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Workers in North Cyprus

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and Leopoldo Rodríguez



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Abstract

This paper discusses the gender dimension of human rights, labour rights and migration in North Cyprus. We focus on two groups of workers in order to facilitate a comparison of conditions across registered and unregistered women migrant workers. One group, Eastern European sex workers, enters North Cyprus with a six months work permit. Although they work in a highly regulated sector, these workers are highly vulnerable to human right abuses and are often considered victims of trafficking. The other group, cleaning workers, is primarily composed of Anatolian Turkish women with or without work permits. Our previous work on migrant sex workers and state regulations in North Cyprus provides some of the initial findings for the study. We have updated and collected new data through a survey of domestic workers and the collection of government information from the labour and migration offices. Having established the employment conditions faced by migrant workers in both sectors, we proceed to evaluate their compliance with North Cypriot legislation and international human rights protocols. We conclude with an assessment of how to improve human rights protections for migrant women in North Cyprus. It should be noted that although North Cyprus represents a very small fragment of migratory movement in the Mediterranean region, it is highly representative of migration movements to Europe (i.e. from Eastern Europe and Turkey). The confined nature of North Cyprus also makes it an excellent location for the collection of data.

Keywords

International migration, sex workers, domestic workers, human trafficking, women migrant workers, North Cyprus.

Introduction*

Concerns about international migration are growing. Together with this, so many questions are arising regarding the individuals and the countries, such as the migrants' contribution to the countries of origin and destination and protection of individual rights. From a cost-benefit analysis perspective, if done properly, international migration has positive impacts on communities of origin and of destination. Otherwise, although it is a contribution to the gross national product of the host and origin countries, it is a loss of human resources for countries of origin (IOM, 2003a). Accordingly, the worldwide expansion of international irregular migration movements, and as a consequence, trafficking in persons, have attracted increased concerns about the individual rights, human rights and labour rights of migrant workers. The nature of irregular migration is open to human rights and labour rights abuses (IOM, 2003b).

The growing recognition that the rights of migrant workers and their families need to be protected, the adoption of regional agreements on the free movement of persons, and the significant increase in the number of developing countries which have become host to foreign workers has increased the labour migration.

Among workers seeking employment across international borders, women migrant workers constitute a very large group. Migrant women generally are seen as workers in sweatshops, as domestic workers and agricultural labourers, as brides for mail-order marriages or are bought/sold to brothels or strip clubs (IOM, 1995 and 2000). This group is one of the groups most vulnerable to human rights and labour rights abuses.

A major proportion of the international migration of women is the result of coercion and deceit. The trafficking of women across international borders is a concern of many actors in the international community and demands the design and implementation of adequate policies at national and international levels (E/EC/RW, 2000). However, exactly what constitutes trafficking is a matter of controversy. A non-controversial definition of trafficking may be read as follows, 'cases where violence, intimidation, and/or deceit are used to force a woman to migrate and perform work/services against her will'.¹ More specifically in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the 2000 UN Convention against Transnational Organized Crime (Article 3):

- a. 'Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, 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 of 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- b. The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- c. The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered 'trafficking in persons' even if this does not involve any of the means set forth in subparagraph (a) of this article;
- d. 'Child' shall mean any person under eighteen years of age.

* The research for this paper was partially funded by a Faculty Enhancement Grant from Portland State University.

1 See IOM, 2003b for definitions of trafficking in human beings by international organizations.

Under this definition, trafficking would clearly constitute a violation of the human rights of the women in question. However, in many policy-making and feminist circles trafficking is defined to include all migrant women who engage in commercial sex, regardless of whether their involvement in the sex industry is voluntary or not.² This blurring of the line between human rights violations in the form of trafficking and sex work (a common occupation for a significant proportion of migrant women) has been challenged in academic circles, but remains a strong influence in international and national agencies dealing with issues of international migration.

In marked contrast, migrant women employed as domestic workers or in janitorial services (hereafter will be referred to as ‘cleaning workers’) are not immediately assumed to be victims of trafficking, but are generally considered voluntary migrants unless proof emerges to the contrary. In fact, women engaged in domestic work and janitorial services could potentially be just as vulnerable to human rights abuses as those in the sex industry. A few questions arise from these observations. First, are the demographic characteristics of women engaged in sex work significantly different from those engaged in cleaning services? If they are, what can these differences be attributed to? Are they the result of social mores, legal barriers, migration policy, immigrant networks, economic incentives, or a combination of all of the above? Second, are migrant women in the sex industry more likely to suffer from human rights abuses, particularly from trafficking? If so, what makes migrant women in the sex industry more vulnerable to trafficking than migrant women in the cleaning services? Finally, can we draw lessons from the comparison of migrant workers in these two industries to formulate policies that will effectively protect the human rights of migrant women without penalizing their income generating activities?

The aim of the study is to explore possible answers to these questions in an effort to better inform the debate over trafficking of women across international borders. We conduct our study in North Cyprus,³ a nation with a unique set of circumstances. Although our results cannot be generalized to the conditions of sex workers and cleaning workers in other locations, the study sheds light into the effects of labour and immigration policies on migrant women in both sectors. Furthermore, the source countries for North Cyprus are similar to those of other European nations, opening the doors for future comparative research.

I. Methodology

This paper investigates the human, and labour rights of migrant women working in two service industries, namely, commercial sex and cleaning services. Our study is based on the comparison of the regulatory framework, official data of immigration and employment, surveys of migrant women and face to face interviews. We examined the regulatory framework for immigrant workers in the sex industry and cleaning services, including labour as well as immigration legislation. Early in our study, it became clear that the regulatory framework is often violated in whole or in part, but it served as a point of reference to understand standard practices in the sectors covered by our study. Even if many aspects of the legislation are ignored, in those cases where a formal contract between employer and migrant worker exists, we consider the employment relation to be part of the regulated segment of the migrant labour market. Migrant workers with a formal contract are invariably registered with the immigration authorities and comply with immigration and taxation requirements (throughout the article we will refer to these workers with work permits as ‘registered migrant workers’). A wealth of information is available from government offices regarding registered migrant workers. On the other hand, some migrant workers face more rudimentary working conditions. Lacking a contract or legal immigration status, they operate in the unregistered segment of the labour market (we will refer to these workers with no work permit as ‘unregistered migrant workers’). Needless to say, information

2 See Wijers and van Doorninck, and Doezema.

3 North Cyprus refers to the Turkish Republic of Northern Cyprus (TRNC), a small nation that has declared itself independent from the Republic of Cyprus (i.e. South Cyprus) in 1983. Only Turkey recognizes the TRNC, but its government has *de facto* control over the territory.

on the unregistered migrant workers is scarce. We included both of these segments in our study. However, since in the sex industry the gap in information regarding these two segments is so significant, we are forced to emphasize our findings for the registered segment only.

