

REPUBLIC



OF CYPRUS

60(I) of 2014  
117(I) of 2019.

**THE PREVENTION AND COMBATING OF TRAFFICKING AND  
EXPLOITATION OF PERSONS AND THE PROTECTION OF VICTIMS  
LAW, 2014**

*(English translation and consolidation)*

**Office of the Law Commissioner**

**Nicosia,**

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## CONTENTS

	Page
Note for the Reader . . . . .	iii
The Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims Law, 2014 (L.60(I)/2014), as amended .....	1



## **NOTE FOR THE READER**

This publication of the Office of the Law Commissioner is an English translation and consolidation of the Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims Law, 2014 as amended, (i.e. Laws 60(I)/2014, 117(I)/2019).

However useful the English translation of the consolidated Law is in practice, it does not replace the original text of the Laws since only the Greek text of the Law published in the Official Gazette of the Republic of Cyprus is authentic.

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# A LAW TO REVISE THE LEGAL FRAMEWORK GOVERNING THE PREVENTION AND COMBATING OF TRAFFICKING AND EXPLOITATION OF PERSONS AND THE PROTECTION OF VICTIMS

Preamble. For purposes of harmonization with the European  
Union acts with title-

- Official Journal of EU: L.82 22.3.2001, p.1. "Council Framework Decision of 15 March 2001, on the standing of victims in criminal proceedings (2001/220/JHA)",
- Official Journal of EU: L.261 6.8.2004, p.19. "Council Directive 2004/81/EC of 29 April 2004, on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities",
- Official Journal of EU: L.101 15.4.2011, p.1. "Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011, on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA",
- 11(III) of 2003. for the purposes of better implementation of the United Nations Convention against the Transnational Organized Crime and the Protocols thereto (Ratification) Law, 2003, and, in particular, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organised Crime, the Convention for the Suppression of Trafficking in Persons and the Exploitation of Prostitution of Others (Ratification) Law, 1983, the Optional Protocol to the United Nations Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography (Ratification) Law, 2006 as well as the Council of Europe Convention for the Suppression of Trafficking in
- 7 of 1983.  
6(III) of 2006. Persons, ratified by the Republic by the Convention on Action against Trafficking in Human Beings (Ratification) Law, 2007.
- 38(III) of 2007.

The House of Representatives enacts as follows:

Short title.  
60(I) of 2014  
117(I) of 2019.

1. This Law may be cited as the Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims Law, 2014.

## **PART I – INTERPRETATION, SCOPE AND FIELD OF APPLICATION**

- Interpretation.
2. In this Law, unless the context otherwise provides-

“abuse of authority” includes the case of a victim who is of kinship by blood or by affinity up to the third degree with the person committing the criminal offences referred to in this Law, or the case of a victim having any other relationship with the person who because of his position exercises authority or influence over the victim including the relationship with a guardian, teacher, employer, a person responsible of any public institution offering accommodation or in which persons are detained or taken in custody under any law or decision of the administrative or judicial authorities as well as with other persons with analogous position or attributes;

“abuse of a position of vulnerability” includes the case where the victim has no other real or admitted choice but to suffer or succumb to the abuse in question;

“bodily harm” means any bodily hurt, disease or disorder whether permanent or temporary;

“carrier” includes any company having the management, supervision or control of any means of transport used for the transportation of persons or/and goods for remuneration or/and for lease;

“child” means any person under eighteen years of age and, includes a person of twenty-one years of age, provided that he was under the age

of eighteen when he has been recognized as a victim, by virtue of the provisions of this Law;

“child prostitution” means the use of a child for sexual activities where money or any other form of remuneration or consideration is given or promised as payment in exchange for the child engaging in sexual activities regardless of whether that payment, promise or consideration is made to a child or to a third party;

"citizen of the Union" means any person holding the nationality of a member state of the European Union and includes persons holding the nationality of a state contracting party to the Agreement on the European Economic Area, which was signed at Oporto on 2 May 1992 and ratified by the Agreement on the Participation of the Czech Republic, the Republic of Estonia ,the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania ,the Republic of Malta, the Republic of Hungary, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the European Economic Area and Final Act(Ratification)Law,2004;

17(III)of2004.

"coercion" includes-

(a)threats or serious harm to any person or to his property or physical restraint against any person;

(b)any scheme or plan intended to cause a person to believe that failure to perform an act would result in serious harm to any person or to his property or physical restraint against any person;

(c)the abuse of authority or other forms of pressure against any person aimed at his full economic dependence or servitude;

(d)the abuse or threatened abuse of legal or administrative procedures concerning the status of any person;

"computer system" means any device or group of interconnected or



related devices, one or more of which, pursuant to a program, perform automatic processing of data;

“criminal proceedings” means the investigation, prosecution and hearing stage of the case for any offence provided for in Part II of this Law;

2 of 117(I)/2019. “demand” includes:

- (a) the client who seeks and purchases trafficking services;
- (b) the victims’ trafficker who recruits, involves in prostitution or otherwise exploits the victims;
- (c) the employer who hires the services that victims are forced to provide;
- (d) the owner of a centre or other place of entertainment and recreation where victims are exploited;
- (e) any other person involved in any way in the trafficking chain.

“exploitation” includes the exploitation of the prostitution of others or other forms of sexual exploitation including pornography, the exploitation of a person’s labour or services, including forced or compulsory labour or services, begging, forced street vending and, in the case of children, includes also the worst forms of child labour within the meaning of the Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Ratification) Law, 2000, slavery or other practices similar to slavery, domestic servitude, exploitation of criminal activities, exploitation of a person for the purpose of adoption, and exploitation of a person for the removal or trading or trafficking in human organs or other biological substances, tissues or embryos;

31(III) of 2000.

“exploitation of criminal activities” means the exploitation of a person in committing any criminal offence;

“Director” means the Director of the Civil Registry and Migration

Department of the Ministry of Interior;

“independent external evaluator” means any independent person or organization authorized or appointed by the National Coordinator to exercise the functions set out in section 67;

“legal person” means any entity having legal personality recognized as such under the relevant laws of the Republic or any other relevant applicable law, except for the government services or other public bodies in the exercise of state authority and for public international organizations;

“Minister means the Minister of Interior;

“multidisciplinary coordinating body” means the body established under section 64 of this Law;

“National Coordinator” means the Minister of the Interior or the Director-General of the Ministry of the Interior acting as his deputy, as designated by the Council of Ministers’ Decision No.61.961, dated 12.5.2005, exercising the functions set out in section 66;

“national reporting mechanism” means the mechanism of cooperation between all the involved services and the non-governmental organizations established pursuant to section 38 for the identification and protection of victims and the fulfillment of the obligations provided for this Law;

“non-governmental organizations” means any non-profit organizations  
57 of 1972\* duly registered pursuant to the Societies and Institutions Law of 1972, as  
85(I) of 1997. from time to time amended, which, by virtue of their articles of association, have the mandate to be active in the areas of combating trafficking and exploitation of human beings or the protection of human rights or the rights

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\* The Societies and Institutions Law, 1972 (L.57/1972 as amended) was repealed and replaced by the Societies and Institutions and for Related Matters Law, 2017 [L.104(I)/2017, as amended].

of migrants and refugees or the labour rights and which provide supporting services free of charge;

“pornography” means any form of visual or audiovisual recording or representation by any means of a sexually explicit conduct with any person or with his participation and the term “pornographic material” shall be construed accordingly;

“proceedings” includes, in addition to criminal proceedings, all contacts of victims as such, with any authority, public service or victim support group in connection with their case, before, during, or after criminal process;

“prosecution authorities” means the Attorney-General of the Republic or/and the Police;

“serious harm” includes any bodily or other harm against any person, any harm to his family and dependents, his property and reputation;

“services involved” means the Law Office of the Republic, the Ministry of the Interior, the Civil Registry and Migration Department and the Asylum Service of the Ministry of the Interior, the Ministry of Justice and Public Order, the Police, the Ministry of Foreign Affairs, the consular authorities of the Republic abroad, the Ministry of Finance, the Ministry of Labour and Social Insurance, the Labour Department, the Department of Labour Relations, the Social Insurance Services and the Social Welfare Services of the Ministry of Labour and Social Insurance, the Ministry of Health and its competent services, the Ministry of Education and Culture and its competent services;

“sexual exploitation” includes-

- (a) coercing a person into prostitution or into participating in pornographic performances or profiting from or otherwise exploiting a person for such purposes;

(b) importing or instigating or inciting or recruiting a person into prostitution or organizing or directing a person into prostitution or into participating in pornographic performances or to engaging in sexual activities;

(c) engaging in sexual activities with a person, where-

- (i) use is made of coercion, force or threats;
- (ii) abuse is made of a recognized position of trust, authority or influence over the person or of guardianship or custody of persons;

“sexual exploitation of a child” shall have the meaning assigned to the term of sexual exploitation and includes child pornography, child prostitution, engaging in sexual activities with a child when money or other forms of remuneration or consideration is given as payment in exchange for the child engaging in sexual activities, or regardless of whether money or other forms of remuneration or consideration is given as payment;

“teaching staff” means a teacher of pre-primary, primary, secondary or higher education working in the public or private sector;

“third-country national” means any person who is not a citizen of the Union;

“trafficking in human beings” means the recruitment, transportation, transfer, harbouring or reception of a person, including the exchange or transfer of control over that person, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation; the term to traffic a human being has the same meaning;

“unaccompanied minor” means any child who enters or resides in the

government-controlled areas of the Republic unaccompanied by an adult responsible for him , whether by law or custom ,and for as long as he is not effectively taken into the care of such a person and includes a child who is left unaccompanied after he had entered the government-controlled areas of Republic;

“victim” means the adult person or child subjected to the trafficking and exploitation process irrespective of whether he has suffered harm as a result of the commission of the offences referred to in this Law as well as a person who has suffered harm, including physical and mental injury or economic loss directly caused by the commission of the offences provided for in this Law;

“ video recording” means the recording by the use of any device in animated images of objects, events, organizations and persons, either in a moving or talking form which can be reproduced and presented by the use of any technical means;

“violence” means any act or omission or conduct which may cause physical, sexual or mental harm to the victim.

