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## **THE POSITION OF MIGRANT WOMEN IN CYPRUS**

### **Introduction**

Up to the 1970s, Cyprus was a country of emigration. The uninterrupted economic development from the second part of the 1970s right through to the 1990s, with average annual GDP growth rates of 7-9%, resulted in acute labour shortages in the mid 1980s, which could not be met locally. Thus, in the late 1980s - beginning of the 1990s, the doors were first opened for the 'import of foreign workers'<sup>1</sup>. A model of strict labour control was adopted (which is still largely in place), involving short term contracts, concomitant with short-term residence permits and linked to specific employers. Migrants were employed in sectors and areas where employment needs local labour either could not or was unwilling to cover. These needs were essentially for the unskilled or low-skilled jobs in sectors such as construction, agriculture, service industries, commerce and the hotel and tourist industries. Since 2004, when Cyprus joined the European Union, the situation has been changing in terms of the sectors and skills required of migrants coming from member states of the Community. The fact remains, however, that the greater majority (70%) of third-country nationals are still employed in unskilled or low-skilled jobs.

The strict migration policies prescribed by the migration model in Cyprus have not fulfilled the aim of successive governments to prevent the increase of irregular immigration. On the contrary, they have contributed, amongst other factors, to the rising numbers of migrants without papers in the country and of asylum seekers.

Today, the number of migrants<sup>2</sup> is estimated to be around 140.000 (Registry and Migration Department of the Ministry of Interior, April 2009), a fact that confirms Cyprus as a host country of migration. This includes undocumented migrants, whose numbers are roughly estimated at around 20.000–30.000, and asylum seekers who, after first six months of their asylum applications, are allowed to work in unskilled, manual, low-paid jobs in agriculture and animal farming, recycling, cleaning, etc. The main countries of origin of third-country migrants are the Philippines, Sri Lanka, Vietnam, India, Egypt, Syria, Pakistan, Bangladesh, Moldova, Georgia and the Ukraine. European citizens working in Cyprus come mainly from Greece (including Pontians<sup>3</sup>), Bulgaria, Poland and Romania.

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<sup>1</sup> This is the terminology used by government services, the social partners, the mass media and the society at large for the migration of migrant workers to Cyprus, which is of consequence not only in terms of semantics. It is noted, however, that the situation is very slowly changing.

<sup>2</sup> The term 'migrants' includes economic migrants, refugees and asylum seekers.

<sup>3</sup> Pontians are of Greek decent from the *Pontos* (southern coast of the Black Sea) and came to Cyprus in large numbers at the beginning of the 1990s.

## **Migrant women in Cyprus**

It must be noted from the outset that the visibility of migrant women in data and statistics in Cyprus and, consequently, the gender-specific characteristics, aspects and issues of women's migration, notably those of discrimination and violence against them, is very limited and/or non-existent and resembles the state of affairs in other countries and internationally. This is widely acknowledged by the UN General Assembly's resolution 60/139 on "Violence against women migrant workers", other bodies and agencies of the United Nations and the European Union. Thus, "... data on migration is not gender-specific and female migrants seem invisible in international migration statistics"<sup>4</sup> and "The issue of immigration is above all an issue that is gender neutral."<sup>5</sup>

Migrant women are employed in low or unskilled jobs and in sectors such as the hotel and catering industry, health, retail trade and services in general, and private households, and in the sex industry (cabarets, night clubs, pubs, etc). In line with the world trend of the feminisation of migration recorded by international and European organisations, but with much larger proportions in Cyprus, migrant women make up more than 57% of the total migrant population, reaching 70% of third-country migrants and 43% of European citizens.

One aspect of Cyprus' economic growth has been the mass entry of women into the labour market, now at 62,9% (2008 Cyprus Labour Force Survey), which is higher than both the European Union average and the Lisbon objective for 2010. This has largely been made possible by the employment of migrant women, who meet the needs in the social reproduction sphere for domestic work, caring of children, elderly people, people with special needs and other vulnerable groups. The employment of domestic workers has also increased because of the relative prosperity (the present economic recession aside) for some layers of the population and the social changes that have emanated from the rapid urbanization of Cyprus, including the significant factor of changing social mores. Added to these, are of course the continuing and even worsening conditions that lead to emigration from third world countries.

The increase of the employment of domestic workers seems to continue. In the period 2000-2002, the fastest growing employment area was that of domestic work, while figures for 2007 followed the same pattern.<sup>6</sup> Thus, with an estimated number of 27.000, domestic workers now constitute the largest single group of migrants (around 28,5%), with the overwhelming majority of them from Asian countries (mainly, the Philippines, Sri Lanka, Vietnam and Thailand). Domestic workers are almost in their entirety (over 97%) from third countries.

