. When they are recruited, workers are informed that once their debt is cleared, they will receive their promised full salary. However, reportedly the complete salary is never paid. Alongside the absence of payment, victims of trafficking in persons for labour exploitation endure extremely long working hours, often seven days a week, and live in substandard housing conditions and have no or little access to food.

Without wishing to prejudge the accuracy of the above-mentioned allegations, we are concerned that the situation described falls within the definition of trafficking in persons under 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 Crime, and it is also a form of forced labour as defined in the ILO Forced Labour Convention, 1930, No. 29, article 2. Based on the information received, the unlawful recruitment practices used and the situation in the labour camps constitute elements indicating a situation of trafficking in persons for the purposes of forced labour.

We would like to highlight that the situation described also contains indicators of debt bondage, which has been raised as a concern by the Special Rapporteur on trafficking in persons, especially women and children on “Trafficking in persons in the agriculture sector: human rights due diligence and sustainable development”. In her report, the Special Rapporteur noted that, “Situations of trafficking arise in seasonal, temporary and circular migration, including through debt arising in recruitment processes, leading to debt bondage, confiscation of passports by employers and recruitment intermediaries, threats to workers of arrest and deportation, and use of physical violence” (A/HRC/50/33, para. 15). On this issue, the Special Rapporteurs recalled the European Court of Human Rights judgment in *Chowdury and Others v. Greece*. The Court highlighted in paragraph 96 of its judgment the abuse of a position

of vulnerability in this context, particularly given the irregular migration status of the workers, concluding that, “where an employer abuses his power or takes advantage of the vulnerability of his workers in order to exploit them, they do not offer themselves for work voluntarily. The prior consent of the victim is not sufficient to exclude the characterization of work as forced labour” (A/HRC/50/33, para. 15).

We are particularly concerned at the lack of support to victims beyond the support that was provided through civil society and the lack of effective investigation and prosecution of alleged perpetrators. We express our grave concern that effective measures are not being taken to prevent trafficking in persons for purposes of forced labour and related human rights violations, or to assist and protect victims of trafficking in persons for purposes of forced labour, and that further, there are no effective investigations into allegations of trafficking in persons for purposes of forced labour, leading to a lack of accountability for this serious human rights violation and serious crime, and continued impunity.

We are also particularly concerned at the reported lack of accountability of business enterprises and their subsidiaries and/or business partners for the unlawful activities allegedly carried out in the northern part of the island. Regarding responsibility and accountability of the Cypfruvex, in relation to the activities and violations allegedly carried out by intermediaries, we consider that Cypfruvex ought to be aware of the working conditions and allegations of forced labour, as well as allegations of trafficking in persons. Regarding recruitment practices, Cypfruvex should also have been aware of the practices used by recruiters in countries of origin. We would like to recall the UN Guiding Principles on Business and Human Rights (A/HRC/17/31), unanimously endorsed by the Human Rights Council in June 2011, which clarifies the responsibility of business enterprises to respect human rights, including by identifying and assessing any adverse human rights impacts with which they may be involved through their own activities or as a result of their business relationships, and by providing for or cooperating in the remediation of adverse human rights impacts. Moreover, States are obliged under international human rights law to protect against human rights abuse within their jurisdiction by third parties, including business enterprises.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please highlight the steps that your company has taken, or is considering taking, to protect migrant workers against human rights abuses in your operations and by your intermediaries and to ensure that their human rights are respected, including by carrying out human rights due diligence in line with the UN Guiding Principles on Business and Human

Rights. In particular, please explain what concrete steps Cypfruvex is taking to identify, prevent, mitigate and account for potential or actual human rights abuses throughout your operations. Further, kindly elaborate on the results that have been achieved with such steps.