Two government offices (the Labour Office of the Ministry of Labour and Social Security, and the Immigration Office of the Ministry of Internal Affairs) made their records available to us. For migrant women employed in nightclubs (these are the workplaces of registered sex workers) we consulted the records held by the civil section of the Immigration Office in North Nicosia, tracking information on every registered migrant sex worker who entered North Cyprus between February 2000 and July 2001. The Labour Office provided data on the number of work visas newly issued and renewed for nightclubs in 2003. Other official sources of information include interviews with officials in the Labour Office, the Immigration Office, and the Tax Office.

Aware of the shortcomings of relying solely on official government data, we conducted a survey among migrant women working in both sex and cleaning services industries. The survey for migrant sex workers was conducted in summer 2001 and for migrant cleaning workers in early 2004.

During the summer 2001, 16 registered sex workers employed in two nightclubs located in North Nicosia were interviewed. This sample constituted only 5.5% of the registered sex workers in North Cyprus at the time. Since the working conditions of the unregistered sex workers are obviously no better than of registered workers, we decided to generalize our findings of this sample to all sex workers with the result that the findings would reveal the best of the conditions that the sex workers can work under. In other words without loss of generality we can say that our sample is a representative one. Information from the answers to these surveys was complemented with a couple of interviews with a parliamentarian, engaged in the drafting of the legislation on nightclub employment, a nightclub owner and tax office personnel. Finally, in January 2004, we interviewed 73 migrant women working in the cleaning services of which 36 were registered (45% of the total of registered cleaning workers) and 37 were unregistered.

II. Migration to North Cyprus

Cyprus as a whole (North Cyprus and South Cyprus) has traditionally been a country of emigration because of the limited economic opportunities due to its small size. Besides its small island characteristics, the ongoing political unrest since 1950s accelerated the migration from Cyprus to Turkey and Greece (the motherlands of the 2 communities; Turkish Cypriots and Greek Cypriots), United Kingdom⁴ and Australia.⁵ After the partition of the island into two as north and south in 1974 (Greek Cypriots in the south, under the name ‘Republic of Cyprus’, and Turkish Cypriots in the north, under the name ‘Turkish Republic of Northern Cyprus’), the emigration of Turkish Cypriots increased. This is mostly due to the political and economic isolation of North Cyprus. In the debates over migration in the North, it has been stated that the number of Turkish Cypriots abroad is not less than half of the *de facto* population of North Cyprus. Besides this huge outflow of population, meanwhile, Cyprus became a point of attraction for irregular migration flows, mainly from less developed parts of Turkey, Bulgaria, and Eastern European countries.

Migration from Turkey right after 1974 was encouraged by Turkish and Turkish Cypriot authorities to increase the Turkish population on the island and to foster economic activities. Under this policy, a significant amount of Anatolian Turks, granted land and properties, moved to North Cyprus. This group is beyond the scope of this study since it is difficult to define this movement under the concept of migration but rather a population transfer. The other flow from Turkey, which can be defined as migration, covers individuals coming to North Cyprus attracted by higher incomes, better living

4 Cyprus is a Commonwealth country. It was a British colony for 80 years (1878-1960) until the establishment of the Republic of Cyprus. Cypriots were granted the right to hold their British nationality which encouraged many Cypriots to migrate to UK.

5 Australia offered easy migration conditions for Commonwealth citizens.

conditions, easy entry, and the possibility to migrate to a Western European country.⁶ Our study emphasizes the latter immigrant flow, which constitutes the largest group of persons migrating to North Cyprus. Close cultural, economic, and political ties between North Cyprus and Turkey resulted in the spillover of this migration into the northern part of the island, where wages are generally higher. Turkish citizens face no hurdles to enter North Cyprus. Since 1993, all Turkish citizens need to enter the island is their national identity card. Once on the island, immigration authorities do not track Turkish citizens, and although their official status is as tourists, a significant number currently stay and are employed in North Cyprus. These relatively new arrivals from Turkey should not be confused with Turkish settlers who have been granted residency rights and citizenship. Those who enter as tourists to join the labour market do not have legal status in North Cyprus and generally work in the informal (unregistered) labour market; men work primarily in construction and women work in retail and domestic services. Even without resident status, many consider themselves permanently settled.

North Cyprus is also the recipient, to a lesser degree, of migratory flows of Bulgarian Turks, settling after the fall of communism. In the early 1990s, a large group of Bulgarian Turks who were subject to discrimination by Bulgarian authorities escaped to Turkey. Turkish Cypriot authorities declared that North Cyprus would also accept migrants from Bulgaria. As a result, some of these people chose to come to North Cyprus considering the similarities in language, religion, and culture. This first flow triggered the direct migration from Bulgaria.

Women in these two migration flows have many similarities. They came either with their families or after their husbands for the reunification of families. The migration of individual women is very rare in both these groups. On the contrary, in the last flow mentioned below Eastern European migrant women have come to North Cyprus individually. Family migration or reunification in this group is almost none. Bulgarian Turk citizens need a visa to enter North Cyprus. However the Eastern European migrants can only enter either with a student visa to attend one of the six English language universities, or need a work permit sponsored by the employers in order to take up employment. The barriers to entry faced by Eastern Europeans in North Cyprus mean that their presence on the island is generally temporary.