Scope of this Law.

3. The purpose of this Law is the taking of measures for the prevention, suppression and combating of trafficking in human beings, exploitation and maltreatment of persons, protection and support of victims of the said offences as well as the establishment of a monitoring mechanism and promotion of international cooperation for the implementation of the said measures.

Principles on which the implementation of this Law is based.

4. (1) The implementation of this Law by any service involved and non-governmental organization and, in particular, the enjoyment of measures to protect and promote the rights of victims shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or

social origin, association with a national minority, property, birth or other status.

(2) Any service involved and non-governmental organization, in the implementation of this Law, shall ensure the child's best interests.

(3) In applying this Law, the Minister or/and the Director shall ensure the application of the principle of non-refoulement as it is safeguarded in the 1951 Geneva Convention relating to the Status of Refugees and the Refugee Law, 2000, as from time to time amended or substituted.

6(l) of 2000  
6(l) of 2002  
53(l) of 2003  
67(l) of 2003  
9(l) of 2004  
241(l) of 2004  
154(l) of 2005  
12(l) of 2007  
122 (l) of 2009  
9(l) of 2013  
58(l) of 2014  
59(l) of 2014  
105(l) of 2016  
106(l) of 2016  
80(l) of 2018  
116(l) of 2019  
142(l) of 2020.

Field of application.

5. This Law shall apply to the prevention, investigation and prosecution of the offences prescribed in Part II thereof, as well as to the protection of victims of such offences, where-

(a) Such offences are transnational in nature and involve an unlawful association within the meaning of section 63B of the Criminal Code;

(b) such offences are transnational in nature not involving an unlawful association within the meaning hereinabove; or

(c) such offences are not transnational in nature irrespective of whether the involvement of an unlawful association exists or

Cap.154  
3 of 1962  
43 of 1963  
41 of 1964  
69 of 1964  
70 of 1965  
5 of 1967  
58 of 1967  
49 of 1972  
19 of 1973  
59 of 1974  
3 of 1975  
13 of 1979  
10 of 1981  
86 of 1983  
186 of 1986  
111 of 1989  
236 of 1991

6(l) of 1994	not.
99(l) of 1996	
36(l) of 1997	
40(l) of 1998	
45(l) of 1998	
15(l) of 1999	
37(l) of 1999	
38(l) of 1999	
129(l) of 1999	
30(l) of 2000	
43(l) of 2000	
77(l) of 2000	
162(l) of 2000	
169(l) of 2000	
181(l) of 2000	
27(l) of 2001	
12(l) of 2002	
85(l) of 2002	
144(l) of 2002	
145(l) of 2002	
25(l) of 2003	
48(l) of 2003	
84(l) of 2003	
164(l) of 2003	
124(l) of 2004	
31(l) of 2005	
18(l) of 2006	
130(l) of 2006	
126(l) of 2007	
127(l) of 2007	
70(l) of 2008	
83(l) of 2008	
64(l) of 2009	
56(l) of 2011	
72(l) of 2011	
163(l) of 2011	
167(l) of 2011	
84(l) of 2012	
95(l) of 2012	
134(l) of 2012	
125(l) of 2013	
131(l) of 2013	
87(l) of 2015	
91(l) of 2015	
112(l) of 2015	
113(l) of 2016	
43(l) of 2016	
31(l) of 2017	
72(l) of 2017	
23(l) of 2018	
24(l) of 2018	
108(l) of 2018	
134(l) of 2020	
150(l) of 2020	
27(l) of 2021.	

## PART II – CRIMINAL OFFENCES AND JURISDICTION OF COURTS

Trafficking in human beings.

6. Any person who recruits, transports, transfers, harbours or receives a person, accommodates or welcomes, exchanges or transfers the control over that person, for the purpose of exploitation by means of-

- (a) threats, or/and
- (b) use of force or other forms of coercion, or/and
- (c) abduction, or/and
- (d) fraud or deception, or/and
- (e) abuse of power or a position of vulnerability which is such that the said person has no real and acceptable alternative but to submit to the abuse involved, or/and
- (f) giving or receiving of payments or benefits to achieve the consent of a person having control over another person, or/and
- (g) administering any drug or other substance in order to infect him or neutralize its strength or resistance, or/and
- (h) bond bondage,

shall be guilty of a felony and shall be liable on conviction to imprisonment not exceeding twenty-five years,

7. – (1) Any person who exploits a person for the purpose of exploitation or sale of its vitals, by means of:

- (a) threats, or/and
- (b) use of force or other forms of coercion, or/and
- (c) abduction, or/and
- (d) fraud or deception or misleading or/and
- (e) abuse of power or of a position of vulnerability which is such that the said person has no real and acceptable alternative but to

3 of 117(I)/2019.

Trafficking and exploitation of human vitals.



- submit to the abuse involved, or/and
- (f) giving or receiving of payments or benefits to achieve the consent of a person having control over another person, or/and
- (g) administering any drug or other substance in order to infect him or neutralize its strength or resistance, or/and
- (h) bond bondage,

shall be guilty of a felony and shall be liable on conviction to life imprisonment.

4(a)of117(I)/2019.

(2) Any person who, during the commission of the offence, provided for in subsection (1), endangers the life of a victim or causes the death of the victim either deliberately or by gross negligence shall be guilty of a felony, and, shall be liable on conviction to life imprisonment.

4(b)of117(I)/2019.

Exploitation  
in labour.

8. Any person who exploits labour or services of a person including compulsory labour or services, slavery or practices similar to slavery or servitude, whether for his own account or on behalf of any other person and in the work performed there is an obvious difference with the working conditions of a person performing the same or similar work by means of-

- (a) threats, or/and
- (b) use of force or other forms of coercion, or/and
- (c) abduction, or/and
- (d) fraud or deception, or misleading or/and
- (e) abuse of power or of a position of vulnerability, or/and
- (f) giving or receiving of payments or benefits to achieve the consent of a person having control over another person, or/and
- (g) bond bondage,

shall be guilty of a felony and shall be liable on conviction to

5 of 117(I)/2019.

imprisonment not exceeding fifteen years and when the conduct involves a minor shall be liable to life imprisonment.

Sexual exploitation of adult persons.

- 9.** Any person who sexually exploits or procures a person to be a prostitute by means of-
- (a) threats, or/and
  - (b) use of force or other forms of coercion, or/and
  - (c) abduction, or/and
  - (d) fraud or deception or misleading, or/and
  - (e) abuse of power or of a position of vulnerability or/and,
  - (f) giving or receiving of payments or benefits to achieve the consent of a person having control over another person, or/and
  - (g) bond bondage,

6 of 117(I)/2019.

shall be guilty of a felony and shall be liable on conviction to imprisonment not exceeding twenty- five years.

Trafficking in children.

- 10.** Any person who recruits, transports, transfers, harbours, or receives a child, exchanges or transfers the control over that child for the purpose of exploitation, shall be guilty of a felony and shall be liable on conviction to life imprisonment.

7 of 117(I)/2019.

Sexual exploitation of children.

- 11.** Any person who sexually exploits or procures a child to be a prostitute shall be guilty of a felony and shall be liable on conviction to life imprisonment.

8 of 117 (I)/2019.

Consent of the victim shall not be a defence.

- 12.** (1) The consent in any way of the child victim of the offences provided for in sections 7,8,10 and 11 shall not constitute a defence even in cases where threats or force, or other forms of coercion or abduction, fraud , deception, abuse of power or a position of vulnerability of the child victim or giving or receiving of payments or benefits to achieve the consent of the child victim has not been used.

(2) The consent in any way of the adult victim of the offences provided for in sections 6 to 9, is irrelevant and shall not be a defence in case where threat, or use of force or other forms of coercion, or abduction, fraud, deception, abuse of power or a position of vulnerability of the victim or giving or receiving of payments or benefits to achieve the consent of the victim, has been used.

Aggravating  
circumstances.

**13.** During the trial of the criminal offences, referred to in sections 6 to 11 of this Law, and at computation of punishment, the following circumstances shall be taken into consideration by the court as aggravating:

- (a) The commission of the criminal offence has deliberately or by gross negligence endangered the life of the victim;
- (b) the criminal offence has been committed against a victim who was particularly vulnerable i.e. with mental or physical disability, in a state of addiction or in a state of physical or mental disability, including a child victim of a particularly vulnerable situation;
- (c) the criminal offence has been committed by use of violence or has caused serious harm to the victim;
- (d) the criminal offence has been committed within the framework of a criminal organization as prescribed in section 63B of the Criminal Code;
- (e) the offence has been committed by a public official in the performance of his duties.

Corroboration  
and  
immediate  
complaint  
admissible  
as evidence.

**14.– (1)** Notwithstanding the provisions of any other law, for the purposes of proving the offences provided for in this Law, no corroboration is required.

(2) Without prejudice to the provisions of section 10 of the Evidence Law, a complaint by a victim concerning an offence provided for in

Cap 9.  
42 of 1978  
86 of 1986

54(I) of 1994  
94(I) of 1994  
32(I) of 2004  
108(I) of 2006  
14(I) of 2009  
122 (I) of 2010  
170 (I) of 2011  
53(I) of 2018.

this Law, to any police officer, social service worker, psychologist, doctor, including a psychiatrist, examining the victim, teacher, member of a non-governmental organization providing assistance and support to victims, or member of the victim' s close environment within a reasonable time frame from its commission, shall constitute evidence.

(3) Evidence of a victim given to an expert shall be considered as competent evidence.

Incitement,  
abetting and attempt  
to commit the offences  
of sections 6 to 11.

**15. (1)** Any person who attempts, incites, abets or cooperates with any other person to commit the offences provided for in this Part shall be guilty of an offence and shall be liable on conviction to the same sentence of imprisonment as the perpetrator.

(2) In order to impose a punishment for the offences of attempting, inciting or abetting to commit the offences provided for in this Law, the provisions of section 20 to 23 of the Criminal Code shall apply mutatis mutandis.