3. Please explain what concrete steps have been taken by your company to exercise leverage, in line with the UN Guiding Principles, in your business relationships to prevent and mitigate the human rights abuses mentioned in the above allegations.
4. Please inform about any steps taken to address the indicators of debt bondage and in particular in relation to the operations of the recruitment intermediaries.
5. Please inform about any steps taken by your company in providing migrant workers access to effective remedy for alleged human rights violations, including by cooperating in the remediation of adverse human rights impacts through domestic judicial mechanisms. In particular, kindly provide information on any steps taken by your company to establish operational-level grievance mechanisms to support the identification of and address adverse human rights impacts caused by your company and/or its intermediaries.
6. Please indicate any steps that your company is taking or is considering taking to support the authorities in the northern part of the island to combat human trafficking and to provide protection and assistance to victims of trafficking and contemporary forms of slavery.
7. Please indicate if any labour inspections have taken place in your company and if so, if any instances of labour exploitation have been identified and what the consequences have been, if applicable.

This communication and any response received from you will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with you to clarify the issue/s in question.

Please be informed that a letter on this subject matter has also been sent to the Turkish Cypriot authorities.

Finally, we stress that this letter does not in any way imply the expression of opinion concerning the legal status of the northern part of the island.

Please accept the assurances of our highest consideration.

Siobhán Mullally  
Special Rapporteur on trafficking in persons, especially women and children

Lyra Jakulevičienė  
Chair-Rapporteur of the Working Group on the issue of human rights and  
transnational corporations and other business enterprises

Gehad Madi  
Special Rapporteur on the human rights of migrants

Tomoya Obokata  
Special Rapporteur on contemporary forms of slavery, including its causes and  
consequences

## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw your attention to the international standards and norms applicable to the matters set forth above.

In connection to the alleged facts described above we would like to draw your attention to the applicable international norms. First, we would like to highlight the UN Guiding Principles on Business and Human Rights (A/HRC/17/31), which were unanimously endorsed by the Human Rights Council in June 2011, and which are relevant to the impact of business activities on human rights. The Guiding Principles have been established as the global authoritative norm for all States and companies to prevent and address the negative consequences related to companies on human rights. The responsibility to respect human rights is a global standard of conduct applicable to all companies, wherever they operate. It exists regardless of the ability and / or willingness of States to meet their own human rights obligations and does not reduce those obligations. It is an additional responsibility to comply with national laws and regulations for the protection of human rights. The principles 11 to 24 and principles 29 to 31 provide guidance to business enterprises on how to meet their responsibility to respect human rights and to provide for remedies when they have caused or contributed to adverse impacts. Moreover, the commentary of the principle 11 states that “business enterprises should not undermine States’ abilities to meet their own human rights obligations, including by actions that might weaken the integrity of judicial processes”. The commentary of guiding principle 13 notes that business enterprises may be involved with adverse human rights impacts either through their own activities or as a result of their business relationships with other parties.(...) Business enterprise’s “activities” are understood to include both actions and omissions; and its “business relationships” are understood to include relationships with business partners, entities in its value chain, and any other non-State or State entity directly linked to its business operations, products or services”. “The responsibility to respect human rights requires that business enterprises: (a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur; (b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.”(guiding principle 13). “In order to prevent and mitigate adverse human rights impacts, business enterprises should integrate the findings from their impact assessments across relevant internal functions and processes, and take appropriate action.” (guiding principle 19).

Appropriate action will vary depending on whether the business actor causes human rights abuses, contributes to human rights abuses; or whether the adverse human rights impact is linked to the operations of the company by a business relationship. Furthermore, the action will depend on the extend of leverage of the business enterprise to adverse the impact.

To fulfil their responsibility to respect human rights, business enterprises should have in place: “(a) A policy commitment to meet their responsibility to respect human rights; (b) A human rights due diligence process to identify, prevent, mitigate and

