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## CYPRUS

	<b>POPULATION</b> 1,2 million		<b>GDP PER CAPITA</b> 25,233.6 USD
	<b>POLITICAL SYSTEM</b> Presidential Regime		<b>HUMAN DEVELOPMENT INDEX</b> 33 <sup>rd</sup> rank among 187 countries
	<b>GENDER INEQUALITY INDEX</b> 21 <sup>st</sup> rank among 147 countries		<b>CORRUPTION PERCEPTIONS INDEX</b> 42 <sup>nd</sup> rank among 180 countries

Prostitution is not illegal in the Republic of Cyprus. It is governed by the Criminal Code (ch.154) and is mentioned in the 4<sup>th</sup> chapter dedicated solely to “*Offences contrary to morality*”. Sexual exploitation is therefore considered as a behaviour which goes against the social order and morality, yet it is not prohibited in this capacity (MIGS, 2018). Nevertheless, the law condemns the obtainment of profits as a result of prostitution and penalizes the act of procuring, procurers themselves. Brothels are also forbidden, in addition to the renting of a location used to host prostitution activities. To avoid the opening of brothels, the law stipulates that one building cannot host the activities of more than one prostituted person.

### **A complex and difficult legislation to apply**

The policing methods used to record occurrences of procuring are strongly contested. Indeed, the police use marked bank notes to detect women who are being

sexually exploited: police officers are sex buyers “for the needs of the investigation” and apprehend the procurers or traffickers following the transaction, once the bank notes have been exchanged. In 2017, the arrest of a police officer revived the debate around these investigative methods. (*Cyprus Mail*, June 18, 2017). The implicated police officer had had sexual relations with a person who was prostituted in a pub in Paphos, and had paid her with specific marked bank notes in order to implicate the owner of the pub. “It is unacceptable that members of the police force whom are public officials exploit women as a part of an investigation of a crime” declared Josie Christodoulou, a member of the NGO *Mediterranean Institute of Gender Studies (MIGS)*, who has been calling of the government to amend the law which authorizes the use of such methods. The national police responded to these accusations by highlighting that these methods are the only legal approach they have to detect traffickers and procurers. The police have requested to have

alternative legal recourse, modelled on European countries. Following this case, the Minister of Justice and the Chief of Police have finally agreed to consider alternatives that would allow to observe a *flagrante delicto* on a legal basis, such as phone tapping (*Cyprus Mail*, June 18, 2017).

Human trafficking for sexual exploitation purposes is sanctioned by a sentence of up to 10 years imprisonment when the victim is an adult and up to 20 years imprisonment when the victim is a minor. The payment of sexual services to a victim of human trafficking for sexual exploitation purposes has been penalized since 2014 in Cyprus. In the event of a conviction, the sex buyer is liable to a penalty of a maximum term of 3 years imprisonment and/or a EUR 15,000 (USD 16,978) fine. However, convictions are rare: between 2014 and 2016, no legal actions were taken on this basis (*Cyprus Mail*, March 12, 2016). Most often, the sex buyers assert that it was impossible to suppose that they were facing a victim of human trafficking.

A draft legislation was put forward to the Parliament to reinforce the prohibition of the purchase of sexual services from a victim of human trafficking, whether or not the sex buyer was aware of the circumstances of the prostituted person (*Cyprus Mail*, February 27, 2017). Yet, mentalities remain hostile to this proposed approach. In 2016, during a meeting of the Committee of Human Rights, a Member of Parliament labelled the sex buyer as a victim of prostitution: "In the situation of the sexual exploitation of a woman, the man (...) is also a victim. He comes, he pays and we take his money". This Member of Parliament was not the first representative of the state to make such public declarations. In March 2015, a conservative Member of Parliament declared being a sex buyer of prostitution and gave arguments in favour of the regulation of prostitution, which he

considered a « profession »<sup>1</sup>. Following this episode, the Ombudswomen Eliza Savvidou publicly denounced the complacency of a large part of the Cypriot society towards such behaviours (*Cyprus Mail*, March 12, 2016).

### **The trial of the Oxana Rantseva case**

In September 2016, two former police officers and the owner of a cabaret where the victim was prostituted appeared before the tribunal of Limassol for the death of Oxana Rantseva fifteen year earlier. The former police officers were accused of abuse of power and negligence of performance of duties, while the owner was accused of kidnapping and deprivation of liberty (*Cyprus Mail*, June 28, 2016).