The third flow is from Eastern European countries. The disintegration of the USSR and the breakdown of the communist regimes throughout Eastern Europe left behind a trail of failed economies and dislocated societies. Over the past 15 years, the region has become an important source of migrant women seeking economic opportunities unavailable in their home countries. Much of this migrant flow is towards the wealthier nations of Western Europe, where relatively high incomes act as a magnet. However, a significant proportion of migrant women from Eastern Europe and the former Soviet Union have gravitated to Southern Europe. Nations such as Greece, Turkey,⁷ and Cyprus⁸ (both North and South) have attracted many women because of geographical proximity, easy entry conditions, and diplomatic and economic relations of these countries. In Turkey, many women cross the border to engage in what has come to be known as 'suitcase trade' (small-scale trade carried out of suitcases), entering and leaving the country several times in a year without entering the local labour market. However, given the relative ease of entry, many women have opted to seek employment opportunities in a great variety of sectors ranging from retail to domestic work and the sex industry (IOM 2003d).

In 2003, the government of North Cyprus issued 1541 work visas to female foreign nationals seeking employment in its territory. (Table 1)

Eastern European women made up the largest regional group with 782 visas, while women from Turkey constituted the second largest with 710. The vast majority of Eastern European women (677)

6 For example, Cyprus had been used as a springboard to migrate to UK, and this forced British authorities to change their visa-issuing policies, which discriminates between Turkish Cypriots and Greek Cypriots.

7 See Bellér-Hann, Ildikó (1995), Gülçür and İlkacaran (2002) and İlkacaran and Gülçür (1995) for studies of migrant sex work in Turkey.

8 See Güven-Lisaniler, Uğural and Rodríguez (2003) for studies of migrant sex work in North Cyprus.

were admitted under a special work visa for employment in nightclubs or pubs. Only three arrived with work visas for employment in cleaning services. Work visas for Turkish nationals were more evenly distributed among different occupations with 119 as casino croupiers, 91 as sales persons and 83 as sewing machine operators occupying the third place with cleaning workers. No visas were issued for Turkish citizens to work in nightclubs and pubs.

Table 1 : Work Permits by Country of Origin and Occupations, 2003

Occupations	Nationality			
	Eastern European	Turkey	Others*	Total
Consmatrices	677	0	0	677
Croupier	58	119	2	179
Cleaning worker	3	83	8	94
Sales person	4	91	2	97
Cashier	0	30	4	34
Hairdresser	1	2	0	3
Semi-skilled	0	3	1	4
Unskilled worker	3	81	3	87
Sewing machine operator	1	83	5	89
Chemist	0		1	1
Barmaid	6	18	1	25
Waiter	7	29	2	38
Security person (casino)	0	1	0	1
Office work	0	15	1	16
Cook (Patisserie)	1	24	1	26
Paid companion	1	1	1	3
University teacher	1	17	5	23
Beauty specialist	1	2	0	3
House keeper	3	8	1	12
Tourist guide			1	1
Butcher	1			1
TV radio speaker			1	1
Typist	5	25	3	33
Receptionist	3	22	2	27
Masseur	2	3	2	7
Textile	0	10		10
Technical work		7		7
Professionals (managers, tourism agencies etc.)	2	23	2	27
Data processor	2	4		6
High School Teacher	0	6	0	6
Singer	0	3	0	3
Total	782	710	49	1541

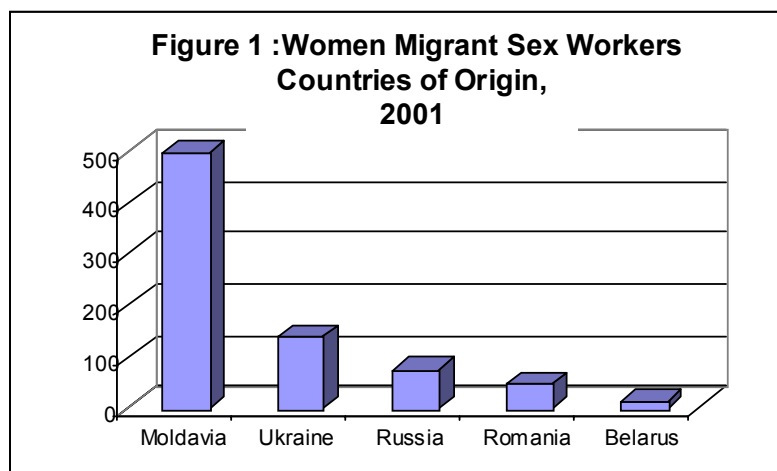
* Mostly Bulgarian Turks.

III. Migrant Sex Workers in North Cyprus

Commercial sex work in North Cyprus is divided into a registered and an unregistered segment. There is no official data on the unregistered segment of sex work. Based on interviews with officials, people from the industry and secondary information we can say that the vast majority of unregistered sex workers are Turkish women. As mentioned previously, they are only required to show a Turkish identity card to enter the island. Although they are not legally entitled to work in North Cyprus, once on the island, the local authorities ignore the employment activities of Turkish nationals. As a result, it is impossible to determine from immigration records or employment files the exact number of Turkish women working in North Cyprus, or the number of women that might have been working as sex workers. In the absence of demographic information, the work conditions among unregistered sex workers are equally difficult to establish. Prostitution in North Cyprus is technically legal, but only in licensed brothels and conditional upon regulations that make their operation cumbersome and unprofitable (currently none are in operation). Unregistered sex workers operate from *kahvehanes* (traditional coffee houses for men) and a few pubs, primarily in and around North Nicosia, and primarily serving a lower income clientele and Turkish soldiers stationed on the island (Cahit:2002). Being hidden from the authorities of the Labour Ministry, health officials, and the police, the study of the unregistered segment of the sex industry in North Cyprus presents the same barriers that are encountered in the study of illegal sex work in other countries. However, especially due to the visa requirements, we are quite certain that women from Eastern Europe and former Soviet Republics are not represented in this segment.

Registered sex workers in North Cyprus work in nightclubs and pubs licensed to employ foreign women under a special set of immigration and labour regulations. Officially, these female migrants work as ‘consomatrices’, that is, they chat, have drinks and dance with the club’s patrons. They are explicitly forbidden from engaging in commercial sex, and immediate deportation will be implemented if the conditions regulating their presence in North Cyprus are violated. The state apparatus closely monitors nightclubs and pubs employing consomatrices and subjects the migrant women to stringent health, labour, and immigration regulations, generating a wealth of official statistics on consomatrices. Regardless of the official pretence that women with a consomatris work visa do not engage in commercial sex, it is a well-known fact in all of North Cyprus that the main source of income for both the women and the club owners is prostitution. For the remaining of the paper, we will use the term consomatris or consomatrices to indicate migrant women engaged in registered commercial sex (Güven-Lisaniler, et al.:2003).