account for how they address their impacts on human rights; (c) Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute."(guiding principle 15) In this connection, we recall that guiding principles 22 states that: "[w]here business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes". The guiding principle 20 states that business should track the effectiveness of their response. Tracking should: a) be based in appropriate qualitative and quantitative indicators; and b) draw on feedback from both internal and external sources, including affected stakeholders. Furthermore, business enterprises are expected to utilize their leverage to prevent or mitigate the adverse impact. And if the lack leverage there may be ways for the enterprise to increase it. Leverage may be increased by, for example, offering capacity-building or other incentives to the related entity, or collaborating with other actors" (Commentary to guiding principle 19). The guiding principles 25 to 31 provide guidance to business enterprises and States on steps to be taken to ensure that victims of business-related human rights abuse have access to effective remedy. In addition and based on the foundational principle 11 of the Guiding Principles that businesses must respect human rights, and based on principle 12 that "The responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work", we would like to refer to the Slavery Convention of 1926, which calls for the complete abolition of slavery in all its forms and to article 4 of the Universal Declaration of Human Rights which states that "No one shall be held in slavery or servitude, slavery and the slave trade shall be prohibited in all their forms". We would also like to recall article 5 of the Slavery Convention which calls upon States to take appropriate measures to prevent forced or compulsory labour involving conditions similar to slavery.

We would also like to draw your attention to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol), which enshrines the obligation to refrain from acts that would frustrate or undermine the objectives and purposes of the Protocol, which include preventing and combating trafficking in persons, including for the purpose of forced labour or labour exploitation. The Protocol also recalls States' obligations of cooperating with social actors, including civil society, to establish and implement programmes and policies to prevent trafficking in persons, and protect and assist victims of trafficking, when appropriate (articles 6 and 9).

In relation to the obligations to prevent and protect victims of trafficking, we would like to recall the obligation of due diligence. In this regard, there is a positive obligation to protect individuals from human rights violations committed by private actors. Due diligence obligations have been articulated in areas applicable to trafficking in persons, including the right to life, violence against women and gender discrimination, along with a number of specific obligations relevant to trafficking.

We would also like to draw your attention to article 8 of the International Covenant on Civil and Political Rights which prohibits slavery, the slave trade, servitude and forced labour, as well as to highlight article 7 of the International

Covenant on Economic, Social and Cultural Rights (ICESCR), which recognizes the "right of everyone to the enjoyment of just and favourable conditions of work". These conditions must guarantee, among other things, remuneration that provides all workers, at a minimum, a decent living for themselves and their families, safe and hygienic working conditions, rest, leisure and reasonable limitation of working hours and periodic vacations, as well as remuneration for public holidays.

The ILO Forced Labor Convention, 1930 (No. 29) further calls for the abolition of the use of forced or compulsory labour in all its forms at the earliest possible date. In particular, according to its article 2, forced or compulsory labour is defined as "any work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily". We would like to bring as well your attention to the Protocol of 2014 to the Forced Labour Convention, 1930, which establishes further measures to prevent and eliminate forced labour, including "(...) the protecting persons, particularly migrant workers, from possible abusive and fraudulent practices during the recruitment and placement process; and (e) supporting due diligence by both the public and private sectors to prevent and respond to risks of forced or compulsory labour (...)" article 2.

We would like to bring to your attention other regional instruments, in particular article 4 of the European Convention on Human Rights (ECHR) and the Council of Europe Convention on Action against Trafficking in Human Beings (ECAT). We stress that article 4 ECHR imposes a procedural obligation to investigate potential trafficking situations. "The authorities must act of their own motion once the matter has come to their attention; the obligation to investigate will not depend on a formal complaint by the victim or close relative" (Chowdury and Others v. Greece, para. 89). We also stress the obligations relating to prevention of trafficking, protection of victims and effective investigations, extend also to exploitation through work.