Also, a number of migrant women (some 3.000 in any single six-month period) from Eastern European countries and in the last few years from Latin America as well, have until very recently, been employed as "artistes" in the sex industry and many

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<sup>4</sup> Selected Papers of the UNFPA-IOM Expert Group Meeting on *Female Migrants: Bridging the Gaps Throughout the Life Cycle*, New York, 2-3 May 2006.

<sup>5</sup> Report of the EWL's (European Women's Lobby) Public seminar and workshops on *Equal Voices, Equal Rights – Migrant Women in Europe*, Brussels, 19-21 January 2007.

<sup>6</sup> Research report on *Employment Forecasts for Foreign Labour in Cyprus 2004-2007*, Human Resource Development Authority of Cyprus, March 2004.

are victims of trafficking for sexual exploitation. In 2008, within the framework of the present government's policy of combating trafficking of persons for sexual exploitation, the Minister of Interior announced the abolition of the "artiste" visa<sup>7</sup>, the implementation of which has only just started (September 2009).

In addition to the problems experienced in general by migrants in Cyprus, especially from third countries, including the dependency of the migrant on the employer because of the migration model of linking work and residence permits to a specific employer, these two groups of migrant women face the most serious violations of their working and human rights and conditions of extreme exploitation because of their gender. The major of these violations are outlined below.

The above, notwithstanding the present government's markedly differentiated approach as to these two groups of migrant women. In the case of domestic workers, the government has recently announced the setting up of a Ministerial Committee to review the whole situation concerning the employment of domestic workers and the intention to separate the various functions of domestic work and care giving, with apparently concomitant changes in relation to terms and conditions of work, including pay. These intentions, if they materialise to the desired extent, will signify a marked departure from the hitherto followed policy towards migrant domestic workers and their subjection, with the consent of the state, to extremely adverse employment conditions, which lead to exploitation and multiple discrimination on the grounds of, among others, their gender. In the case of sex industry workers, the new policy, including the above-mentioned abolition of the 'artiste' visa is, according to the government, a part of the general effort for combating trafficking of persons for sexual exploitation.

## **Domestic workers**

- Working hours and leisure time

According to their employment contract, the total working hours must not exceed 42 per a 6-day week. However, reality is a different matter, with a number of complaints made to KISA daily from domestic workers for their working day of up to 20 hours a day. The majority of employers demand that the domestic workers work and be on call for 24 hours a day, for any kind of work they are assigned to do. Some employers demand that the domestic worker work on Sunday too, which is their one day of rest. As a result, rest or leisure time is an unknown quantity to a large number of domestic workers.

- Pay

The salary of domestic workers, fixed by the government, was Cy£165 (€256) from 1990 until 2008, when it was raised to €282. This amount is 3 times lower than the minimum wage, which is set by the government for certain occupations, the holders of which are considered to be particularly vulnerable. This amount was originally

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<sup>7</sup> Even though NGOs welcomed the abolition of the 'artiste' visa, they are nevertheless sceptical as to its impact on the trafficking of women and call for a comprehensive package of structures and measures to combat trafficking.

decided on because it was the national minimum wage in force in the 1990s. Since then, the minimum wage has increased substantially (€791, increasing to €840 after six months, as of June 2009) but the domestic workers' pay has remained the same. Moreover, in many cases even this amount is not paid and when domestic workers dare complain about it, more often than not they end up being accused by their employers of either a criminal offence, such as stealing, or being deported because their employers claim they no longer need their services.

- Medical care

As with all third-country migrants, domestic workers and their employers are obliged to have industrial accident and health insurance, the cost of which is divided equally between the two parties. However, in reality many employers violate the prescribed minimum standards and the medical insurance does not cover basic medical care, which is vital to women, such as the pap test and other gynaecological tests and treatments. Thus, instead of seeking proper medical advice, employers give domestic workers any kind of medicines without a prescription. In cases requiring expensive medical treatment, employers refuse to pay the expenses. So in essence, medical care for domestic workers is from inadequate to non-existent.

- Social insurance

Even though employers are obliged by law to pay social insurance contributions for domestic workers, the latter do not enjoy the benefits provided for by the Social Insurance legislation, such as sick, holiday and severance pay, etc. etc. More importantly, their contributions are not transferred to their countries of origin nor are their working years in Cyprus considered to be pensionable. Successive governments' response to continuous pressure and calls by NGOs such as KISA to address this flagrant injustice is that there are no bilateral reciprocal agreements with the countries of origin of migrants on the matter.