Between February 2000 to July 2001, 782 foreign women were issued work visas for employment in a nightclub or pub as a consomatris (Figure 1).



Detailed data for the period shows that a majority were from Moldavia (496; 63.4%), followed by the Ukraine (141; 18%), Russia (75; 9.6%) and Romania (8 or 6.1%). The remaining countries are also former communist countries in Eastern Europe or a former Soviet republic, but none of them represents more than 3% of the total. Of these women, only 8.7% were older than 25 years of age, while 48% were younger than 21. The average age was 21.7, with a standard deviation of 3 years. One of the club owners admitted that prior to legislation implemented in 2000 many clubs hired minors, but that this has become practically impossible under the more strict regulations currently in place. Our work at the Civil Section of the Immigration Office confirmed that the birth date entered in employment papers matched the birth dates shown in copies of the passports. In the files for the period that we analyzed (February 2000 to July 2001), we only found one minor who entered North Cyprus on a consomatris work permit, but she turned 18 within days of her arrival. Declared prior occupations varied considerably for 25% of the women in the registers, but nearly 30% declared having worked at home and 8% had been students, leaving over 37% with little or no declared work experience. Of these sex workers, nearly 24% declared prior work experience in commercial sex or related sectors, but this does not mean that the remaining 76% were new to the industry.

In April 2001, there were 292 foreign women officially registered as consomatrices, working in the 27 nightclubs and 16 pubs licensed to hire them. In the year 2003 number of consomatrices increased to 379 and number of night clubs increased to 37, whereas number of pubs remained the same.

Migrant women working as consomatrices enter North Cyprus under a special work visa sponsored by the employer. Visas for work as a consomatris differ from those extended to foreigners seeking employment in other fields. The maximum duration of stay is 6 months for consomatrices. They work visas may be renewed, only if they leave North Cyprus for a period of two months at the minimum. In contrast, for other work visas there is no maximum uninterrupted stay. These must be renewed once a year, but there is no requirement to leave the island or a period prior to renewal.

The rights and obligations of consomatrices are spelled out in legislation passed in January 2000 to regulate the nightclubs and pubs that employ them. The law explicitly places diverse limits on the consomatris' freedom of movement and association and makes strict demands regarding health controls and tax collection. First, consomatrices must live in rooms provided by the employer in the same building where they work. Second, they are forbidden from establishing friendships with men outside their workplace and may not marry a local man while working in North Cyprus. If a consomatris were to get engaged to a Turkish Cypriot, she would have to leave the island and apply for a marriage license from her home country. Third, consomatrices must deposit their passports and return tickets with the police, making exit from the island more difficult. Fourth, a consomatris can only work for the club that sponsored her work visa. If she wants to change employers she has to leave the island at least for two months before the new employer of her choice can sponsor a new work visa for her. Fifth, upon arrival to North Cyprus, consomatrices are driven directly to the state hospital. There, they are tested for sexually transmitted diseases. If the results turn out positive for syphilis or HIV they are immediately deported. Furthermore, consomatrices must present themselves for STD checkups once a week. If they test positive for minor curable STDs they are quarantined until free of the disease. In the case of HIV, they are immediately deported. Finally, consomatrices must pay the same payroll taxes paid by other workers, including income and Provident Fund (social security) taxes. These taxes are charged in advance for the entire six months validity of their work visa, regardless of whether they stay the entire period or not. Temporal limits to the presence of a consomatris in the country makes it practically impossible for her to derive benefits from these tax payments, particularly to the Provident Fund. Although legally she has a right to reimbursement of some of her contributions to the Provident Fund, but example for such a case is not found.

These regulations are designed to isolate consomatrices from North Cypriot society. Purposefully or not, they also make their presence in North Cyprus more vulnerable to abuse by employers and local authorities and in some cases constitute direct violations of their human rights. These regulations are of a different nature and far more rigorous than those imposed on foreigners with other types of work

visas, who are free to interact with Turkish Cypriots, marry them at will, choose their living quarters and retain their passports and other travel documents. A change of employer does not necessitate a new work visa, there is no requirement to leave the island or a waiting period involved. Foreigners with other work visas are also tested for HIV and tuberculosis, and face deportation if the results are positive, but their tests are carried out within the first month of arrival, not immediately off the airplane. They pay the same taxes applied to consomatrices, but do not do so up front for the duration of their visa and often are informed about, and exercise their reimbursement right of Provident Fund contributions.

In a few instances, the law apparently seeks to protect the rights of migrant women employed in nightclubs and pubs. Placing the passports and return tickets with the police is presented as an improvement over the previous practice, when the employer would hold these documents. The law also establishes that the employer shall cover costs of transportation to and from the island, housing, and health controls, and requires both parties to sign a standard contract that spells out some of their rights and obligations including the wage to be paid by the employer. The contract is in Turkish and the authorities do not provide translators to explain its contents to the consomatrix. For the most part they are unaware of what they have signed and do not have a sense of their rights under Cypriot law. As a result, many of the provisions of the legislation are completely disregarded in practice. The void is filled by a *de facto* verbal contract between consomatrix and employer that spells out the actual rights and obligations of each party.

Although the law explicitly forbids the consomatrix from engaging in commercial sex, nightclubs and pubs sponsoring their work visas unequivocally hire them to render sexual services to their customers. Earnings from prostitution constitute the largest share of the income of both the consomatrices and the nightclubs and pubs. The exact arrangement as to how the proceeds are divided up varies from one club to another. In the clubs where the first hand information is obtained, the consomatrices receive 45% of the fee for sexual services, 45% goes to the club owner, and the remaining 10% are tips given to other club employees such as bartenders and bouncers. Earnings from commercial sex constitute the totality of the consomatrix' income. The minimum wage payment that is standard in the official contract is fully disregarded by the employer, as is the six-day work week. Consomatrices do not have days off unless their test results appear to be positive for STDs.