In March 2001, 20-year-old Russian Oxana Rantseva was found dead in the street, just two weeks after her arrival in Cyprus, below the balcony of a 5<sup>th</sup> floor apartment, from where she had been trying to escape. The Cypriot authorities had concluded that no one was legally liable for her death, and had refused to pursue an investigation. In 2010, the *European Court of Human Rights* (ECHR) condemned the handling of the case by the Cypriot authority, recognized Oxana Rantseva as a victim of human trafficking and demanded the opening of a second investigation. (ECHR, January 7, 2017).

Subsequently, the Republic of Cyprus criminalized human trafficking and ratified the Council of Europe Convention on the fight against human trafficking. Furthermore, the regulations of the visa system, which had been convoluted to facilitate the trafficking of women for sexual exploitation, were modified, provoking a sharp decline of such visas: 3,000 were attributed in 2007, compared to a mere 50 in 2017 (MIGS, 2018). The majority of cabarets which employed women holding these specific visas were shut down: 90 establishments (of a total of

108 in 2012) were closed (*Cyprus Mail*, February 27, 2017).

Despite the symbolic importance of this case and its repercussions on the Cypriot law, the three defendants linked to Oxana's death were acquitted due to insufficient evidence in February 2017. For the NGOs involved in this particular battle, this judicial decision was once again a reminder of the urgent need to train judges, prosecutors and lawyers on human trafficking issues (MIGS, 2018).

### **Bars and pubs, main premises of prostitution**

The measures taken following the death of Oxana Rantseva have failed to significantly change the situation: bars and pubs have taken over the role of cabarets and are today the main premises for overt prostitution.

In February 2017, the owner of a nightclub in Limassol, the second biggest city in the country after Nicosia, did not hesitate to advertise through a large ad on the front of his establishment: "Come & See – 10 new beautiful girls and 1 ugly". Questioned by police, the man, who had been previously condemned to three years of imprisonment for procuring, denied the facts: "There is nothing wrong here (...) Women here do not sell their bodies ..." (*Cyprus Mail*, February 27, 2017). The ad was removed without any additional sanctions.

The owners of these bars and pubs manage to carry on with such behaviours in a climate of impunity. Trials often end with dismissals and the testimonies of victims are considered as unreliable.

In 2016, a young woman from the Dominican Republic returned to Cyprus to file a complaint with the police against the owner of the cabaret who had exploited her six years prior. The young woman, then 21 years old, had arrived in Cyprus in 2010 to work as a waitress and a dancer in a cabaret in Nicosia. Raped and beaten,

she had managed to escape. The trial was adjourned several times, ultimately resulting in an acquittal as the testimonies of the witnesses, this young woman and 15 of her compatriots, were deemed unreliable. During her return in 2016, this woman faced her past exploiters, however her testimony was interrupted by one of the perpetrator, claiming not to recognize her and demanding to verify with custom authorities if she had in fact ever "worked" for him (*Cyprus Mail*, June 1, 2016).

### **New forms of sexual exploitation, new vulnerable populations**

Victims of human trafficking for sexual exploitation purposes originate from countries of Eastern Europe, Vietnam, India, and countries of Sub-Saharan Africa. Some victims are recruited on the basis of false promises of marriage or employment (waitresses in bars or hostesses) (*US Department of State*, June 2018). Profiles and backgrounds vary between victims. The Humanitarian Affairs Unit of the NGO *Future Worlds Center* welcomes victims of human trafficking for sexual exploitation purposes originating from Cameroon and Nigeria, who have arrived in Cyprus through the north of the island. The NGO *Cyprus Stop Trafficking* welcomes victims from Romania, the Russian Federation, Ukraine and African countries, most often distinguished students who have fallen in the traps of traffickers (*Cyprus Mail*, July 16, 2017).

#### ***The vulnerability of domestic workers to sexual violence***

In addition to the many cases of women victim of sexual exploitation, a significant amount can be reported specifically on migrant women employed as domestic workers, who become victims of sexual violence by the men of the families in which they are employed. Cyprus has around 30,000 domestic workers, predominantly women from South-East Asia,

who work in slave-like conditions, for minimal salaries estimated at EUR 314 (USD 355.4) per month (*Cyprus Mail*, September 27, 2014). Without any social protection, these women are powerless in situations of abuse at the hands of their employers. Their visas are delivered by the Ministry of Labour for a period of 4 years, under the condition of maintaining the same job under the same employer for the entire period. If a person leaves their employment due to abuse suffered, they have 15 days to file a complaint with the authorities before losing their residence permit. This system creates quasi-feudal situations: the foreign worker is dependent on her employer, who she fears to report as it could lead to deportation without pay. On the other hand, even if the victim reports her employer, she is forbidden to change employers during the duration of the legal enquiry following her complaint. For Doros Polykarpou of the NGO *Kisa*, “the Cypriot migratory system is most similar to that of the Middle East, more specifically to the Lebanese system, than other European countries. We can observe a very high dependency to the employer, who is responsible for the migrant. The line between exploitation and human trafficking is very fine, and the system itself encourages human trafficking” (*Cyprus Mail*, July 16, 2017). While sexual violence against domestic workers is not, strictly speaking, sexual exploitation, it is similar as the victim is often too vulnerable to stop the violence.