In this regard, we would like to recall the jurisprudence of the European Court of Human Rights to further understand the meaning of positive obligations regarding the effective implementation of the prohibition of slavery and trafficking in persons in article 4. Article 4 ECHR entails the positive obligations to identify and protect victims of trafficking in persons as has been recognized by the consistent jurisprudence of the European Court of Human Rights. In the case of *Rantsev v. Cyprus and Russia*, the European Court of Human Rights stated that:

"As with articles 2 and 3 of the Convention, article 4 may, in certain circumstances, require a State to take operational measures to protect victims, or potential victims, of trafficking (see, *mutatis mutandis*, *Osman*, cited above, para. 115; and *Mahmut Kaya v. Turkey*, No. 22535/93, para. 115, ECHR 2000-III). In order for a positive obligation to take operational measures to arise in the circumstances of a particular case, it must be demonstrated that the State authorities were aware, or ought to have been aware, of circumstances giving rise to a credible suspicion that an identified individual had been, or was at real and immediate risk of being, trafficked or exploited within the meaning of article 3(a) of the Palermo Protocol and article 4(a) of the Anti-Trafficking Convention. In the case of an answer in the affirmative, there will be a violation of article 4 of the Convention where the authorities fail to take appropriate measures within the scope of their powers to remove the individual from that

situation or risk (see, *mutatis mutandis*, Osman, cited above, paras. 116 to 117; and Mahmut Kaya, cited above, paras. 115 to 116).”

Regarding protection of victims, the Court in *Rantsev v. Cyprus and Russia* also recalled the obligation to provide for the physical safety of victims while in the territory and the need to provide adequate training to law enforcement and migration authorities:

“It is relevant to the consideration of the proportionality of any positive obligation arising in the present case that the Palermo Protocol, signed by both Cyprus and the Russian Federation in 2000, requires States to endeavour to provide for the physical safety of victims of trafficking while in their territories and to establish comprehensive policies and programmes to prevent and combat trafficking (see paras. 153 to 154 above). States are also required to provide relevant training for law enforcement and immigration officials (see para. 155 above)”.

Furthermore, in the case of *Chowdury and Others v. Greece*, the Court reiterated that:

“Article 4 imposes a procedural obligation to investigate potential trafficking situations. The authorities must act of their own motion once the matter has come to their attention; the obligation to investigate will not depend on a formal complaint by the victim or close relative (see, *Rantsev*, cited above, para. 232; *Dink v. Turkey*, Nos. 2668/07, 6102/08, 30079/08, 7072/09 and 7124/09, para. 76, 14 September 2010; and *Paul and Audrey Edwards v. the United Kingdom*, No. 46477/99, para. 69, ECHR 2002-II).” This jurisprudence was reiterated later in the case of *SM v Croatia*, *Zoletic and Others v Azerbaijan* and *VCL and AN v United Kingdom*.

Regarding obligations of de facto authorities in this case, we would like to recall the ECtHR decision in *Cyprus vs. Turkey*, (Judgment, 10 May 2001) in para. 96:

“It is to be noted that the International Court's Advisory Opinion, read in conjunction with the pleadings and the explanations given by some of that court's members, shows clearly that, in situations similar to those arising in the present case, the obligation to disregard acts of de facto entities is far from absolute. Life goes on in the territory concerned for its inhabitants. That life must be made tolerable and be protected by the de facto authorities, including their courts; and, in the very interest of the inhabitants, the acts of these authorities related thereto cannot be simply ignored by third States or by international institutions, especially courts, including this one. To hold otherwise would amount to stripping the inhabitants of the territory of all their rights whenever they are discussed in an international context, which would amount to depriving them even of the minimum standard of rights to which they are entitled.”

We would like to refer as well to the European Union Anti Trafficking Directive, as amended by Directive (EU) 2024/1712 of the European Parliament and of the Council of 13 June 2024, in particular article 11 which requires “Member States shall take the necessary measures to ensure that specialised assistance and support are

provided to victims in a victim-centred, gender-, disability- and child-sensitive approach before, during, and for an appropriate period of time after the conclusion of, criminal proceedings, in order to enable them to exercise the rights set out in Directive 2012/29/EU of the European Parliament and of the Council (\*1) and in this Directive”, as well as “take the necessary measures to establish by laws, regulations or administrative provisions one or several mechanisms aimed at the early detection and identification of, assistance to and support for identified and presumed victims, in cooperation with relevant support organisations, and to appoint a focal point for the cross-border referral of victims”. We recall as well article 12 regarding victims rights during criminal proceedings, including to legal aid and “to receive appropriate protection on the basis of an individual risk assessment, inter alia, by having access to witness protection programmes or other similar measures, if appropriate and in accordance with the grounds defined by national law or procedures”. We would like to bring your attention as well to article 17 on compensation, “Member States shall ensure that victims of trafficking in human beings have access to existing schemes of compensation to victims of violent crimes of intent. Member States may establish a national victims fund or a similar instrument, in accordance with their national legislation, in order to pay compensation to victims.”