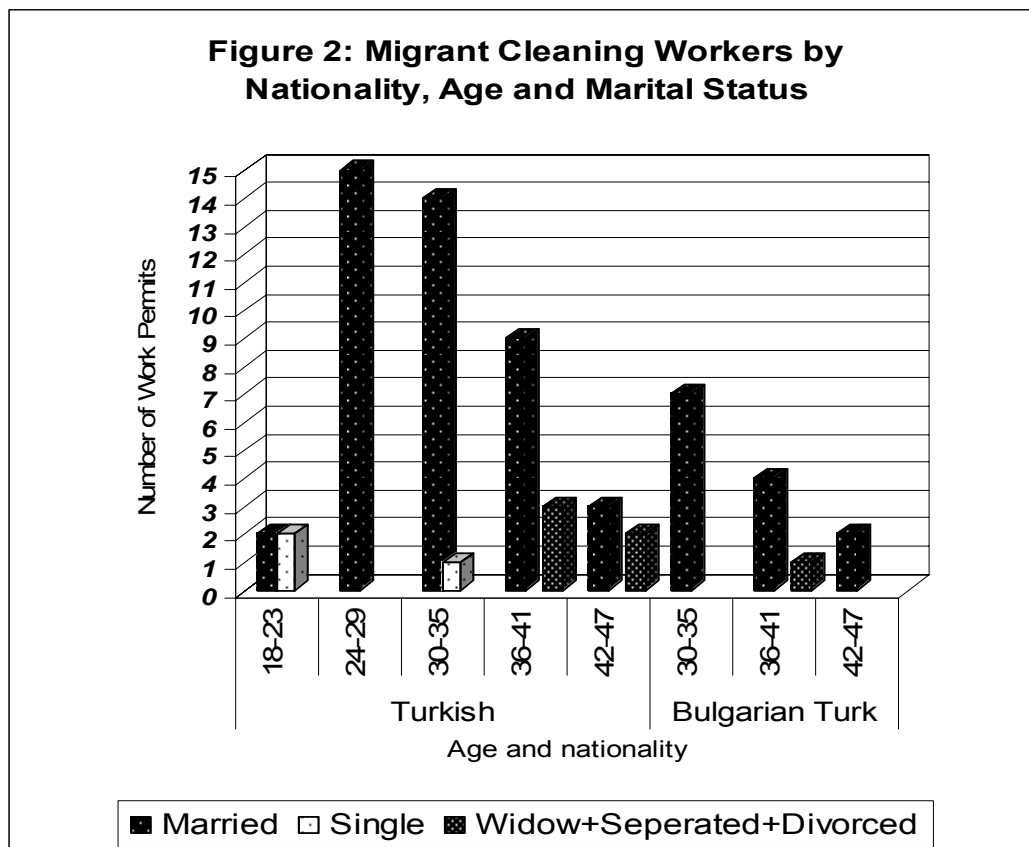
In our survey, we did not encounter any consomatrix who had entered into this arrangement without previous knowledge of the type of activity she would perform in North Cyprus, nor did we find evidence of women being forced into prostitution from interviews with club owners and government officials. Given the limitations of our sample and sources, this certainly does not eliminate the possibility that some of the women who work as consomatrices in North Cyprus have been fooled or forced into prostitution. However, it does indicate that a large number, possibly the majority of them, came to North Cyprus voluntarily with the intention to engage in prostitution.

On the other hand, the debt faced by consomatrices upon arrival to North Cyprus calls into question the degree of freedom that they may enjoy if they wish to terminate their employment prior to payment of this money. The consomatrix actually starts her employment in debt, because contrary to what the law establishes, club owners discount from their earnings the cost of round-trip tickets, some housing costs, and recruitment agents' fees. On top of this, the consomatrices also owe the employer the taxes that the legislation demands be paid up front. Upon arrival, consomatrices generally face a debt to employers of around US\$3,000, and it takes them approximately the first two months of work to break even with the employer. In some clubs, consomatrices are paid a pre-agreed lump sum at the end of their contracts rather than a share of the earnings generated. Needless to say, in neither case does the consomatrix have legal recourse if at the end of the contract the club owner does not keep his side of the bargain and she receives less than originally agreed upon. According to interviews and our own estimates, a consomatrix used to be able to take home between US\$4,000 and US\$10,000 at the end of the six-month work visa. After the banking crisis of 1999 and new tax obligations under the 2000 legislation, this amount dropped to somewhere between US\$2,000 and US\$5,000.

IV. Migrant Cleaning Workers in North Cyprus

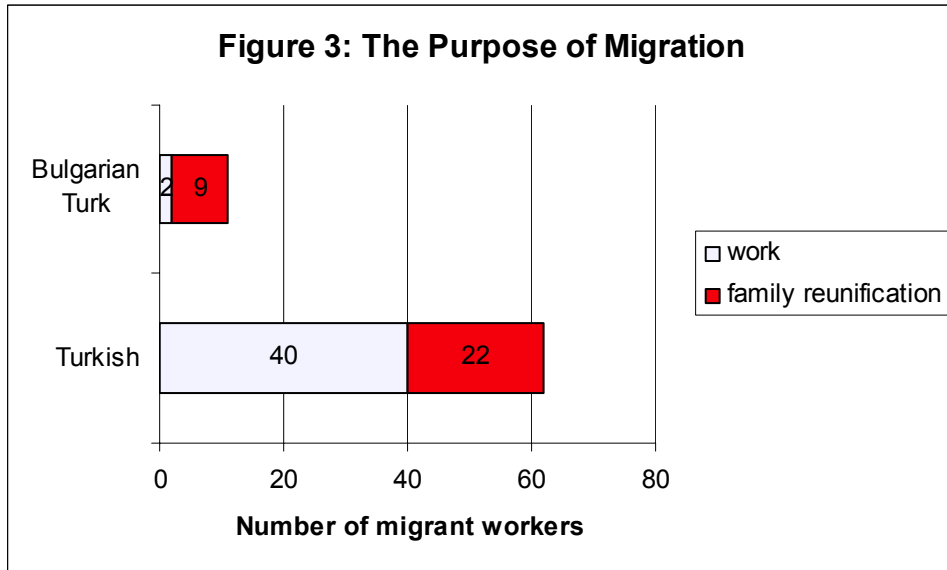
In the case of migrant cleaning workers, we were able to conduct surveys of women employed in both the registered and unregistered segments of this service industry. In addition, for registered cleaning workers we were able to collect data from government sources.