#### ***Sham marriages organized by human trafficking networks***

The increase of prevalence of sham marriages arranged by human trafficking networks has been a worrying phenomenon developing in Cyprus since the accession of Bulgaria and Romania to the European Union (EU) in 2007 (*Cyprus Mail*, February 18, 2016). Men coming from non-EU countries see it as a mechanism to acquire the European nationality by buying a wife

through Romanian or Bulgarian networks, and subsequently profit from them through prostituting them. “Usually, an individual from a village or a specific region approaches two or three women they know, telling them they will take them to Cyprus to help them find a job or a likeable husband” explains Androulla Christofidou, Director of the NGO *Stop Trafficking Cyprus*. “The women, unsuspecting, agree, but are confronted with a different reality upon their arrival. (...) The traffickers are paid to bring the women to Cyprus, but most of the time the women are not. And if they accept to marry the man presented to them, they are quickly abandoned because they are no longer required or necessary (...) or they are forced into prostitution by their new husbands” (*Cyprus Mail*, February 18, 2016). The women are deprived of their liberty as soon as they arrive; their papers are confiscated and they are sometimes subject to violence. In February of 2016, during the raid of an apartment in Nicosia, the Anti Trafficking Office police discovered a 37-year-old Bulgarian woman locked in. She had been married to a Bangladeshi man and was a victim of rape. In 2016, 113 defendants appeared in court under the specific charges of sham marriages. The “spouses” identified were from India, Pakistan, and Bangladesh. In September of 2016, new measures were introduced to strengthen controls around civil marriages, as well as an evolution of the mechanisms already in place. The new measures will call for the coordination of concerned government departments (border police, immigration police, social services) and specific programs will be implemented to train workers in these sectors (*Cyprus Mail*, September 2, 2016). In 2018, cases of arranged marriages of Syrian young women, some minors, were recorded (*In-Cyprus*, October 24, 2018). Rita Superman, Director of the police force in charge of the fight against human trafficking, stressed, on this matter, that the

links between migration and human trafficking are obvious at various levels: student visas, work permits, sham marriages..., migrant women and girls make up a very vulnerable population (*Financial Mirror*, October 23, 2018).

#### **Minors victims of sexual exploitation**

Although figures on the subject are lacking, there is every reason to believe that an increasing number of minors are victims of sexual exploitation via Internet. Most often, young girls are approached through social media by boys of their age or older who seduce them, establish trust and end up exploiting them in prostitution (*In-Cyprus*, September 11, 2018). The number of investigations for charges of sexual exploitation of children increases every year: 37 investigations in 2013, 56 in 2014, 77 in 2015; 76 cases of child pornography in 2014, 135 in 2015 (*Inter-ministerial Committee*, 2015). To address these challenges, Cyprus established a national strategy and an action plan to fight sexual abuse, the exploitation of children and child pornography from 2016 to 2019. This plan has three main objectives: to recognize the scale of the problem, identify the priorities, and determine the actions and the policies necessary to protect children from all forms of exploitation or sexual abuse.

#### **The fight against human trafficking: intensification and results**

Since 2011, the Cypriot fight against human trafficking intensified and its efforts have been recognised by most international organizations. The 2018 US Department of State report on Trafficking in Persons ranked Cyprus in Tier 1, an upgrade after ranking it in Tier 2 in 2017 (*US Department of State*, June 2017 and June 2018). In the 2016 report, Rita Superman, Director of the *Police Office for Combating Trafficking in Human Beings* (POCTHB), was given the honourable title of "Trafficking in Persons

Hero", which rewards leading figures implicated in the fight against human trafficking each year (*US Department of State*, June 2016).

In September 2018, while on a visit to Cyprus, Valiant Richey, Deputy Coordinator of the Office to Combat Human trafficking at the *Organization for Security and Co-Operation in Europe* (OSCE), commended the accomplished progress: better identification of the victims, a national action plan which sets out the priorities, protection services for victims... (*Knews Kathimerini Cyprus*, September 14, 2018).