Detention of  
personal  
documents.

**16.** Any person who deliberately destroys, conceals, deprives of the legal holder, detains, seizes or possesses, forges, procures or supplies, destroys or causes any damage to a passport or any travel or other document proving the identity of any person, including the residence permit or any other documents of this person issued under the Aliens and Immigration Law or under the Civil Registry Law , 2002, as from time to time amended or substituted -

Cap. 105.  
2 of 1972  
54 of 1976  
50 of 1988  
197 of 1989  
100(I) of 1996  
43(I) of 1997  
14(I) of 1998  
22(I) of 2001  
164(I) of 2001  
88(I) of 2002  
220 (I) of 2002  
66(I) of 2003  
178(I) of 2004  
8(I) of 2007  
29(I) of 2009

- (a) within the framework of the commission of the criminal offences, referred to in this Law; or
- (b) with intent to commit the criminal offences referred to in this Law; or
- (c) with intent to unlawfully prevent or restrict or attempt to prevent

143(l) of 2009  
153 (l) of 2011  
41(l) of 2002  
100(l) of 2012  
117(l) of 2012  
32(l) of 2013  
49 (l) of 2013  
88(l) of 2014  
129(l) of 2014  
17(l) of 2014  
16(l) of 2014  
2(l) of 2017  
9(l) of 2017  
71(l) of 2017  
6(l) of 2019  
8(l) of 2019  
127(l) of 2019  
169(l) of 2019  
116(l) of 2020  
143(l) of 2020  
46(l)of 2021.  
141 (l) of 2002  
65(l) of 2003  
76(l) of 2003  
62(l) of 2004  
13(l) of 2006  
123 (l) of 2007  
92(l) of 2009  
81(l) of 2010  
44(l) of 2011  
36(l) of 2013  
174 (l) of 2013  
15(l) of 2015  
16(l) of 2015  
44(l) of 2015  
166(l) of 2015  
168(l) of 2017  
9(l) of 2019  
65(l) of 2019  
86(l) of 2020  
113(l) of 2020  
145(l) of 2020  
59(l)of 2021.

or restrict the personal freedom of any victim pursuant to this Law,

shall be guilty of a felony and shall be liable on conviction to imprisonment not exceeding five years or to a fine not exceeding seventeen thousand euros or to both such penalties.

Criminalization  
of use of victims'  
services.

9 (a) of  
117(l)/2019.

9 (b) of  
117 (l)/2019.

**17.** Any person who can reasonably assume that the labour he uses or any of the victim's services are the object of the offences provided for in this Part, shall be guilty of an offence and, on conviction, shall be liable to a sentence of imprisonment not exceeding ten years or to a fine not exceeding fifty thousand euros or to both such penalties:

Provided that in case where the victim is a child, a person who is

sentenced for an offence by virtue of this section, shall be liable to life imprisonment or to a fine not exceeding one hundred thousand euros or to both such penalties:

Provided further that for all offences of Part II relating to victims' services which are the object of sexual exploitation the provisions of section 17A of this Law shall solely apply.

**17A.** Subject to the provisions of this Law, any person who demands, or receives or uses labour or any services of victims which are the object of sexual exploitation, within the meaning of section 2 of this Law, shall be guilty of an offence and shall be liable, on conviction, to a sentence of imprisonment not exceeding ten (10) years or to a fine not exceeding fifty thousand euros (€50.000) or to both such penalties:

Provided that in case the victim is a child, any person who is sentenced for an offence by virtue of the provisions of this section, shall be subject to life imprisonment or to a fine not exceeding one hundred thousand euros (€100.000) or to both such penalties.

**18.** – (1) The promise, offering or giving to a person employed in the public service, directly or indirectly, from any person, of an undue advantage, for himself or another person or entity, so that the officer act or refrain from acting in the exercise of his official duties, shall constitute an offence and the said person shall be liable on conviction to imprisonment not exceeding five years or to a fine not exceeding seventeen thousand euros or to both such penalties.

(2) The solicitation or acceptance by a person employed in the public service, directly or indirectly, of an undue advantage for himself or another person or entity, so that the officer act or refrain from acting in the exercise of his official duties, shall constitute an

9 (c) of  
117 (I)/2019.

Criminalization  
of demand,  
receipt or  
use of services  
of sexual exploitation.  
10 of 117(I)/2019.

Bribery  
of persons employed  
in the public service.

offence, and shall be liable on conviction to imprisonment not exceeding five years or to a fine not exceeding twenty thousand euros or to both such penalties.

(3) For the purposes of this section, the term “person employed in the public service” shall have the meaning assigned to it by section 4 of the Criminal Code.

(4) Subsections (1) and (2) of this section shall apply, mutatis mutandis, to the persons providing services either voluntarily or in payment to non-governmental organizations and who are in contact with the victim.

**19.** It shall not be a defence for the accused in relation to the offences provided for in this Law any of the following circumstances-

- (a) the fact that the accused was not aware of or that the person from whom he demanded or received or used services of sexual nature was a person who has suffered trafficking and/or exploitation;
- (b) the fact that the accused was not aware of the age of the victim of trafficking and/or exploitation from whom he demanded or received or used services of sexual nature;
- (c) the fact that the accused was not aware of or did not believe that the victim of the offence was a child or of a particularly vulnerable situation; or
- (d) the fact that the act for which the accused was charged shall not constitute an offence or shall not be prohibited in whole or in part within the state where it has taken place.

Exclusion of  
certain  
defences.  
11 of  
117 (I)/2019.

Additional  
measures.

**20.–** (1) Notwithstanding the provisions of any other law and notwithstanding the imposition of any other penalty for the commission of the criminal offences referred to in this Law, the court may order as additional measures-

- (a) temporary or permanent disqualification, either directly or through third persons, from the practice of commercial activities, by reason of which the offence has been committed;
- (b) temporary or permanent closure of premises or establishments which have been used for committing the offence;
- (c) confiscation of any object or other instrumentalities used for the commission of any offence or resulting from the commission of the offences provided for in this Law in accordance with the provisions of section 24.

(2) An omission to comply with an order of the court made pursuant to paragraphs (a) to (c) of subsection (1), as well as an order made pursuant to section 22, shall constitute a criminal offence and shall be punishable with imprisonment not exceeding three years or with a fine not exceeding nine thousand euros or with both such penalties.

(3) In case of conviction of any person for the commission of an offence provided for in this Law, the Court may, when imposing a sentence, take into account any previous convictions of the same person by the Courts of the other contracting states to the Council of Europe Convention on Action against Trafficking in Human Beings.

**21.–** (1) The prosecuting authorities, may continue the criminal proceedings even if the victim withdraws its testimony or if he has for any reason, in the meantime, repatriated.

Continuation  
of the criminal  
proceedings  
and co-operation  
with the contracting parties  
to the Council of Europe  
Convention on Action Against



Trafficking in Human Beings.

(2) In case where a victim makes a complaint to the authorities of the Republic for the commission against him of any of the offences established in this Law in another state contracting party to the Council of Europe Convention on Action Against Trafficking in Human Beings, and the Republic has no jurisdiction to take action, the prosecuting authorities shall immediately transmit the victim's complaint to the competent authorities of the state where the offence has been committed.

(3) In case where it is transmitted to the Republic any complaint of a victim having his residence in any other state contracting party to the Council of Europe Convention on Action Against Trafficking in Human Beings, for the commission against him of any of the offences established in this Law within the Republic, the prosecuting authorities of the Republic shall proceed to the investigation of the complaint in the same manner as if they would have done if the victim's residence was in the Republic.

Additional obligations of the Attorney-General of the Republic and the Chief of Police in relation to criminal investigation and prosecution of offences.

**22.–** (1) The Attorney-General of the Republic and the Chief of Police shall take the necessary measures in order to ensure that the persons, units or services entrusted with the criminal investigation and prosecution of the offences referred to in this Law are properly trained regarding the implementation of this Law.

(2) The Attorney-General of the Republic and the Chief of Police, shall take the necessary measures in order to place at the disposal of persons, units or services entrusted with the criminal investigation and prosecution of the offences referred to in this Law, effective investigation tools, such as those used against the organized crime or other serious crimes as well as other necessary instruments and facilities.

Liability of legal persons.

**23.–** (1) A legal person may be held liable for the offences referred

to in this Law, when such offences are committed for its benefit, by any person, acting either individually or as part of an organ of the legal person, who has a leading position within the legal person, based on-

- (a) power of representation of the legal person; or
- (b) an authority to take decisions on behalf of the legal person;
- or
- (c) an authority to exercise control within the legal person.

(2) Without prejudice to the above provisions, a legal person can be held liable for the commission of the offences provided for in this Law where the lack of supervision or control by a person referred to in subsection (1), has made possible the commission of the said offences for the benefit of that legal person, by a person under its authority.

(3) Liability of a legal person under the above subsections, shall not exclude criminal proceedings against natural persons who are perpetrators, inciters or accomplices in the offences provided for in this Law.

(4) In addition to the criminal liability for the commission of the offences provided for in this Law, the legal person shall also have civil liability.

Sanctions  
on legal persons.

**24.(1)** A legal person convicted for the commission of any offence referred to in this Part, shall be liable to a fine not exceeding six hundred thousand euros and the Court may, in addition to any other penalty, order-

- (a) temporary or permanent exclusion from entitlement to public benefits or aid;
- (b) temporary or permanent disqualification from the practice of commercial activities;

- (c) placing under judicial supervision;
- (d) judicial winding-up order;
- (e) temporary or permanent closure of establishments which have been used for committing the offence;
- (f) confiscation of any object or instrumentalities used for committing any offence referred to in this Law.

(2) An omission to comply with an order of the court made under subsection (1) of this section, shall constitute an offence and the legal person convicted shall be liable to a fine not exceeding one hundred seventy thousand euros.

Liability of carriers. **25.** For the purposes of this Law, in the case of a carrier transporting to the Republic any person who does not have in his possession his passport or any travel or other document proving his identity, the provisions of the Aliens and Immigration (Liability of Carriers) Law, 2007, as from time to time amended or substituted, shall apply, mutatis mutandis.