Seventy-three migrant women cleaning workers (36 registered, 37 unregistered) were interviewed. Eleven were Bulgarian Turks and the rest (62) were Turkish. The average age was 32.45, with a standard deviation of 6.15 years, 86% having ages between 24 and 41. Eighty-five percent were married. The women who were unmarried and younger than 23 were very rare and none of them was older than 47 years of age. Therefore, it can be concluded that middle-aged and married Turkish women dominate the cleaning service sector (Figure 2).



The contrast between sex and cleaning workers' ages is very striking. The average age of cleaning workers is 32.45 with no women younger than 23, whereas the average age of sex workers is 21.7, 48% of which being younger than 21. Regarding the two sectors, young Eastern European women are predominant in sex work, whereas middle-aged Turkish women are predominant in cleaning work.

For both registered and unregistered groups of cleaning workers the purpose of migration is either family reunification or to seek employment. As can be seen from Figure 3, for Turkish migrant women workers, seeking employment is the dominant factor but only 4 of them (10%) declared that their original intention was to work in cleaning services. The remainder said that they decided to work in cleaning services after coming to North Cyprus, and were mostly tempted by their friends. Their command of the Turkish language and the presence of their family members and/or husbands in North Cyprus also make their situation significantly less vulnerable to human and labour rights abuses on the part of employers and authorities.

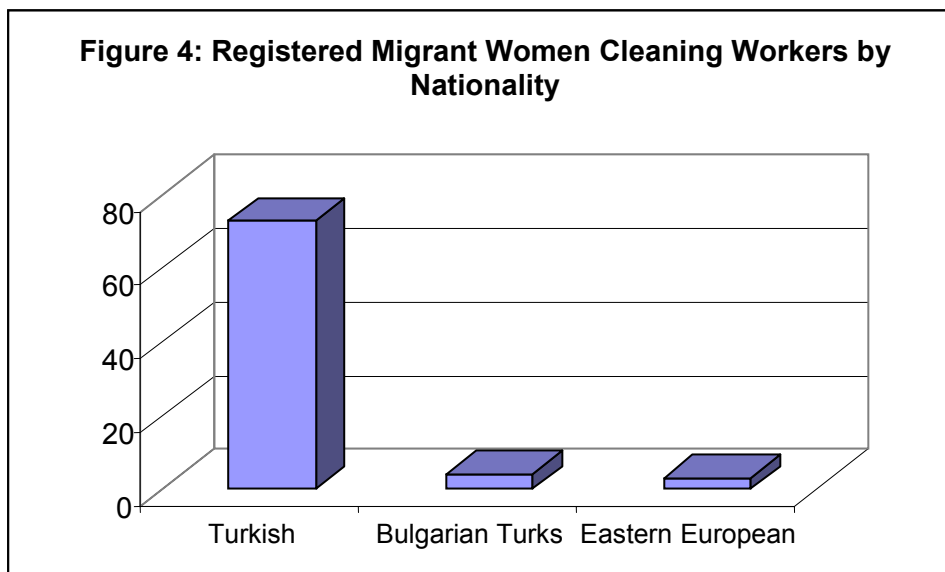


Below we study the two groups of the migrant women cleaning workers (registered and unregistered) separately.

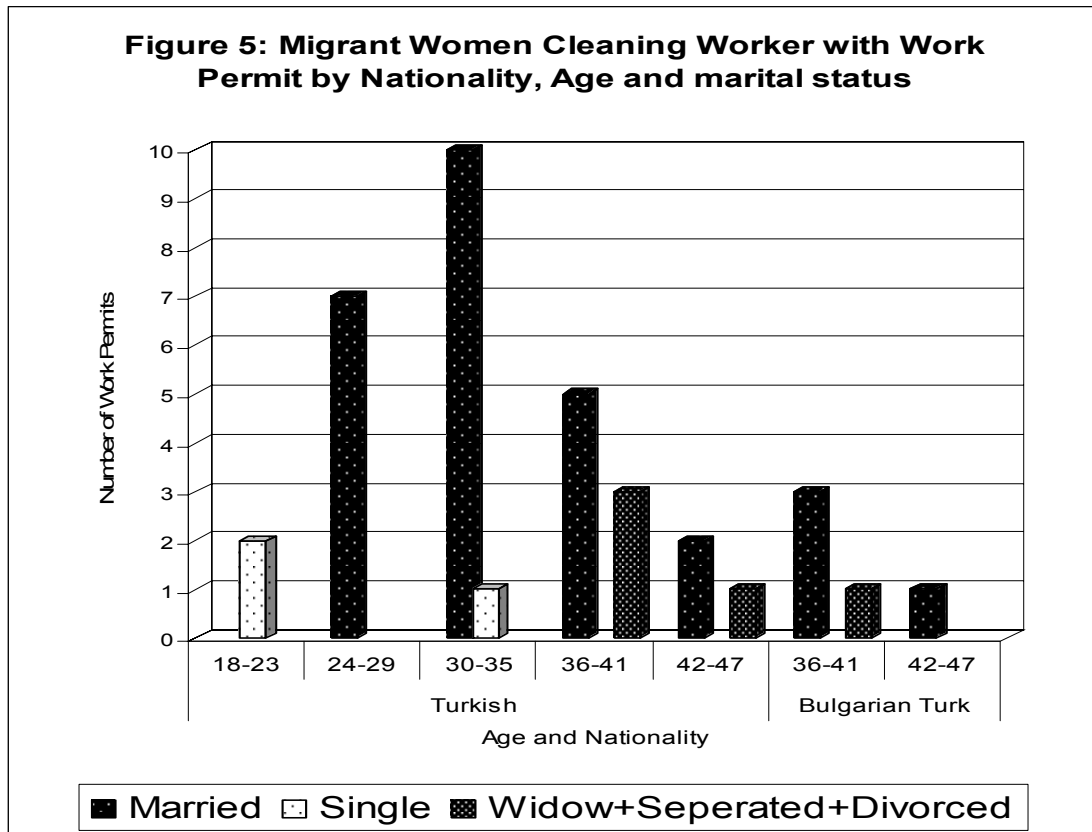
A. Registered Migrant Women Cleaning Workers

Registered migrant cleaning workers, sponsored by a cleaning service firm or a local firm in need of janitors, arrive to North Cyprus with work visas issued by the Immigration Office. Registered foreign cleaning workers are subject to the regulations common to all other foreign workers with work visas other than consomatrices. In other words, they do not face legislation specifically targeting their work and living conditions in North Cyprus.