In addition, we would like to refer to the Recommended Principles and Guidelines on Human Rights and Human Trafficking, issued by the Office of the High Commissioner for Human Rights in July 2002. According to the OHCHR Recommended Principles and Guidelines on Human Rights and Human Trafficking, States have an international obligation to identify victims of trafficking. It is highlighted that a failure to identify a trafficked person correctly is likely to result in a further denial of that person’s rights. We also would like to refer to principle 13 of these recommended Principles and Guidelines, which provide that “States shall effectively investigate, prosecute and adjudicate trafficking, including its component acts and related conduct, whether committed by governmental or by non-State actors”. Additionally, principle 13 of the Principles and Guidelines states that "States shall effectively investigate, prosecute and adjudicate trafficking, including its component acts and related conduct, whether committed by governmental or non-State actors”.

Regarding this issue, we would like to bring your attention to the findings of the Council of Europe Group of Experts on Action against Trafficking in Human Beings contained in the Fourth Evaluation report on Cyprus on the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, in particular to para. 120 which states that: “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.”

In relation to the treatment of migrants and access to justice, we would also like to recall the Principles and Guidelines on the human rights protection of migrants in vulnerable situations. Particularly, we would like to draw your attention to principle 3

on access to justice, which calls to ‘take measures that will enable migrants, including migrants at particular risk of marginalization and exclusion, to enjoy effective and equal access to justice’ and to “ensure that migration status that depends on a single employer or a partner is not a barrier to seeking or obtaining protection, support, or justice”. This principle further states that parties must “strengthen or establish official mechanisms and procedures to receive, investigate and monitor allegations of human rights violations and abuse of migrants”, as well as to “consider granting legal status to migrant victims or witnesses of crimes during the process of accessing justice”. Further, principle 7 on the protection from violence and exploitation establishes to take measures to prevent and respond all forms of exploitation and violence against migrants, and guides States to “ensure that the measures taken will prevent the recurrence of abuse and are accessible to all migrants”; to “ensure that legislation and policy, as well as practice, reduce the risk that migrants will be exploited by those who offer them services or work in the formal or informal sectors, including the risk of being subject to forced labour or trafficking in persons”; and to “establish accessible and confidential services for migrants who are survivors of violence and exploitation”, further establishing that migrant’s experiences of violence “should be addressed without causing further victimization”.

We would also like to refer to objective 6 of the Global Compact for Safe, Orderly and Regular Migration, where States are committed to facilitate fair and ethical recruitment and safeguard conditions that ensure decent work through “reviewing existing recruitment mechanisms to guarantee that they are fair and ethical, and to protect all migrant workers against all forms of exploitation and abuse in order to guarantee decent work and maximize the socioeconomic contributions of migrants in both their countries of origin and destination (para. 22, A/RES/73/195)”. To realize this commitment, States decided to “(i)mprove regulations on public and private recruitment agencies in order to align them with international guidelines and best practices, and prohibit recruiters and employers from charging or shifting recruitment fees or related costs to migrant workers in order to prevent debt bondage, exploitation and forced labour, including by establishing mandatory, enforceable mechanisms for effective regulation and monitoring of the recruitment industry (para. 22(c), A/RES/73/195). In addition, under objective 14, States are committed to enhance consular protection, assistance and cooperation throughout the migration cycle. More specifically, States “commit to strengthen consular protection of and assistance to our nationals abroad, as well as consular cooperation between States, in order to better safeguard the rights and interests of all migrants at all times, and to build upon the functions of consular missions to enhance interactions between migrants and State authorities of countries of origin, transit and destination, in accordance with international law (para. 30 A/RES/73/195).