Predicate offences and confiscation of proceeds from offences.

146(l) of 2007.

61(l) of 1996  
 25(l) of 1997  
 41(l) of 1998  
 120(l) of 1999  
 152 (l) of 2000  
 118(l) of 2003  
 185(l) of 2004  
 188(l) of 2007.

**26.–** (1) Offences provided for in sections 6 to 11 of this Law, shall be deemed to be predicate offences pursuant to the Prevention, and Suppression of Money Laundering Activities Law, 1996, as from time to time amended or substituted.

(2) Any proceeds deriving from the commission of the offences provided for in sections 6 to 11 of this Law shall be confiscated under the provisions of the Prevention and Suppression of Money Laundering Activities Law, 1996, as from time to time amended or substituted.

(3) The proceeds of confiscation under the provisions of subsection (2) as well as any other fine imposed by the Court for the commission of the offences provided for in sections 6 to 11 of this Law, shall be deposited to the Victims of Trafficking and Exploitation Fund established under section 62 of this Law.

This Law as a legal basis for extradition.

**27.** This Law shall constitute the legal basis for the purposes of extradition, in relation to the commission of the offences provided for therein, in cases where the extradition of a person should be based on the existence of a bilateral agreement between the Republic and the extraditing country, but no such bilateral agreement exists.

Extent of the jurisdiction of Courts.

**28.–** (1) Subject to the provisions of section 5 of the Criminal Code and notwithstanding the provisions of section 6 of the Criminal Code, the Courts of the Republic shall have jurisdiction to try all offences referred to in this Law, where such offences are committed for the benefit of a legal person established in the territory of the Republic.

(2) Subject to the provisions of section 5 of the Criminal Code and notwithstanding the provisions of section 6 of the Criminal Code, the Courts of the Republic shall have jurisdiction to try all offences referred to in this Law, where such offences are committed by means of an electronic system that provides access to the territory of the Republic irrespective of whether the electronic system is located or not within the territory of the Republic.

### **PART III – RIGHTS AND PROTECTION OF VICTIMS WITHIN THE FRAMEWORK OF THE CRIMINAL PROCEEDINGS – VICTIM’S CLAIM TO DAMAGES**

Protection of victims from criminalization.

**29.–**(1) The victims shall not be prosecuted or be sanctioned for their participation in criminal activities provided that their participation was a direct consequence of the fact that they were victims of the offences provided for in Part II of this Law.

(2) Subject to the provisions of subsection (1) third country nationals who are victims within the meaning of this Law, shall not be prosecuted in case of committing any offences relating directly to their status as victims

and, in particular, in case of committing the offences of illegal entry, illegal residence, unlawful employment or employment in breach of their terms and conditions of employment prescribed by the Aliens and Immigration Law, as from time to time amended or substituted.

(3) A Court before which a case is brought against a victim for the commission of any offence, if it finds at any stage of the proceedings that the conditions referred to in subsection (1) are met, shall not impose any penalty or punishment in case where the criminal proceedings against the victim are not terminated, even if the victim is found guilty.

Respect  
to victims.

**30.**-(1) The services involved as well as the non-governmental organizations will treat the victims with due respect for their dignity and recognize the rights and legal interests thereof, especially, in the context of the criminal proceedings and ensure that the most vulnerable victims may receive special treatment that responds to the best way in their situation.

(2) The provisions of section 12 shall apply mutatis mutandis as regards the implementation of this Part.

Hearing  
and producing  
evidence.

**31.**-(1) Any victim has the right to participate as a witness in criminal proceedings and to produce any evidence available to him.

(2) The Police as well as any other service involved take appropriate measures in coordination with each other to ensure that victims are examined and interrogated only as necessary for the purposes of criminal proceedings.

Right  
to receive  
information.

**32.**-(1) The Police shall, during their first contact with the victim provide all the information needed, in a language, commonly understood, concerning the protection of his interests which include at least the following information:

- (a) the type of services or the organizations to which the victim can turn for support in relation to the provision of legal or other advice;
- (b) the type of support which the victim can obtain in relation to the criminal proceedings;
- (c) where and how the victim may submit a complaint against the offender;
- (d) proceedings following the complaint and his or her role as a victim in connection with such proceedings;
- (e) how and under what conditions the victim may receive protection;
- (f) to what extent and on what terms the victim have access to:
  - (i) legal advice, or
  - (ii) legal aid, or
  - (iii) any other type of advice,and, if, in the cases envisaged in point (i) and (ii), they are entitled to receive it;
- (g) which conditions are concurring so that the victim has a right to compensation;
- (h) the particular mechanisms available in defence of the victim's interests, in case the victim resides in another member state or wishes to be transferred to the member state or third country of its origin,

(2) Provided that the victim, shall so wish, the Police informs the victim on-

(a) the follow-up of the victim's complaint;

(b) the evidence that allows the victim, in the event of criminal prosecution, to be informed on the follow-up of the criminal proceedings in relation to the accused for the criminal activities

concerning the victim, unless the prosecuting authorities judge that, in extreme cases, this may affect the smooth running of the case; and

(c) the decision issued by the Court.

(3) Where the prosecuting authorities judge that the victim is in danger from the non-pre-trial detention of a person in custody or the release of a convict, they shall inform the victim and take the necessary precautions.

(4) The victim has the right to disclaim in writing the information taken under this section, unless the provision of this information is compulsory under the terms of the relevant criminal proceedings.

Communication  
safeguards and  
right to legal advice.

**33.**-(1) The prosecuting authorities shall take appropriate measures to reduce, as much as possible, any communication difficulties affecting victim's understanding or involvement who is a witness, during the stages of the criminal proceedings.

(2) Every victim, regardless of his or her willingness to cooperate with the prosecuting authorities, concerning the criminal investigation, prosecution or trial, shall have the right of direct access to legal advice in accordance with the provisions of the Advocates Law, as from time to time amended or substituted, and, where the victim has no sufficient resources, shall have the right to free legal aid in accordance with the provisions of the Legal Aid Law, as from time to time amended or substituted.

Cap.2.

42 of 1961  
20 of 1963  
46 of 1970  
40 of 1975  
55 of 1978  
71 of 1981  
92 of 1983  
98 of 1984  
17 of 1985  
52 of 1985  
9 of 1989  
175 of 1991  
212 of 1991  
9(I) of 1993  
56(I) of 1993  
83(I) of 1994

76(l) of 1995  
103(l) of 1996  
79(l) of 2000  
31(l) of 2001  
41(l) of 2002  
180(l) of 2002  
117(l) of 2003  
130(l) of 2003  
199 (l) of 2004  
264(l) of 2004  
21(l) of 2005  
65(l) of 2005  
124(l) of 2005  
158(l) of 2005  
175(l) of 2006  
117(l) of 2007  
103(l) of 2008  
109(l) of 2008  
11(l) of 2009  
130(l) of 2009  
4(l) of 2010  
65(l) of 2010  
14(l) of 2011  
144(l) of 2011  
116(l) of 2012  
18(l) of 2013  
84(l) of 2014  
92(l) of 2017  
107(l) of 2018  
6(l) of 2020  
41(l) of 2020  
83(l) of 2020  
139(l) of 2020  
200(l) of 2020  
8(l) of 2021  
145(l)of2021.

165(l) of 2002  
22(l) of 2005  
77(l) of 2005  
43(l) of 2006  
132(l) of 2009  
172(l) of 2011  
8(l) of 2012  
64(l) of 2014  
105(l) of 2014  
140(l) of 2014  
20(l) of 2015  
173(l) of 2015  
111(l) of 2016  
72(l) of 2019.

(3) In addition to legal advice, the Republic shall compensate the victims who cooperate with the prosecution authorities as witnesses in criminal proceedings for any expenses they may be subject to due to their participation in the criminal proceedings.

(4) Any organization, foundation, association or non-governmental



organization, which has, as one of its statutory objects, inter alia, to combat trafficking and exploitation of human beings or to support and protect victims with the meaning of this Law, may, with the consent of the victim, help and support the victim during criminal proceedings.

Protection  
of victim  
within the framework  
of the criminal  
proceedings.

95(l) of 2001  
15(l) of 2014  
96(l) of 2019.

**34.**-(1) A victim who wishes to cooperate with the prosecuting authorities within the framework of the criminal proceedings shall be considered a witness who needs protection within the meaning of the Protection of Witnesses Law, 2001, as from time to time amended or substituted, and shall be included in the Protection of Witnesses and Collaborators of Justice Scheme.

(2) Subject to the provisions of section 17 of the Protection of Victims Law, 2001, the Attorney-General, at the time of elaboration of the Protection of Witnesses and Collaborators of Justice Scheme, shall also ensure that-

(a) appropriate measures are taken to ensure adequate level of protection for the victim, and, where appropriate, for his family or persons treated as members of his family;

(b) such protection shall last even after the termination of the criminal proceedings.

(3) A victim who wishes to cooperate with the prosecuting authorities, within the context of the criminal proceedings shall be protected from unnecessary repetition of interviews during the investigation, prosecution and trial.

(4) Subject to the provisions of the Protection of Witnesses Law, 2001 and without prejudice to the rights of defence, the Court shall, after assessing the personal status of the victim individually, ensure that the victim receives special treatment to prevent further victimization, i.e. with unnecessary questions about his private life.

(5) Provided that under the circumstances it is deemed necessary that the prosecuting authorities shall ensure the provision of effective and adequate protection from a possible revenge or intimidation, in particular, during and after the investigation and persecution of the perpetrators, to the following persons:

- (a) any person other than the victim reporting the commission of a criminal offence provided for in this Law, or cooperating with the prosecuting authorities in any other way;
- (b) any witness other than the victim who testifies in relation to the commission of a criminal offence provided for in this Law;
- (c) where necessary, to members of the victim's family and persons prescribed in paragraphs (a) and (b) of this subsection;

(6) The prosecuting authorities shall take all the necessary measures for the provision of appropriate protection from possible revenge or intimidation, in particular, during and after the investigation and persecution of the perpetrators of the offences provided for in this Law, for members of organizations, foundations, associations, or non-governmental organizations engaged in activities or providing assistance to the victims in accordance with the provisions of this Law.