- Living conditions

The majority of domestic workers are obliged to live at their place of work, which is their employers' house and to share it with them. The confines of the private home, with its sanctity of privacy and the fact that domestic workers are not organised in trade unions provide room for a feudal relationship between domestic workers and employers, one of total subordination and domination, respectively. Again, there is a plethora of cases reported to KISA where domestic workers are treated as a second class inhabitant – the use of bathroom and toilet is restricted or a makeshift one outside the house is constructed, use of common rooms and cooking of own food are also restricted and/or discouraged.

- Violence

One of the most serious problems domestic workers experience is that of violence against them, either physical or psychological, with most worrying those of sexual harassment, abuse and rape. A form of psychological violence is the intimidation they suffer with deportation and the withholding of their passports and other personal documents. There have been cases of repeated sexual violence, including rape, by

different male members of the same family. This violence, as elsewhere, is not readily reported for all the obvious reasons. A domestic worker who falls victim to sexual violence by her employer and who is finally forced to abandon her employment, if she does not file a complaint within 15 days to the authorities, is considered illegal and suffers all the consequences. KISA has handled a large number of such cases.

## **Sex industry workers**

Workers in this sector are better known in Cyprus by the notorious title 'artistes'. The dependency that the migration model in Cyprus creates in the case of the 'sex industry' goes beyond slavery and is reminiscent of 'concentration camps'.

It is now well known that trafficking of women and children at an international level has reached enormous proportions, which can only be compared to those of arms and drug smuggling. It is significant that the European Union considers the issue of trafficking of women and children (their numbers reaching 750.000) as one of the most serious difficulties in achieving the aim of gender equality. Profits in the 'sex industry' are bigger and easier compared to arms and drug smuggling.

While it is conceded that a proportion of migrant women working in this sector may be aware beforehand of the nature of work they have to perform, it is our contention that a large proportion of them are attracted to Cyprus with lies and false promises usually employed by the network of agents, night club owners and others involved in trafficking of women and girls.

Irrespective of whether they are victims of trafficking or not, in all cases 'sex industry' workers are victims of extreme exploitation by agents and club owners and they have their passports and other personal documents withheld. A large majority of them live in overcrowded conditions, locked up in their rooms when they are not working, physically abused and raped. They are also threatened and intimidated with bodily harm or even murder to them personally and/or their families.

Because of lack of funding, KISA does not operate a shelter especially for migrant women working in the sex industry. Over the years, however, it has received a number of complaints, either by trafficked women for sexual exploitation themselves or by concerned individuals.

It is important to note that both domestic workers and 'sex industry' workers also experience another form of discrimination. These two most vulnerable groups of migrant women are the only migrants who are under the jurisdiction of the Ministry of the Interior and not under that of the Ministry of Labour and Social Insurance. This is in itself discrimination against these migrant women, which weakens their position as workers because the Ministry of the Interior has neither the competence nor the skills required for labour matters<sup>8</sup>.

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<sup>8</sup> The new more general visa for third-country performing and other artists, which has replaced as of September 2009 the abolished 'artiste' visa, will now be under the Ministry of Labour and Social Insurance.

## **KISA – Action for Equality, Support, Antiracism**

KISA is a non-governmental organisation (NGO), established in 1998, as a result of the concern about the conditions of entry, stay and employment of migrants, the lack of a comprehensive migration policy and the ever-growing incidents of xenophobia, discrimination and racism in Cyprus. KISA's overall goal and long-term objective is the creation of an all inclusive, multicultural society, free of racism, xenophobia and discrimination and where, through the interaction and mutual respect of different cultures, there will be equality of all, irrespective of nationality or ethnicity, colour, creed or gender, sexual preference or any other characteristic.

In achieving its aims and objectives, KISA focuses its activities in all of the main fields of its work – Migration, Asylum, Racism, Discrimination and Trafficking, on two general directions and target groups: (a) Migrants, refugees, asylum on two general directions and target groups: (a) Migrants, refugees, asylum seekers and foreign students, and (b) the Cypriot society at large.

### **Project for the provision of free information, social advice, support and mediation services**

In order to support migrants, KISA is running the Migrant and Refugee Support Centre at its premises in Nicosia, which offers free information, social advice and support as well as mediation services. The Support Centre is partly funded by European programmes, such as the ERF (European Refugee Fund) and the Initiative EQUAL, government and other grants and contributions from members and supporters. A recent grant of £3.000 was recently awarded for the first time by the National Machinery for the Rights of Women of the Ministry of Justice and Public Order, in aid of KISA's ongoing project for the provision of the above services to migrant women.