Regarding recruitment practices we would like to note the ILO General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs. In particular we would like to highlight principle 5 “Regulation of employment and recruitment activities should be clear and transparent and effectively enforced. The role of the labour inspectorate and the use of standardized registration, licensing or certification systems should be highlighted. The competent authorities should take specific measures against abusive and fraudulent recruitment methods, including those that could result in forced labour or trafficking in persons”. Principle 7, calling on the elimination of any recruitment fees or related costs for

workers, and principle 8 regarding the need for transparency regarding the terms and conditions of a worker's employment and that this "should be specified in an appropriate, verifiable and easily understandable manner, and preferably through written contracts in accordance with national laws, regulations, employment contracts and applicable collective agreements. They should be clear and transparent, and should inform the workers of the location, requirements and tasks of the job for which they are being recruited. In the case of migrant workers, written contracts should be in a language that the worker can understand, should be provided sufficiently in advance of departure from the country of origin, should be subject to measures to prevent contract substitution, and should be enforceable". We also wish to reiterate principle 9 which manifests that "Workers' agreements to the terms and conditions of recruitment and employment should be voluntary and free from deception or coercion."

We would like to draw your attention to the recommendations made by the Special Rapporteur on trafficking in persons, especially women and children in her reports on trafficking in persons in the context of business activities. We would like in particular to draw special attention to the report to the Human Rights Council on "Trafficking in persons in the agriculture sector: human rights due diligence and sustainable development", (A/HRC/50/33), which contains specific recommendations in the context of agriculture, and A/HRC/35/37 and A/74/189 on "Access to remedy for victims of trafficking for abuses committed by businesses and their suppliers". Regarding the first of the two reports, the Special Rapporteur called authorities to, among other measures: "Strengthen identification and referral procedures for agricultural workers at risk of trafficking, including through deployment of multidisciplinary teams, to promptly identify and provide early unconditional assistance to victims and potential victims of trafficking in persons; (j) Ensure that legislation on labour standards and protection of workers applies to all workers, without discrimination or exceptions, irrespective of their migration status, contractual status or the temporality of their contracts; (k) Ensure that agricultural workers are provided with information on terms and conditions of work and protection services, in accessible formats and in a language they understand; (l) Ensure that a trauma-informed and gender-sensitive approach is adopted in all actions to combat trafficking in persons, including in identification and referral for protection of victims and persons at risk of trafficking, and in investigations of trafficking; (m) Strengthen legislation to regulate recruitment intermediaries in accordance with the ILO general principles and operational guidelines for fair recruitment and definition of recruitment fees and related cost; (n) Ensure that workers are provided with information about the working and living conditions prior to, or at the time of, the signature of the contract and prior to deployment at country of destination, and ensure that assistance, training and skills development are provided" (A/HRC/50/33, para. 60).

In regards to access to remedies and adequate identification procedures, the Special Rapporteur also called relevant authorities to "Ensure effective access to compensation for agricultural workers who are victims of trafficking, including through provision of State compensation funds, free legal assistance without discrimination, and interpretation; (u) Ensure protection, including whistle-blower protections, for workers reporting exploitation and abuse to public authorities and law enforcement bodies, including of trafficking and forced labour; (v) Eliminate discriminatory stereotypes of vulnerability, risks of vulnerability and experiences of trafficking, to ensure that men and boys who are victims of trafficking or at risk of trafficking are provided with

protection” (A/HRC/50/33, para. 60).