(7) In case the victim is a child, the prosecuting authorities shall:

- (a) ensure that the investigation or criminal prosecution do not depend on the filing of a lawsuit or complaint by the victim or his representative and that criminal proceedings may be continued even if that person withdraws his other statement,
- (b) continue the prosecution after the victim has reached the age of majority.

**35.**-(1) Notwithstanding and without prejudice to any other legal remedy provided for under any law or regulations, any person who is a victim within the meaning of this Law shall have a statutory right to claim damages against any person responsible, for the criminal offences committed against him under this Law and for the violation of his human rights, who shall be respectively liable under civil law for the payment of any special and general damages to his victims, including any due debts arising from the exploitation of the victim's labour.

(2) The general damages referred to hereinabove must be just and reasonable and in assessing them the Court shall take into account the following:

- (a) the extent of exploitation and the benefit which the perpetrator had obtained or might obtained from the exploitation of the victim;
- (b) the future prospects of the victim and to what extent they have been effected by his exploitation;
- (c) the extent of the perpetrator's liability;
- (d) the kinship or the position of authority or influence of the perpetrator over his victim.

(3) The Court, taking into account, the degree of cruelty of the exploitation or the kinship or position of authority of the perpetrator to the victim, may award exemplary damages.

(4) In calculating the special damages, the Court shall take into account any costs incurred by the victim as a result of the exploitation including the repatriation expenses, where applicable.

(5) In case of death of the victim, the parents or the dependents of the victim shall have a statutory right to claim damages.

(6) Notwithstanding the provisions of the Limitation of Actions Law, as

159(I)of2013  
190(I)of2014  
207(I)of2015  
150(I)of2017.

from time to time amended or substituted, there is no limitation period for the actionable right of a child victim.

Right to legal advice and legal representation in order to exercise the right to compensation.

**36.** Every victim, regardless of his or her willingness to collaborate with the prosecuting authorities concerning the criminal investigation, prosecution or trial, shall have the right of direct access to legal advice and legal representation in order to demand compensation, pursuant to the Advocates Law, as from time to time amended or substituted, and, if the victim does not have sufficient resources, shall have the right to free legal aid, notwithstanding the provisions of the Legal Aid Law, as from time to time amended or substituted.

Victims residing in another state of the European Union.

25(III) of 2004.

**37.**-(1) If the victim is a national or resident of another state of the European Union, the prosecuting authorities shall take the appropriate measures to minimise the difficulties faced where the victim is a resident of another member state of the European Union particularly with regard to the conduct of the criminal proceedings by implementing the provisions of the Convention, established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the member states of the European Union and its Protocol (Ratification) Laws, 2004.

(2) A complaint made by a victim of offences provided for in this Law, who resides in another state of the European Union, towards the authorities of the member state of his residence, provided that it is communicated to the prosecuting authorities of the Republic, shall be investigated in the same manner as it would be investigated if the victim was at the Republic.

Special provisions for the protection of child victims of trafficking within the framework of criminal investigation and proceedings.

**38.**-(1) Subject to the provisions of sections 30 to 37 of this Law, in case of a child victim of the offences provided for in this Law or where, by the Laws of the Republic, the parents or holders of parental responsibility are precluded from representing the child as a result of a conflict of interest between them and the child victim, the Director of the Social Welfare

Services shall be appointed as a representative of the child, for the representation of the child within the framework of the proceedings, in cooperation with the Commissioner for the Protection of Children's Rights.

(2) Without prejudice to the rights of the defence of the accused, the prosecuting authorities shall ensure that in criminal proceedings for the offences provided for in section 7,8,10 and 11 of this Law:

- (a) interviews with the child victim take place without unjustified delay after the facts have been reported to the prosecuting authorities;
- (b) interviews with the child victim take place, where necessary, in premises designed or adapted for that purpose;
- (c) interviews with the child victim are carried out, if necessary, by or through professionals trained for that purpose, or with their assistance and by people of the same sex;
- (d) the same persons, if possible, conduct all the interviews with the child victim;
- (e) the number of interviews with the child victim is as limited as possible and interviews are carried out only where it is strictly necessary for the purposes of criminal investigations and proceedings;
- (f) the child victim may be accompanied by his representative or, where appropriate, an adult of the child's choice, unless a reasoned decision has been made to the contrary in respect of that person.

**39.** – (1) In cases where a child is a witness of offences provided for in Part II of this Law, or the victim is a child, the prosecuting authorities shall ensure that within the framework of the criminal investigation of those offences, all interviews with the child shall be video-recorded and that, at the time of trial of the case, these interviews shall be admissible as competent evidence under the Evidence Law, as from time to time amended or substituted.

(2) For the implementation of the provisions of subsection (1) of this

Video recorded  
statement of a child.

section, the requirements and rules provided for in the Witnesses Protection Law, 2001, as from time to time amended or substituted shall apply, in particular:

(a) The Court shall have the obligation to order a cross-examination of the child victim or child witness without his or her presence, through the use of the appropriate communications technologies.

(b) Provided that it is to the benefit of the child victim or the child witness, the Court and prosecution authorities, in order to protect the children's private life, identity and image, shall avoid the communication of information that could lead to his or her identification.

In-camera trial. **40.** Subject to the provisions of the Protection of Witnesses Law, 2001, as from time to time amended or substituted, during the trial of the case concerning offences provided for in this Law, where a child is appearing before the Court as a victim or witness, the Court may order the hearing procedure or part of it to be carried out in-camera.

Special provisions  
for unaccompanied  
child-victims

**41.** In case where the victim of an offence under this Law is an unaccompanied child, the Director of the Social Welfare Services shall be appointed, in each case, to represent the child in the exercise of his rights within the framework of the criminal investigation and proceedings and in cooperation with the Commissioner for the Protection of Children's Rights.

## **RECOGNITION AND PROVISION OF ASSISTANCE AND SUPPORT TO VICTIMS**

### **Chapter 1 – General Provisions**

**42.-(1)** The services involved have the obligation to provide regular information and training to their staff who may come into contact with

Training and  
co-operation  
of the services  
involved.

victims and potential victims of trafficking in human-beings concerning the prevention and combating of trafficking in human beings, the identification of victims and potential victims and provision of assistance to them, and in particular, children, in relation to the provisions and implementation of this Law.

(2) The services involved shall cooperate with each other as well as with non-governmental victims' support organizations so that the identity of the victims can be established taking particularly into account the special situation of women and child victims.

(3) The prosecuting authorities, in cooperation with all the services involved as well as with non-governmental organizations providing assistance to victims, and after their own examinations, draw up a risk assessment at all stages of support for victims, from identification until repatriation, on the basis of which protection measures for victims will be decided.

Basic principles governing the protection of victims.

**43.**-(1) The measures for the protection of victims provided for in this Law and their rights shall apply to all victims irrespective of their nationality, before, during and for an appropriate time period after the completion of the criminal proceedings so that they can exercise their rights provided for in this Law.

(2) Without prejudice to the provisions of section 53, the provision of assistance and support to a victim shall not depend on the victim's willingness to cooperate in criminal investigation, prosecution or trial.

National reporting mechanism and providing information to victims.

**44.**-(1) Where any service involved or non-governmental organization deems or has reasonable suspicions that any person is a potential victim pursuant to the provisions of this Law, shall refer that person or/and relatively inform the Social Welfare Services which shall firstly inform him for his rights and potentials by virtue of this Law.

(2) The Social Welfare Services shall provide to the potential victim in a language he understands all the information needed for the protection of their interests as victims, which may, where appropriate, be also provided in writing and which include at least the following-

- (a) The name of governmental services or non-governmental organizations to which they can apply for support;
- (b) the type of support they are entitled to receive in accordance with the provisions of this Law and information concerning the reflection and recovery period and their protection from deportation, where applicable, during the said period;
- (c) the procedure for identification as victims and all information relating to the bringing of charge against the perpetrators of the offences before the prosecuting authorities;
- (d) the terms and procedure by which they may enjoy safety and protection;
- (e) to what extent and the terms on which legal advice is provided to them, by whom such advice or/and legal aid is provided according to the provisions of Part III;
- (f) information on the possibility of applying for international protection, under the provisions of the Refugee Law, as from time to time amended or substituted ;
- (g) information for the compensation procedures.

(3) The information provided for in subsection (2) may be entrusted by the Social Welfare Services to a non-governmental organization through a protocol of cooperation.

**45.** – (1) After informing the potential victim according to the provisions of section 32 his case shall be reported to the Police Anti-Trafficking Office.

(2) If the Police identifies any person as a victim it shall immediately inform

Identification  
of victims,  
reflection  
period.



the victim or his representative and the Social Welfare Services which shall ensure that the victim has access to his rights.

(3) The Police may, following a relevant risk assessment, refer a person who is considered a potential victim to the victim shelter of the Social Welfare Services until the completion of the relevant identification procedure.

(4) The Police, after identifying the victim, shall provide the victim with an individual assessment by qualified staff and prepare a relevant report to be handed over to the investigating officer of the case.

(5) Subject to the provisions of subsection (3) of section 53 a victim has a period of reflection of one month at least to make an informed decision as to whether he wants to cooperate with the competent authorities for the persecution of the perpetrators of the offences under this Law.

(6) In all cases, priority shall be given to the provision of support services and protection to the victim in accordance with the provisions of this Law and prosecuting authorities may approach the victim to ascertain his or her willingness to cooperate with them, in cooperation with the Social Welfare Services or/and the Mental Health Services or/and non-governmental organizations.

(7) During the stages mentioned in subsections (1) to (6) of this section, the services involved as well as non-governmental organizations, shall, where applicable, be obliged to exchange information in relation to the present condition of the victim and the procedure of its identification.

**46.**-(1) During the identification procedure by the Anti-Trafficking Office of the Police, the provisions of section 30 shall apply and the information provided for in subsection (2) of section 33, shall be provided, if the potential victim has been identified as a victim within the meaning of this

Rights of potential victims during the identification procedure.