The results are visible. In 2018, the US Department of State recorded an increase in prosecutions of traffickers, and an improvement in the protection given to victims. 27 victims were identified, of which 18 were victims of human trafficking for sexual exploitation purposes and 1 victim of human trafficking for forced labour and sexual exploitation purposes. The Anti-Trafficking Unit (ATU) questioned 80 potential victims (against 169 in 2016). 64 victims were identified by the government and ten by the NGO.

With regards to legal proceedings, the Cypriot police investigated 38 presumed traffickers in 2017 (including 29 for human trafficking for sexual exploitation purposes and 4 for human trafficking for sexual exploitation and forced labour purposes), compared to 26 in 2016 (including 13 for human trafficking for sexual exploitation purposes) (*US Department of State*, June 2017 and June 2018). The jurisdiction of the *POCTHB* has been extended. Specialized police officers have joined the team and the cooperation with Europol, Eurojust and Interpol has increased. In November 2017, a police operation jointly organized by the Republic of Cyprus and Bulgaria enabled the dismantlement of a sex trafficking network in both countries: one victim was identified, apartments and vehicles were searched in Larnaca, Limassol and in Bulgaria, where five

individuals were arrested (*Cyprus Mail*, November 28, 2017).

In recent years, the efforts of the Cypriot government have been focused on the implementation of a structure to combat human trafficking (national action plan, national coordination, national referral mechanism, multidisciplinary task force...), as well as strengthening the support provided to the victims through better quality services. Guidelines have been given to the government to provide quicker and more appropriate support to victims. Social services have the files of the victims and are responsible for the attribution of financial support laid down by the law, as well as the management of the specialized shelters created by the government specifically for victims of sexual exploitation (*Council of Europe*, December 12, 2016).

Specialized staff is dedicated to the fight against human trafficking alongside the police force, most notably a forensic psychologist who conducts interviews with potential victims. The authorities have implemented training sessions, so far attended by 220 government officials. Monthly training sessions in 2017 have also been made available for social services workers, shelter staff and psychologists from the Health Ministry (*US Department of State*, June 2018).

### **Progress still needs to be made...**

One of the first requests from international bodies, as well as NGO's, is an evaluation by an independent body of the policies and the programs implemented to combat human trafficking. The National Plan of Action currently in place appears to be rarely or poorly applied, and the assessment planned in 2017 during its implementation phase has not been carried out (*In-Cyprus*, October 8, 2018). Equally, the *Multidisciplinary Coordinating Group* (MCG), the central agency against human trafficking created in 2015, has been faced with serious problems of malfunction.

Presided over by the Minister of the Interior as national coordinator, the MCG is meant to gather representatives of all relevant ministries as well as NGOs to elaborate policies to combat human trafficking (creation of tools for actors, standardization of procedures...). Yet, meetings are rare (two in 2016), debates are limited, and NGOs are rarely given the opportunity to speak. "The MCG, in all honesty, is a joke!", declared Doros Polycarpou, from the NGO *Kisa* in July 2017. Simultaneously, three out of four NGOs (*MIGS*, *Cyprus Stop Trafficking* and *STIGMA*) in the group officially resigned (*Cyprus Mail*, July 16, 2017).

### **Protection of victims**

The Cypriot State allocated EUR 265,770 (USD 300,812) to social services and shelters in 2017, notably less than in 2016 (EUR 294,940) (USD 333,828) (*US Department of State*, June 2018). Yet, for the funding of a safe house for women victim of human trafficking for sexual exploitation purposes, the government released funds of close to EUR 30,000 (USD 33,955) versus EUR 15,000 (USD 16,978) in 2016. It has also partnered with NGOs to provide apartments to male victims, a monthly allowance to victims, psychological, medical and social services, access to translation and interpretation services and access to education and professional training. Nevertheless, the care of the victims is strongly delayed due to the heavily bureaucratic social service system (*Cyprus Mail*, September 10, 2018). It can be up to three years before a victim can access the state aid to which they are entitled. Furthermore, due to the improvement of the identification process a higher number of victims have been identified, which means that the only government shelter available to victims is insufficient: the Nicosia shelter, with a maximum capacity of 13 to 15 women is saturated. The NGO's try to face these shortcomings by giving monetary