From the 110 work visas issued in 2003 for cleaning personnel, 30 were for Turkish men and 80 were for women. Of these 80 women, 73 were Turkish citizens, only 3 were non-Turkish Eastern European citizens, and the remaining 4 were Bulgarian Turks (Figure 4).



During research 36 registered cleaning workers, 31 Turkish and 5 Bulgarian Turks were interviewed. Of these, 29 were married and had children while of the rest, 3 were single, 2 were widows, and 2 were divorced. Marital status was similar for both Turkish and Bulgarian Turks. The majority (23 or 64%) were between the ages 30-41, whereas the average age was 32.45. Younger and older migrants were very rare. There was no Bulgarian Turk under the age of 36 (Figure 5).



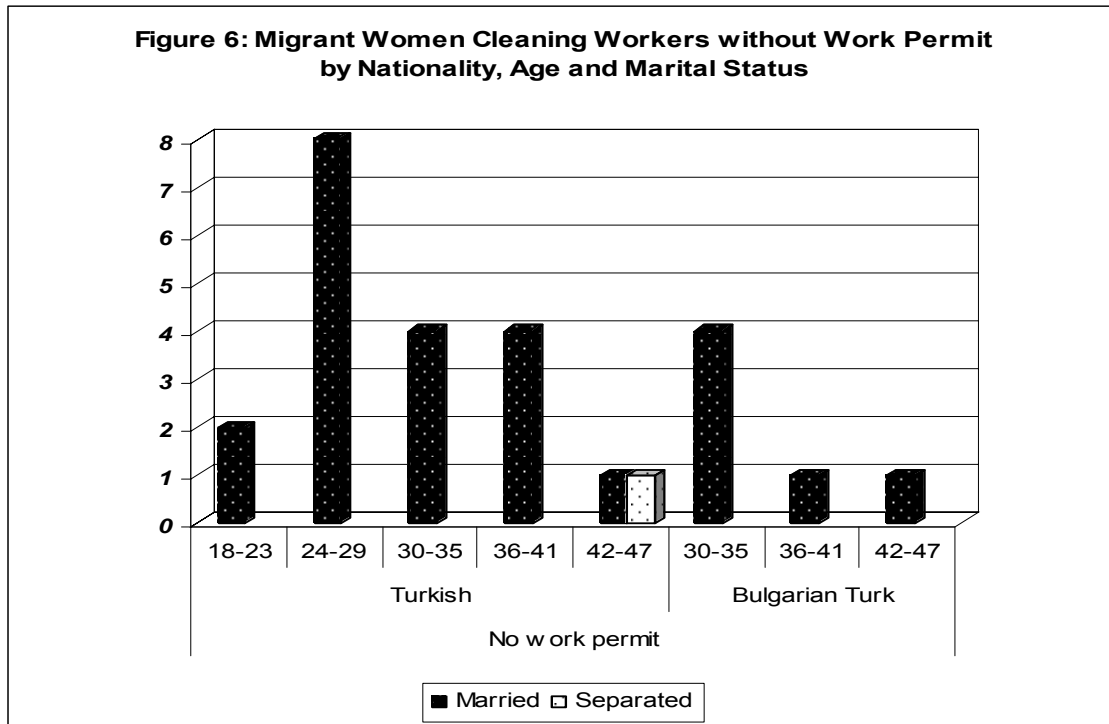
The majority of registered cleaning workers (64%) declared a monthly income of US\$351 for a 6 day workweek, more than the mandated minimum wage, US\$330, paid in North Cyprus then. 10 of the cleaning workers, (28%), declared monthly earnings of US\$270, less than the mandated minimum wage. The rest earned US\$432 or more.

B. Unregistered Migrant Women Cleaning Workers

Unlike registered migrant cleaning workers who are employed by companies, the unregistered cleaning workers work primarily for individual households. These women migrate to North Cyprus for family reunification but also with the intentions of working for higher wages than in Turkey, and because of the availability of job opportunities for unskilled workers. Generally they do not plan working specifically in the cleaning services but since this work is easy to find and there is a demand for cleaning work, they are concentrated in this area.

From the 37 unregistered women interviewed, 31 were Turkish and 6 were Bulgarian Turks. Technically, they are not allowed to work without a working visa, but there is no enforcement of immigration laws in respect of Turkish citizens and Bulgarian Turks. Twenty-five of these women declared having arrived in North Cyprus with the purpose of seeking work, but only 9 of them thought that it would be as cleaning workers. Regarding the marital status, one of these workers was separated, and the rest were married with children. Only 4 arrived in North Cyprus alone. The majority (62%)

were between the ages of 24-35. Younger and older migrants were very rare. There was no Bulgarian Turk under the age of 30 (Figure 6).



The majority of unregistered cleaning workers declared their earnings as of around US\$22 per day for 5 to 8 hours of work. A couple of them declared only US\$10. Although the women in our sample work an average of 4.7 days per week, we calculated an average monthly income of US\$465, above the minimum wage of US\$330. On the average, unregistered workers earn more per month and work fewer days per week than registered workers. This may seem paradoxical but other benefits, monetary and non-monetary, available to workers in the formal sector help to explain this outcome. Unregistered workers do not receive an end of year bonus equivalent to one month's salary (known as 'the thirteenth salary') mandated by the law. They also cannot benefit from the social security and provident fund systems, and this leaves them without retirement rights and other benefits such as the National Health Service (only one unregistered worker in our sample had access to it, probably through her husband's employment). Unregistered workers also have to provide their own transportation to work and back, while most registered workers declared that the employer provides transportation services for them.