Law.

(2) An interview shall be conducted in a language that the victim understands and with the free assistance of an interpreter, where this is necessary, to ensure proper communication with the victim.

(3) If the potential victim is a child or unaccompanied minor, his legal guardian or the guardian appointed by the Court or his legal representative, as the case may be, is always present at the interview to identify him as a victim and the provisions of sections 39,41 and 50 of this Law shall apply mutatis mutandis.

(4) After a person has been identified as a victim, the Anti-Trafficking Office of the Police, shall issue him a certificate of identification initially for a period of one month for reflection purposes. The certificate of identification may be renewed further either for purposes of reflection or in order for the victim to enjoy the rights provided for in this Law after the period of reflection.

(5) The Anti-Trafficking Office of the Police shall identify victims on the basis of internal Police regulations issued pursuant to this Law.

Measures  
to assist and support  
victims and protection  
of their private life.

**47.(1)** Every victim, regardless of nationality and regardless of whether or not he possesses the documents proving his identity, on condition that he does not have sufficient resources, has the right to physical, psychological and social rehabilitation and, in particular, has the right to -

(a) be provided with the necessary means of subsistence, including adequate and safe accommodation, psychological, material and financial assistance;

(b) access to emergency free medical and pharmaceutical treatment and to necessary free medical and pharmaceutical treatment;

(c) free translation and interpretation services, where appropriate;

(d) access to education, where applicable;

(e) meeting his or her special needs arising because of pregnancy, health status, disability, mental or psychological disorder or serious forms of psychological bodily or sexual violence.

(2) The private life and identity of victims shall be protected by every service involved or non-governmental organization and the processing of their personal data shall be always made in accordance with the provisions of the Processing of Personal Data (Protection of Individuals) Law, 2001, as from time to time amended or substituted.

138(I)of2001\*  
37(I)of2003  
105(I)of 2012.

(3) The competent authority for the coordination of all the services involved for the effective carrying into effect of this section shall be the Social Welfare Services.

Operation  
of shelters.

**48. The Social Welfare Services:-**

(a) shall establish and operate shelters for the accommodation of victims under Regulations made in accordance with section 71 of this Law,

(b) shall inspect the registration and operation of shelters under Regulations made in accordance with section 71 of this Law,

(c) may assign their competences under paragraph (a) of this section to a non- governmental organization or to the Local Administrative Authorities pursuant to a protocol of co-operation or a special agreement among themselves.

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\*\* The Processing of Personal Data (Protection of Individuals) Law, 2001 [L.138(I)/2021, as amended] was repealed and replaced by the Protection of Natural Persons with Regard to the Processing of Personal Data and the Free Movement of Such Data Law, 2018 [L.125(I)/2018, Off. Gaz. Suppl. I(I) no. 4670, 31.7.2018].

Special provisions  
for child-victims  
and additional protection.

243 of 1990.  
23(III) of 2005.

74 (I) of 2007  
44(I) of 2014.

**49.**-(1) Subject to the provisions of the Convention on the Rights of the Child (Ratification) Law,1990,as from time to time amended or substituted, the European Convention on the Exercise of the Rights of the Child (Ratification) Law,2005,and subject to the powers arising by the Commissioner for the Protection of Children's Rights Law,2007, as from time to time amended or substituted, the services involved shall take into consideration the best interests of the child in implementing this Law and shall ensure full implementation of the procedures provided for in this Law, taking into account the maturity and age of the child-victim.

(2) In case of uncertainty about the age of the victim and when there's reason to believe its a child, the victim is presumed to be a child and has immediate access to assistance, support and protection as a child in accordance with the provisions of this Law.

(3) The services involved shall take all necessary measures, within the framework of their competences to assist and support the child victims, in the short and long term, in their physical and psycho-social recovery following an individual assessment of the special circumstances of the child, taking due account of the child's views, depending on his age and degree of maturity, his needs and concerns with a view to find a durable solution for the child.

(4) The services involved shall each ensure within the framework of their competences, direct access of every child victim to the rights provided in this Law and within a reasonable time limit access to education:

Provided that the access to education shall be also safeguarded for the victims 'children, where applicable.

(5) In case the Social Welfare Services ascertain that the beneficiaries of parental care of the victim do not safeguard the interest of the child and as

216 of 1990  
60(I) of 1995  
95(I) of 1995  
30(I) of 1997  
60(I) of 1997  
21(I) of 1998  
190(I) of 2002  
203(I) of 2004  
68(I) of 2008.

a result cannot represent it, due to a conflict of interests between them and the child-victim, they shall take all necessary measures and carry out all necessary procedures so that a guardian for the child is appointed in accordance with the provisions of the Parents and Children Relations Law, as from time to time amended or substituted.

(6) The Social Welfare Services shall undertake, where appropriate and to the maximum extent possible, all the necessary measures in order to ensure assistance and support to the child-victim's family when the family is located in the Republic.

(7) For the implementation of the provisions of this section, the competent authority for the co-ordination of all the services involved is the Social Welfare Services.

Special provisions for the assistance, support and protection of unaccompanied child-victims of trafficking.

**50.**-(1) The services involved shall ensure that the specific actions to assist and support child-victims as referred to in this Law, take due account of the personal and other circumstances of the unaccompanied child-victims.

(2) The Social Welfare Services, in cooperation with other services involved, shall, in any case, take the necessary measures with a view to finding a durable solution based on an individual assessment of the best interests of the unaccompanied child.

(3) Unaccompanied child-victims or potential victims are placed under the care of the Director of the Social Welfare Services who represents them and acts in their interest.

(4) An unaccompanied minor of school age, shall, within three months at the latest from the day of its identification as a victim, have access to general educational facilities or alternatively access to suitable special

educational facilities, depending on the situation of the unaccompanied minor.

(5) Unaccompanied minors shall be entitled to free medical care as well as to special medical or other care and, in particular, in case they have been the subject of any form of neglect, exploitation or ill- treatment, torture or/of any form of cruel, inhuman or degrading treatment or punishment or have suffered as a result of armed conflicts.

Chapter 2- Special provisions for victims who are Union citizens or third -country nationals

Application of the provisions of this Chapter.

**51.**The provisions of this Chapter apply in addition to the provisions of sections 42 to 50 of this Part, especially for victims who are Union citizens or third-country nationals.

Protection of victims who are European citizens or third-country nationals from expulsion.

**52.**-(1) Subject to the provisions of section 58, no repatriation measure shall be taken against-

7(l)of 2007  
181(l) of 2011  
8(l) of 2013  
67(l)of2013  
77(l)of2015  
193(l)of2020.

(a) a Union citizen or his family members of any citizenship in case the conditions of free movement and residence under the Right of the Union Citizens and of their Family Members to Move and Reside freely within the Republic Law,2007, as from time to time amended or substituted , are not fulfilled;

(b) a third-country national regardless of whether he has a legal or illegal residence within the Republic under the Aliens and Immigration Law, as from time to time amended or substituted , at the time that any service involved, identifies or ,is in any way, informed , about the possibility that the person in question is a victim within the meaning of this Law and until the completion of the identification procedure as a victim or the expiry of the reflection period or the non- renewal or annulment or revocation of the residence permit or the registration certificate provided under the

provisions of section 55, as the case may be.

(2) Any officer of a service involved, who identifies or is informed in any way about a person falling within the categories of subsection (1), for which there are good reasons for believing that he is a victim within the meaning of this Law, shall immediately inform the Minister so as to prevent the issue of an expulsion order against him in the event that there is otherwise any reason for his repatriation.

(3) Notwithstanding the provisions of this section, if whatever reason, a repatriation and detention order against a person falling into the categories of subsection (1) is issued, the execution of the repatriation and detention order shall be suspended until the completion of the procedure for its identification as a victim.

Granting residence permit for reflection to victims who are European citizens or third country nationals.

**53.** (1) The Minister shall issue free of charge to a third country national who is a victim even if he entered or is staying illegally in the Republic a temporary residence permit for the purpose of granting him a reflection period allowing him to recover and escape the influence of perpetrators so that he can make a decision with full awareness of his rights whether he wishes to co-operate with the prosecuting authorities during the criminal proceedings:

Provided that in case a victim is a national of a third country if he or she already holds a residence permit, the duration of the permit remains valid until its expiry without affecting the rights he receives as a victim.

(2) In the case where the victim is a Union citizen, the Director shall issue to him, free of charge, a certificate of registration of limited validity, for the purpose prescribed in subsection (1) of this section.

(3) In the case the victim is a child, the temporary residence permit granted under subsection (1) hereinabove and the registration certificate

granted for the purpose of reflection under subsection (2) hereinabove shall be valid for two months and may also be renewed, free of charge, by a Minister's decision if he deems it expedient, taking into account, in particular, the best interests of the child.

(4) During the period of validity of the temporary residence permit or the registration certificate for reflection the victim shall have access to the rights provided for in section 47 of this Law.

(5) Subject to articles 20 and 21 of the Treaty on the Functioning of the European Union, the temporary residence permit or the registration certificate for reflection shall not provide a right to residence according to the Aliens and Immigration Law or the Rights of the Union Citizens and of their Family Members to Move and Reside Freely in the Republic Law, 2007, as from time to time amended or substituted, as the case may be.

(6) The Minister may, at any time, revoke the temporary residence permit or registration certificate for reflection, if the prosecuting authorities inform him that the victim concerned has actively, voluntarily and on his own initiative reconnected his relations with the perpetrators of the offences provided in Part II of this Law or for reasons related to public order or national security.

(7) During the period of validity of the temporary residence permit or the registration certificate for reflection, the victim's travel documents, shall with his or her consent, handed over to the Police who shall return them whenever the victim so requests and if they are not necessary to the prosecuting authorities for the purposes of any criminal proceedings.

**54.**-(1) Before the issue and during the validity of the temporary residence permit or the registration certificate or the certificate of identification for reflection, irrespective of whether he wishes to co-operate with the

Official Journal  
of EU:C87,  
30.3.2010,  
p.57.