Regarding the living conditions in the camps we would also like to recall article 12 of ICESCR, coupled with its article 2.2 which recognizes the States’ obligations to the right on everyone, to the enjoyment of the highest attainable standard of physical and mental health. In its general comment No. 14, the Committee on Economic, Social and Cultural Rights (CESCR) stresses that the right to health is defined not only as the right to timely and appropriate health care, but also to “the underlying determinants of health, such as access to safe and potable water [...] and environmental conditions [...]” (para. 11). In this regard, WHO defines social determinants of health, as the non-medical factors that influence health outcomes, that is “the conditions in which people are born, grow, work, live, and age 7”. In addition, CESCR emphasizes that, “the right to healthy natural and workplace environments”, comprises “the requirement to ensure an adequate supply of safe and potable water and basic sanitation” as well as “the prevention and reduction of the population’s exposure to harmful substances such as [...] harmful chemicals”. It also indicates that “[t]he prevention, treatment and control of epidemic, occupational and other diseases [...] requires the promotion of social determinants of good health, such as environmental safety” (general comment No. 14, paras. 15 and 16).

In this regard, and regarding the conditions in the camps, we would like to add that article 25 of the Universal Declaration of Human Rights recognizes the right of everyone “to a standard of living adequate for the health and well-being of himself and of his family, including food.” Article 11(1) of ICESCR recognizes “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing, and housing, and to the continuous improvement of living conditions.” In interpreting this provision, the Committee on Economic Social and Cultural Rights stressed in its general comment No. 12 that the core content of the right to adequate food implies, inter alia, the availability of food which refers to the possibilities either for feeding oneself directly from productive land or other natural resources, or for well- functioning distribution, processing and market systems that can move food from the site of production to where it is needed in accordance with demand (para. 12).

Finally, regarding access to remedies in the context of business operations, the Special Rapporteur on trafficking in persons, especially women and children, has expressed her concern about failures to ensure the right to effective remedies, and the lack of due diligence and transparency in supply chains, in her report on Trafficking in Persons in the Agriculture Sector: Human Rights Due Diligence and Sustainable Development (A/HRC/50/33), the Special Rapporteur said: “Difficulties include overcoming procedural and jurisdictional barriers, meeting evidential requirements in criminal proceedings, discharging the burden of proof and limited opportunities for collective redress, as well as lack of awareness of domestic and international laws relating to trafficking for forced labour and the rights of victims. In the agricultural sector, the above-mentioned difficulties are often exacerbated owing to the remoteness of work settings and limited access to legal assistance” (para. 47). The Special Rapporteur also highlighted the importance of human rights due diligence in supply chains, to achieve the objectives of decent work and effectively prevent trafficking in persons (para. 36). In her report the Special Rapporteur also provided recommendations to ensure accountability of companies, throughout the value chain, including

recruitment intermediaries, and effective access to justice and remedies for workers. In this regard she noted that authorities should “Provide for joint and several employer liability to ensure employers are ultimately accountable for violations committed by the recruitment intermediaries. Employers should be required to use recruitment intermediaries that are registered and certified by labour authorities and that disclose their entire recruitment supply chain; (gg) Strengthen measures to ensure accountability of employers and businesses engaged in trafficking in persons, including through civil and criminal liability, effective investigations and international cooperation, and effective, proportionate and dissuasive sanctions; (hh) Strengthen the capacity for investigation of technology-facilitated trafficking, including through international cooperation; (ii) Ensure effective access to remedies and to justice for victims of trafficking, through such litigation routes such as enabling class action lawsuits for workers, and consider adopting measures to reverse the evidential burden of proof in trafficking cases, while ensuring respect for the right to a fair trial and due process of law; (jj) Recognize the agricultural sector as a high-risk sector and require compliance with mandatory human rights due diligence obligations regardless of the size of the company or employer, requiring disclosure of identified harmful impacts identified in respect of the rights of workers, risks of forced labour and trafficking, and environmental degradation, ensuring consultations with workers’ representatives and affected communities and reporting on concrete and verifiable results achieved” (A/HRC/50/33, para. 60).

Previously, in her report to the General Assembly, the Special Rapporteur expressed her concern about access to remedies and recalled that, “The publication of a list of suppliers and subcontractors, as well as parent company subsidiaries, would be key to allowing external stakeholders and workers to hold companies or “economic employers” higher up the supply chain to account. Workers along the chain must be informed of the relationship that their companies may have with each company or economic employer along the supply chain” (A/74/189, para. 39).