Provided that the majority of migrants are women, it is only to be expected that the majority of those who apply to KISA's Support Centre are migrant women. As mentioned above, a large number of domestic workers and some 'sex industry' workers apply to the Centre to complain of violations of their employment contracts, to report crimes of violence and rape and incidents of discrimination and racism. By applying to the Centre, migrant women know that they will find a friendly face and ear, a committed advocate and supporter. For migrant women, as for all migrants, KISA's Centre is perhaps the only place where they are

- provided with sufficient and correct information about the structural and legal framework that regulates their residence and employment in Cyprus;
- advised about how to deal with violations of their terms and conditions of work and to defend their dignity;
- supported and empowered to claim their rights, to combat their marginalisation and social exclusion and to achieve their integration into the Cypriot society;

- whereby they can strive towards the achievement of equality, both as workers and as women.

In addition, KISA has repeatedly submitted a number of recommendations to the competent authorities that would tackle the major problems that domestic workers are faced with. The main recommendations are as follows:

- Safeguarding, either through legislation or a collective agreement, the respect of their working hours, resting time, pay and other rights.
- To assign the Ministry of Labour and Social Insurance as the competent Ministry for domestic workers' employment.
- Safeguarding the right of domestic workers to choose and change their employers as well as the disengagement of the residence permit from the permit to work at a specific employer, according to the Law ratifying the Convention on the Rights of Migrant Workers of the International Labour Organisation.
- The conclusion of bilateral agreements with the countries of origin of domestic workers, so that they can enjoy all rights and benefits of the social insurance system (especially in relation to pension benefits) as well as safeguarding their right to enjoy all benefits provided for by the Social Insurance legislation for all employees.
- In order to grant permits for employing domestic workers to employers wishing their employees to stay at their place of residence, employers must be obliged to ensure that there is adequate accommodation for sleep, cooking facilities and personal hygiene, and generally conditions that ensure the employee's personal privacy. Otherwise, employers must ensure adequate accommodation for their employees elsewhere.
- Reports of incidents of violence should be investigated as a matter of priority both by the police and the District Labour Offices in order to ensure the direct protection of the victims and their change of employer.

In relation to trafficking, both for labour and sexual exploitation, KISA's Trafficking Unit, comprising members of its Steering Committee and other volunteers, has been instrumental in setting up a Network Against Trafficking, in cooperation with other NGOs, both Greek and Turkish Cypriot. The Network is planning, amongst other actions, an island-wide Public Awareness Campaign about Trafficking, which is to be conducted later on in 2007.

In addition, in the framework of the debate about the amendment of the current legislation on trafficking, KISA has recently prepared and submitted a long and detailed memorandum to the Ministry of the Interior and Public Order, with amendments and additions to the proposed legislation, many of which have been

accepted. KISA also participates in a project funded by the European Programme HERA on Trafficking.

KISA has also set up a Migrant Women's Group, with members of its Steering Committee and volunteers, including migrant women, in order to support their awareness raising, empowerment and self-organisation.

Even though Cyprus has ratified many international conventions, such as:

- ILO conventions, especially the Convention on the Rights of Migrant Workers
- The European Social Charter of the European Council
- The International Convention on Social, Economic and Cultural rights
- The Convention on the Equality of Women
- The Convention on Combating all forms of Racial Discrimination
- The Convention on the Rights of the Child

and, despite the fact that these conventions constitute laws of the state and take precedence over all other legislation, they are not implemented in the case of migrant women and migrants in general.

Also, Cyprus has not so far ratified the International Convention on the Protection of the Rights of All Migrants and Members of Their Families. This is the first convention of the UN that, once in force, will protect the core rights of migrants, women and men.

KISA is of the opinion that the marginalization, social exclusion and exploitation of migrant women, the denial of their rights and their invisibility, and the violence, xenophobia, discrimination and racism against them can be eliminated only with the synergy of all partners, including migrant women themselves. But most importantly, if and when governments have the necessary political will and commitment to introduce the necessary legislative and structural framework, mechanisms, measures and necessary funding. NGOs and the civil society in general constitute a significant actor, which governments have to acknowledge as an equal partner in this effort. In its 11-year lifespan, KISA has earned the trust and respect of migrants in Cyprus by proving its commitment to advocating, fighting for and defending their rights.

Nicosia, September 2009