Rights of  
the victim  
during  
the reflection  
period.



prosecution authorities, the victim shall have the rights prescribed in section 47 of this Law.

(2) The validity of the temporary permit for reflection does not affect the right of a third-country national to apply for asylum under the Refugee Law, 2000, as from time to time amended or substituted.

Issue  
and renewal  
of residence  
permit  
or of registration  
certificate.

**55.**-(1) At the expiry of the temporary residence permit or the certificate of registration for reflection or earlier, the prosecuting authorities shall inform the Minister of the extent to which the victim has shown a clear willingness to cooperate.

(2) In such a case, the Minister, if satisfied after being informed by the prosecuting authorities that-

(a) it is advisable to prolong the stay of such person within the Republic in order to facilitate the investigation or the judicial proceedings;

(b) the said person has ceased any cooperation with the suspects for the commission of the offences provided for in this Law, and

(b) provided that the provisions of subsection (1) of section 43, enter into force,

shall issue a temporary residence permit or a registration certificate, free of charge, which shall be valid for at least six months, subject to the reasons relating to the public order or the national security which shall be renewed free of charge, provided that these conditions continue to be met.

(3) The holders of the above temporary residence permit or registration certificate issued under subsection (2) of this section or registration certificate issued under section 46 of this Law shall have the rights prescribed in this Part.

Non-renewal  
or revocation  
of temporary  
residence  
permit  
or  
registration certificate.

**56.**-(1) Subject to the provisions of subsection (3) of section 42, the temporary residence permit or registration certificate issued under subsection (2) of section 55, may not be renewed by the Minister, provided that the prerequisites of subsection (1) of section 55 are no longer fulfilled or the criminal proceedings have been terminated by a decision of a competent court, on condition that after an individual assessment by the prosecuting authorities or the medical services, it is determined to be safe and in the best interests of the victim to return to his country of origin as a permanent solution for his social reintegration and rehabilitation:

Provided that the above provisions shall not affect the right of movement and residence of a victim who is a Union citizen as provided for in the Right of Citizens of the Union and of their Family Members to Move and Reside Freely in the Republic Law, 2007, as from time to time amended or substituted.

(2) Subject to the provisions of subsection (1), the temporary residence permit or the registration certificate issued by virtue of subsection (2) of section 49 of this Law, may be withdrawn by the Minister, provided that the prerequisites of the said section are no longer fulfilled and, in particular, in the following cases,

(a) if the victim has actively, voluntarily and on his own initiative renewed contacts with those suspected of committing the offences provided in this Law;

(b) if the prosecuting authorities or other services involved, believe that the victim's cooperation is fraudulent or that his complaint is fraudulent or wrongful;

(c) when the victim ceases to cooperate;

(d) when the competent authorities decide to stop the criminal proceedings;

(e) for reasons relating to public interest and security.

(3) Notwithstanding the provisions of subsection (1) and(2),and subject to the provisions of the Aliens and Immigration Law and the Right of the Union Citizens and of their Family Members to Move and Reside Freely in the Republic Law,2007,as from time to time amended or substituted , the Minister may grant a victim who is a third country national or a Union citizen, even if the prerequisites of this Law are not fulfilled, a temporary residence permit or registration certificate of limited validity, as the case may be, if he deems that after the submission of relevant individual evaluations, regarding the victim's status by any service involved, that it is for the interest and protection of the victim to issue a residence permit or a registration certificate of limited validity in the Republic for humanitarian or other reasons.

Treatment  
of victims.

**57.-(1)** Any victim who holds a temporary residence permit or a registration certificate issued under subsection (2) of section 55 of this Law , or, where applicable, a certificate of identification issued under subsection (4) of section 46 of this Law, shall have the rights prescribed in section 47 and, in addition, he shall have the following rights:

(a) Access to the labour market through the public employment services in the same way as Cypriot citizens.

(b)access to vocational training and education provided by the Human Resources Development Authority under the terms and conditions of its schemes as well as the national legislation and decision policies of the

Ministry of Labour and Social Insurance from time to time in force, concerning employment, training and education;

(c) access to programs or schemes provided by the state or non-governmental organisations having a protocol of co-operation or specific agreements with the services involved of the Republic, as the case may be, aimed at the recovery of the normal social life of victims which may include, where appropriate, courses designed to improve their professional skills or preparation for their supported return to their country of origin.

Return of child victim.

**58.**-(1) The Minister, taking into consideration the views of the prosecuting authorities, the Director of the Social Welfare Services, the Director of Mental Services and the Medical Services as well as the child itself, according to his age and maturity, may order the return of a child victim only if after an individualised risk and safety assessment such return would be in the best interests of the child.

(2) The Minister, taking into consideration the views of the prosecuting authorities, the Social Welfare Services, the Director of the Mental Health Services and medical services and the child himself, depending on the child's age and maturity, may order the return of an unaccompanied child to the country of origin or to another country in which he has the right of permanent residence, which is prepared to accept him, or to a third country for the purposes of family reunification. The return of the unaccompanied minor is made only if it is ensured that an appropriate reception and care is available upon his arrival in the said country depending on the needs of the unaccompanied minor taking into account the age and the degree of independence provided by the parents or other adults having legal guardianship of the minor.

(3) For the purpose of return of an unaccompanied child the Minister may cooperate with:

(a) family members of the unaccompanied child, either in the country of origin of the minor or in a country where these members reside, with the purpose of family reunification;

(b) the authorities of country of origin of the unaccompanied child provided that the child is not an asylum seeker or with the authorities of another country for the purpose of an appropriate and permanent solution;

(c) international organizations aimed at protecting minors and that already play an active role in advising governments on guidelines or for dealing with unaccompanied minors;

(d) where appropriate, with non-governmental organizations for the purpose of ascertaining whether reception and care are available in the country to which the child will return.

Documents stating the identity of victim.

**59.**-(1) In case the victim does not possess any document proving his identity due to victimisation, the Police, in cooperation with the competent authorities of the country of origin, shall, if necessary, subject to the provisions of the Refugee Law, 2000, as from time to time amended or substituted, ensure the issue of travel documents or other documents proving his identity.

(2) The victim is obliged to cooperate with the Police in ensuring the documents referred to in subsection (1) above.

Repatriation of victims.

**60.** The Minister of Interior, after an individual assessment of the prosecuting authorities and the Medical Services, ascertains that if it is safe and in the best interests of the victim to return to the country of origin as a permanent solution for his social reintegration and rehabilitation, decides on the repatriation of the victim which should preferably be made

voluntarily and,

(a) under conditions of respect, security, protection and dignity of the victim:

Provided that in case where the victim is a citizen of the Union who does not fall under any of the categories of the Right of the Union Citizens and of their Family Members to Move and freely Reside in the Republic Law,2007,as from time to time amended or substituted ,the repatriation of the victim shall only take place in cases provided in article 20 of the Treaty on the Functioning of the European Union;

(b)does not involve risks to the success of any legal proceedings relating to the fact that the person is a victim, including proceedings initiated by the victim for the payment of compensation under this Law;

(c) shall be carried out in cooperation with the country of origin in order to avoid re-victimisation;

(d) shall take place in the context of re-victimisation programs operating at national or international level which ensure the prevention of re-victimisation as well as the reintegration of victims into the society of the state to which they repatriate.

## **PART V-PREVENTIVE PROGRAMS AND INTERVENTION MEASURES**

Preventive programs and intervention measures.

**61.**The Ministry of Interior, in cooperation with other services involved, where appropriate, shall:

(a) take necessary measures, such as education and training to discourage and reduce the demand that fosters all forms of exploitation related to trafficking in human beings.

(b) take appropriate action, including through the internet, such as information and awareness raising campaigns, research and education programs, where appropriate, in cooperation with relevant civil society organizations and other stakeholders, aimed at raising awareness and reducing the risk of people especially children, becoming victims of trafficking in human beings.

(c) promote regular training for officers who may come into contact with victims or potential victims of trafficking in persons, including front-line police officers, to enable them to identify and deal with victims and potential victims of trafficking in human beings.

#### **PART VI- VICTIMS' SUPPORT FUND AND ADMINISTRATIVE STRUCTURE FOR THE IMPLEMENTATION OF THIS LAW**

**62.**-(1) A Victims' Support Fund shall be established under the control and supervision of the Ministry of Interior in which all revenues derived from the implementation of section 20 as well as from sponsorships, contributions, donations and bequests shall be deposited. The administration of the Fund shall be prescribed by regulations made in accordance with section 71 of this Law.

(2) The Victims Support Fund shall allocate its resources to:-

(a) providing compensation to victims who, for whatever reason cannot be compensated by the perpetrators of the offences committed against them;

(b) subsidising programs to provide assistance, support and legal aid to victims;

(c) subsidising prevention and information programs relating to the trafficking in human beings.

Establishment of Victims' Support Fund.

Basic principles that govern the protocols of co-operation.

Basic principles that should govern the protocols of co-operation.

**63.** For the better carrying into effect of this Law and for purposes of protection and support of victims any service involved may enter into a protocol of co-operation with another service involved or/and non-governmental organisation governed at least by the following basic principles-

(a) Aim of co-operation is to prevent and combat the offences provided for in this Law, by providing support and protection to the potential victims and victims and by successfully prosecuting the perpetrators of the offences;

(c) a transparent and accurate designation of the obligations of the cooperating parties with a view to achieving the above aim;

(d) transparent and clear procedures to be followed by the parties cooperating for the implementation of the provisions of this Law;

(e) protection of the personal data of potential victims and victims under the provisions of the Processing of Personal Data (Protection of Individuals) Law, 2001, as from time to time amended; and

(e) respect and proper treatment of potential victims and of victims at all stages of proceedings.

138(I)of2001  
37(I)of 2003  
105(I)of2012.

Multidisciplinary coordinating body.