A comparison of earning potential with registered consomatrices may be useful at this point. In a six-month period of work, without discounting housing and food expenses or transportation, registered cleaning workers can earn not more than US\$1800, while unregistered cleaning workers may earn up to US\$2300. Considering that our savings estimates for consomatrices during their six-month contract is a minimum of net US\$2000 (possibly more than twice as much in reality), one may be surprised at the nearly complete lack of Eastern European women in cleaning services in North Cyprus. However, earning estimates for registered and unregistered cleaning workers do not include transportation, room and board and other costs that Eastern European women in the sex industry would encounter. If these costs were to be subtracted, cleaning workers would most likely have no net savings after six months. Even if the work in the unregistered segment of cleaning services (where cash earnings are somewhat higher than those of registered cleaning workers) was to prove to be economically attractive to Eastern European women, this option is closed to them. Unlike Turkish women, they cannot enter the island without a visa, and therefore are unable to join the pool of unregistered workers. On the other hand, for registered and unregistered Turkish women already living in North Cyprus with their families, the

extra earnings from work in cleaning firms or individual households constitute a good and necessary supplement to their family income.

V. Concluding Remarks: Improving the Human Rights of Female Migrant Workers in North Cyprus

As we have seen above, there are significant differences between the demographic composition of migrant workers engaged in commercial sex and those employed in cleaning services. Much of the difference can be attributed to the legislative framework within which these two activities operate, primarily with respect to immigration requirements, but also as it pertains to the remunerative potential of the activity. Visa requirements are strictly enforced for Eastern European women, while Turkish women can readily enter the island as tourists. As a result, there is no presence of Eastern European women in the unregistered segments of either sector and Turkish immigrants dominate both. Eastern European women are only present in a significant number in the registered segment of the sex industry, which they fully dominate. Since the acceptance of legislation tightening regulations and increasing taxes paid by consomatrices, Turkish sex workers have concentrated on the unregistered segment of the industry. Outside the gaze of state authorities, Turkish sex workers do not have to pay for health controls, income and social security taxes, or the boarding charges of nightclubs. We can assume that they operate at lower costs, but unfortunately we do not have information regarding their earnings or employment conditions to make a comparison.

The almost complete absence of Eastern European migrant workers among registered cleaning workers merits some analysis. The system of work visas applied to Turkish women for employment in cleaning is also available to Eastern European women. Women from many former Soviet Republics and ex-communist nations in Eastern Europe can migrate to Turkey to work in the cleaning sector. Then the question is ‘why have they not taken the next step and sought cleaning work in North Cyprus’. In our opinion, the answer lies in the lack of economic incentives to do so. Eastern European women working in the cleaning sector in Turkey generally do so as unregistered workers, employed primarily in private households, often as domestic servants provided with room and boarding facilities. Although their incomes are low, their expenses are practically insignificant, allowing them to dispose of a significant proportion of their income as remittances to their families at home or as savings. In contrast, an Eastern European woman seeking employment in cleaning services in North Cyprus would have to obtain a work visa sponsored by a firm. As was stated earlier in the paper, the income of registered cleaning workers is too low to justify the transportation and boarding expenses that a migrant woman from Eastern Europe would face.

We have found no evidence of human rights abuses of Turkish immigrants in either segment of the cleaning services sector, but lack knowledge of their conditions in unregistered sex work. Turkish women employed as cleaning workers are native speakers and are likely to enjoy the support of their families and/or husbands. If a dispute were to arise with an employer, they would be in a good position to seek legal action through the North Cyprus justice system and/or the support of the Turkish embassy. We do not have information on the work conditions and respect for human rights of Turkish sex workers. We presume that their conditions are more vulnerable than those of cleaning workers because of the illegal nature of the activity they perform and the lower likelihood of support of their families or husbands. Trafficking might have taken place as well given the easy entry and exit to North Cyprus for Turkish citizens, but to our knowledge there has been no case of a victim of trafficking from Turkey brought into attention to the authorities in North Cyprus.

Migrant women working in the registered segment of the sex industry, all of them Eastern European, suffer human rights abuses at the hands of the state and the employer. Starting with the withholding of their passports by the police department and the differential treatment in contracts and work visas, their arrival in indebted conditions and their limited freedom of movement, these migrant women are denied from a number of basic human rights (UN, 1990). However, we found no evidence

of the systemic use of violence or threats to keep the women working under those conditions, nor did we find indications of trafficking as defined in our introduction. They appear to accept the limits placed on their freedoms as a characteristic of employment in the sector.

Much could be done by the North Cypriot State to improve the legislation applied to nightclubs and work visas for consomatrices in order to guarantee the women to have access to assistance in case of human rights violations. A good start would be to allow women to renew their work visas without having to leave North Cyprus and without the two-month waiting period. Freedom of mobility, ability to switch employers and choice of place of residence while in North Cyprus would also greatly assist in the assertion of their rights. The most significant reform would be the legalization of their engagement in commercial sex activities.

Legalization of commercial sex among registered consomatrices would provide an opportunity for labour rights legislation to be fully applied to their primary income-earning activities. Currently, the clandestine nature of commercial sex places Eastern European consomatrices in a very vulnerable position. In case of a confrontation with a patron or employer consomatrices avoid seeking help from the local authorities because they fear immediate deportation. Under current conditions employers and patrons can threaten consomatrices with deportation if they are not compliant with their wishes. The North Cypriot State is fully aware of the primary source of income for consomatrices and nightclubs alike. Evidence of this abounds; not only would weekly health controls be completely unnecessary, but the income tax assessed on nightclubs and consomatrices would have to be much lower if the authorities were not aware of the true nature of the trade. North Cyprus has criminalized prostitution while taxing it. It has also put in place sophisticated regulations and a bureaucratic apparatus to retain diverse forms of control on activities in the sector. This effort would clearly not be worthwhile if consomatrices were solely sitting down to drink with patrons. Through the decriminalization of commercial sex activities among registered consomatrices, the authorities would automatically expand the protection of labour legislation to all their activities related to employment, immediately providing legal grounds for consomatrices to base their complaints on. Unfortunately, any attempt to decriminalize commercial sex would be very controversial and face fierce opposition (most likely this will include nightclub owners), making its success extremely unlikely.

It must be pointed out that although the state itself is largely responsible for many of the limitations placed on the human rights of registered consomatrices, some of these limitations may actually represent a marginal improvement over previous practices, as is the case with the withholding of passports. In other cases, the limitations are clearly the result of legislation that has the interests of the nightclub owners in mind, paying no attention to the needs of the migrant women and the protection of their human rights.

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