compensation to the victims, or by finding them accommodations, however they are often faced with refusals from the owners to rent out their properties to victims of human trafficking (*Knews Kathimerini Cyprus*, October 26, 2018). The same bureaucratic delays hinder the trials of the procurers and traffickers. The victims, deprived from all care from the State, often go back to their country of origin before the trial of their procurer or trafficker. This can bring to an end the legal proceedings, as the key witnesses are no longer present in the country. NGOs have been advocating for the creation of a specific court which would exclusively deal with human trafficking cases, with specialized judges, to accelerate the course of justice and ensure respect of the victims. A. Christofidou denounces, "Is it normal that the lawyers of the traffickers accused in court can get away with telling female victims that they are liars, whores, and that it is their fault, without being reprimanded?" (*Knews Kathimerini Cyprus*, October 26, 2018). Moreover, A. Christofidou resigned as head of the NGO *Cyprus Stop Trafficking* in September of 2018, as he declared that it had become impossible to work with the Cypriot social services (*Cyprus Mail*, September 10, 2018). Going even further, the same NGO clearly implicated the responsibility of the government in the system malfunction, accusing it of reducing social benefits for victims, multiplying the delays before providing support to victims (before trial) (*Cyprus Mail*, September 10, 2018). The NGO also lamented the absence of appropriate psychological support for women who have experienced traumatic events and who sometimes have to wait for a significant period before giving their statements and reliving these ordeals.

In conclusion, despite the progress accomplished in the defence of women's rights, the issue of violence remains a taboo subject in Cyprus: around 60% of female

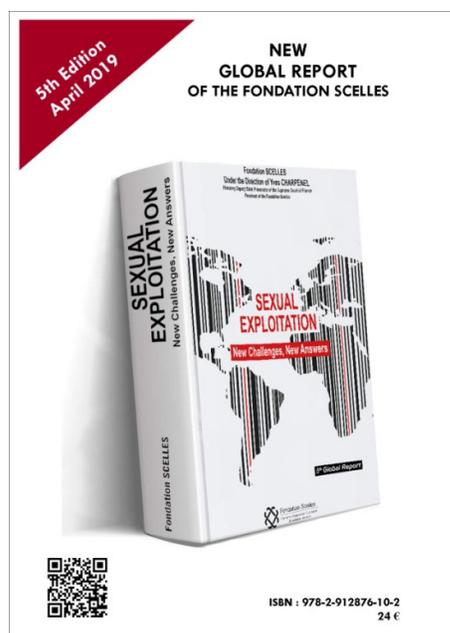
victims of violence do not report it (*The Cyprus Observer*, December 8, 2018). The sexual exploitation of women in human trafficking is a topic which still bothers certain individuals. In this context, prostitution is considered as an affront to public morality and a nuisance harm to the social order. Thus, although the fight against human trafficking and the exploitation of women's bodies grows year after year, the challenge of the Cypriot society today is to change attitudes and mentalities. Awareness-raising campaigns have to inform the general public of the links between human trafficking for sexual exploitation purposes and prostitution, of the role played by the sex buyer in the system, and of the violation of fundamental human rights that is prostitution.

<sup>1</sup> See chapter « Cyprus », in : Fondation Scelles, Charpenel Y. (under the direction of), *Prostitution – Exploitation, Persecution, Repression (4<sup>th</sup> Global Report)*, Ed. Economica, Paris, 2016.

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The Global Report is produced by the International Observatory on Sexual Exploitation, in collaboration with internal and external experts (magistrates, lawyers, social workers, NGO leaders...), and the support of local NGO correspondents or international researchers.



The **Fondation Jean et Jeanne Scelles**, recognized as a public utility since 1994 and as a consultative status with ECOSOC, is an independent, non-profit organization based in Paris (France) dedicated to fight the system of prostitution and the exploitation of prostituted persons, through information, analysis, advocacy, trainings, awareness initiatives and legal actions. The **Fondation Jean et Jeanne Scelles** is a co-founding member of the Coalition for the Abolition of Prostitution (CAP International) which was launched in 2013 and today brings together 28 abolitionist NGOs from 22 countries.

The **International Observatory on Sexual Exploitation** (Observatoire international de l'exploitation sexuelle) is a worldwide hub which allows for information exchange on the system of prostitution. The hub is regularly consulted by French and foreign experts including NGOs, institutions, journalists, lawyers, researchers and those involved in the defense of human rights. The goals of the **International Observatory on Sexual Exploitation** are:

- to analyze all the aspects of the phenomenon: prostitution, sex tourism, procurement, child pornography, sex buyers, human trafficking for the purpose of commercial sexual exploitation...
- to encourage reflection and to take a stand
- to inform the public who are interested in these issues

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