**64.(1)** There shall be established a multidisciplinary coordinating body for the prevention of the offences referred to in this Law, the protection of victims and taking of all appropriate measures for confrontation of trafficking and exploitation of persons which shall be presided by the National Coordinator and shall consist of the following persons:



- (a) the Attorney -General of the Republic or his representative,
- (b) the Chief of Police or his representative,
- (c) the Director-General of the Ministry of Justice and Public Order or his representative,
- (d) the Director- General of the Ministry of Foreign Affairs or his representative,
- (e)the Director-General of the Ministry of Labour and Social Insurance or his representative,
- (f) the Director-General of the Ministry of Education and Culture or his representative,
- (g)the Director-General of the Ministry of Health or his representative,
- (h)the Director of the Labour Department of the Ministry of Labour and Social Insurance, or his representative,
- (i)the Director of the Civil Registry and Migration Department of the Ministry of Interior or his representative,
- (j)the Director of the Social Welfare Services of the Ministry of Labour and Social Insurance, or his representative,
- (k)the Head Officer of the Asylum Service of the Ministry of Interior or his representative,
- (l)a representative of the National Machinery for the Women's Rights,
- (m)a representative of the Union of Municipalities of Cyprus,
- (n)representatives of up to four non-governmental organisations designated by the National Coordinator one of whom is necessarily involved in providing support to victims, whose term of office is of two years' duration:

Provided that, upon the expiration of their term of office, the National Coordinator shall appoint the non-governmental organisations that shall participate in the multidisciplinary coordinating body for the next two (2) years:

Provided further that, for the designation of the non-governmental organisations participating in the multidisciplinary coordinating body the

National Coordinator shall take into consideration their activities and work.

(2) It shall be the duties and functions of the multidisciplinary coordinating body-

(a) to revise or amend the National Action Plan in force from time to time approved by the Council of Ministers concerning-

(i)the combating and effective suppression of the offences provided for in this Law;

(ii)the early detection, protection and support of victims within the meaning of this Law and their social reintegration;

(iii)the prevention of the offences provided for in this Law and the information and awareness-raising of society with regard to the offences provided for in this Law and violation of human rights of victims;

(iv)the cooperation with the countries of origin or transit countries or other countries of destination of victims to develop the capacities to combat the offences provided for in this Law and to protect victims both at national and international regional level.

(b)to monitor the implementation and internal evaluation of the National Action Plan;

(c)to take measures for the more effective implementation, monitoring and evaluation of the national reporting mechanism for victims;

(d)to collect, exchange information, data and statistics between its members relating to the offences provided for in this Law and the protection of victims;

(e)to draft manuals and training material on good practices to be followed

by all services and non-governmental organisations involved in the protection of victims;

(f)to submit proposals for the amendment of this Law or other relevant laws, when deemed necessary;

(g)to organise seminars and educational programs for all officers of the services involved and non-governmental organisations;

(h)to undertake and organise other actions to inform and sensitize the society, especially in matters of equality and combating of any discrimination based on sex, ethnic or national origin, colour, religion and in general in matters falling within the scope of this Law to the extent that are not provided by the Ministry of Justice and Public Order;

(i)to prepare and discuss protocols of cooperation between non-governmental organisations and any of the services involved within the meaning of this Law; and

(j)to monitor and study the international developments and the international law in the fields covered by this Law.

(3) The multidisciplinary coordinating body shall draw up an annual report to be submitted to the Council of Ministers through the National Coordinator, on the implementation of this Law and the situation prevailing both in the Republic and international level in relation to the subject-matter of this Law, together with which it submits to the Council of Ministers for approval the National Action Plan for dealing with trafficking and exploitation of persons, revised every time. The annual report and the revised National Action Plan, when approved by the Council of Ministers, shall be submitted to the House of Representatives for information purposes.

(4) The National Coordinator, may, when he deems it necessary, invite representatives and experts of other government departments, local authorities and other organizations or entities to the meetings of the multidisciplinary coordinating body.

Procedure and structure of the multidisciplinary coordinating body.

**65.**-(1) The multidisciplinary coordinating body shall meet regularly and in plenary session every three months or at least three times a year.

(2) The multidisciplinary coordinating body may be also set up on an ad-hoc basis whenever deemed necessary by the National Coordinator, for serious, extraordinary and urgent reasons.

(3) The multidisciplinary coordinating body may be set up in working groups each with a more specialized subject-matter for its more efficient operation on a regular or extraordinary basis.

(4) Working groups set up in accordance with subsection (3) of this section shall determine the service involved which shall coordinate and convene them.

(5) The working groups inform the multidisciplinary coordinating body about the work, decisions and practical measures they take with regard to the implementation of this Law at the ordinary meetings of the latter.

Procedure and structure of the multidisciplinary coordinating body.

**66.**The National Coordinator shall preside over the meetings of the multidisciplinary coordinating body and shall have the function and duty to-

(a) convene the ordinary and extraordinary meetings of the multidisciplinary coordinating body or of a specific working group, as deemed necessary;

(b) convene meetings whenever it deems expedient, with the Ministers or the Directors- General of the Ministries to which any of the services involved belong, as well as with the Attorney -General of the

Republic and the Chief of Police;

(c) coordinate and monitor the application and implementation of measures and actions decided within the framework of the multidisciplinary coordinating body and the national action plan;

(d) represent the multidisciplinary coordinating body in the Council of Ministers whenever issues falling within the scope of this Law are discussed;

(e) submit the annual report of the multidisciplinary coordinating body and the national action plan to the Council of Ministers for discussion and decision-making ;

(e) represent the multidisciplinary coordinating body, where appropriate, in bilateral contacts on matters falling within the scope of this Law with representatives of other states or international organizations;

( f) submit in accordance with the provisions of article 20 of Directive 2011/36/EU the required information to the Anti-Trafficking Coordinator, every two years.

Independent  
external evaluator.

**67.**-(1) The National Coordinator shall appoint every three years and for a period of three years, an independent external evaluator, which shall be an equivalent mechanism to the national rapporteur prescribed in article 19 of Directive 2011/36/EC, to carry out the functions provided in this section following an invitation to relevant tenders.

(2) The terms and conditions of tenders as well as the specific terms of reference of the independent external evaluator shall be discussed and decided within the framework of the multidisciplinary coordinating body.

(3) The independent external evaluator is an independent institution or organization or a person specialised and duly experienced in trafficking issues-

(a) carrying out assessments of trends in trafficking in persons both at national or international level;

(b) measuring of results of the Republic's anti-trafficking actions in applying this Law and the implementation of the action plan, through, inter alia, the gathering of statistics in close co-operation with the services involved and relevant non-governmental organizations;

(c) reporting on the results of its evaluations and suggestions on additional or other measures to be taken.

**68.**-(1) The Republic is bound to provide to the services involved the necessary resources for suitable training and education of their officers involved in any procedure provided for in this Law, or who come into contact in any other way with the victims or potential victims with particular reference to the needs of the most vulnerable victims.

(2) The Republic is bound to provide the necessary resources for education and training of judges and judicial staff as well as lawyers in matters provided by this Law.

**69.**-(1) The National Coordinator shall, in cooperation with the Ministry of Foreign Affairs and the consular authorities of the Republic abroad, shall provide information material to third country nationals interested in entering the Republic on the terms and conditions for legal migration of third country nationals to the Republic and on the risks involved in illegal immigration and in particular the risks related to the trafficking and exploitation of persons.

Training  
of public officers  
and judges.

Prevention  
and briefing.

(2) The multidisciplinary coordinating body shall-

(a) organise information campaigns in the Republic on trafficking and exploitation of persons and on the terms and conditions for granting residence permits to third-country nationals in the Republic, their rights and the mechanisms available to them for reporting cases of exploitation within the meaning of this Law;

(b) issue information leaflets on the phenomenon of trafficking and exploitation of persons, both in vulnerable groups of persons, in private employment agencies and to the wider society, and in particular, children;

(c) ensuring that Media personnel are informed and educated on the trafficking and exploitation of persons;

(c) organise campaigns and take measures to educate and raise awareness in society to discourage the demand that fosters all forms of exploitation, in particular women and children;

(e) take appropriate action including through the internet, such as information and awareness raising campaigns, research and education programs, in co-operation with non-governmental organizations and other stakeholders aimed at raising awareness and reducing the risk of people, and, especially children of becoming victims of trafficking and exploitation of persons.

Bilateral  
agreements.

**70.** The Republic shall ensure that bilateral agreements are concluded with the main countries of origin of the victims or with countries of origin at great risk for cooperation in-

(a) the combating of the offences provided for in this Law;

(b) the protection and social reintegration of victims and their families

either in the Republic or in the case of repatriation in their country of origin;  
(c) the exchange of information, particulars and data regarding trafficking and exploitation of persons and the abuse of children;  
(d) informing victims or potential victims for legal immigration and the risks involved in illegal immigration.

## PART VII-FINAL PROVISIONS

Regulations  
and Orders.

**71.**-(1) The Council of Ministers may make Regulations for the better carrying into effect of this Law.

(2) The services involved may, where appropriate, issue Orders for the better carrying into effect of the provisions of this Law. These Orders should not provide for an increase in the budgetary expenditure of the Republic.

Supremacy  
and  
transitional  
provisions.  
87(l) of 2007  
13(l) of 2012.

**72.**(1) This Law prevails over the Combating and Exploitation of Persons and the Protection of Victims Laws, 2007 and 2012.

(2) Orders and Regulations made by virtue of the Combating of Trafficking and the Exploitation of Human Beings Laws 2007 and 2012, shall, unless they are incompatible with the provisions of this Law, continue to be in force as if they have been made under this Law, until amended or repealed.

(3) Any residence permit or certificate of registration issued and any decision taken under the Laws referred to in subsection (1) of this Law, shall continue to be in force.

(4) Any applications submitted under the Laws referred to in subsection (1) of this section, before the date of the entry into force of this Law and which are pending on the date of the entry into force of this Law, shall be deemed to have been submitted under this Law and shall be examined



under the provisions of this Law.

(5) The evaluation by the National Coordinator of the non-governmental organisations participating as members in the multidisciplinary coordinating body against trafficking in persons shall be made within (1) year from the date of the entry into force of this Law and subsequently it shall be made every (2) years.