



Strasbourg, 19 June 2009

THB-GRETA(2009)LD2

GROUP OF EXPERTS ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS (GRETA)

2nd meeting of GRETA
(Strasbourg, 16-19 June 2009)

LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN

1. The *Group of Experts on Action against Trafficking in Human Beings (GRETA)* held its second meeting at the Council of Europe in Strasbourg from 16 to 19 June 2009. The list of participants appears in Appendix II.
2. The President opened the meeting. The agenda, as adopted by GRETA, is set out in Appendix I.
3. GRETA continued its exchange of views on the specific modalities for evaluating implementation of the measures contained in the Convention by the parties, which had been initiated at its first meeting. Representatives of the Secretariats of the *Group of States against Corruption (GRECO)* and the *Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL)* presented their respective peer review mechanisms and their working methods.
4. In accordance with paragraph 1 of article 36 and pursuant to article 38, paragraphs 1 to 6, of the Convention, GRETA adopted the *Rules of procedure for evaluating implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the parties* [doc THB-GRETA(2009)3] as set out in Appendix III.
5. On the basis of an outline paper prepared by the Secretariat, GRETA held an exchange of views on the structure and main content of the questionnaire for the first round of evaluation of the implementation of the Convention by the parties. GRETA requested the Executive Secretary to prepare a draft questionnaire for examination, discussion and, if possible, adoption at its next meeting.
6. GRETA fixed the following dates of its meetings in 2010: 16-19 March, 1-4 June, 14-17 September and 7-10 December.
7. GRETA took note of the state of signatures and ratifications of the Convention and welcomed the rapid pace at which it was currently being ratified by the signatory states. However, GRETA continued to urge the Council of Europe member states which had not already done so and the European Community to sign and/or ratify the Convention. In addition, GRETA called for non-member states to accede to the Convention.
8. GRETA took note of the information provided by the President on her exchange of views with the Committee of the Parties which took place during its second meeting on 15 June 2009.
9. GRETA took note of the information on the progress in setting up the *Trafficking Information Management System (TIMS)*. It welcomed the fact that TIMS would be operational for the first round of evaluation of the implementation of the Convention by the parties, which would be initiated during the last quarter of 2009 when the questionnaire would be addressed to parties.
10. GRETA took note of the information on Council of Europe activities of concern to GRETA and on the activities of international governmental and non-governmental organisations of interest to GRETA.
11. GRETA took note of the information provided by its members on their participation in conferences, seminars and other events on behalf of GRETA and in their individual capacity.
12. GRETA adopted this list of items discussed and decisions taken, which in accordance with rule 24 of its Internal Rules of Procedure is public.

Appendix I

Agenda

- 1. Opening of the meeting**

- I. ITEMS FOR DECISION**
- 2. Adoption of the draft agenda**
- 3. Preparation of the Rules of procedure for evaluating the implementation of the Convention by the parties (article 38, paragraphs 1 to 6, of the Convention)**
- 4. Preparation of the questionnaire for the first round of evaluation of the implementation of the Convention by the parties (article 38, paragraph 2 of the Convention)**
- 5. Dates of the meetings in 2010**

- II. ITEMS FOR INFORMATION**
- 6. State of signatures and ratifications of the Convention**
- 7. Information on the President's exchange of views with the Committee of the Parties**
- 8. Progress in setting up the Trafficking Information Management System (TIMS)**
- 9. Information on Council of Europe activities of concern to GRETA**
- 10. Information on the activities of international governmental and non-governmental organisations of interest to GRETA**
- 11. Other business**

- III. ADOPTION OF THE LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN**

Appendix II

List of Participants

Members of GRETA

Ms Vessela BANOVA

Ms Louise CALLEJA

Ms Josie CHRISTODOULOU

Mr Davor DERENCINOVIC

Mr Vladimir GILCA

Ms Hanne Sophie GREVE, President

Mr Nicolas LE COZ, 1st Vice-President

Ms Alexandra MALANGONE

Ms Nell RASMUSSEN

Ms Leonor RODRIGUES

Ms Gulnara SHAHINIAN, 2nd Vice-President

Mr Robert STRATOBERDHA

Ms Diana TUDORACHE

Secretariat

DIRECTORATE GENERAL OF HUMAN RIGHTS AND LEGAL AFFAIRS

Secretariat of the Group of States Against Corruption (GRECO)

Mr Wolfgang RAU
Executive Secretary of GRECO

Secretariat of the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the financing of terrorism (MONEYVAL)

Mr John RINGGUTH
Executive Secretary of MONEYVAL

Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings

Ms Marta REQUENA
Executive Secretary of the Council of Europe
Convention on Action against Trafficking in Human
Beings (Committee of the Parties and GRETA)

Mr Hallvard GORSETH
Secretary of the Group of Experts on Action against
Trafficking in Human Beings (GRETA)

Mr David DOLIDZE
Administrator

Ms Rona STERRICKS
Principal Administrative Assistant

Ms Louise EVERTS
Secretarial Assistant

Ms Yvette SCHILLER
Secretarial Assistant

Interpreters

Ms Martine CARALY
Ms Corinne McGEORGE
Ms Barbara GRUT

Appendix III

Rules of procedure for evaluating implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the parties

The *Group of Experts on Action against Trafficking in Human Beings* (GRETA),

Having regard to the *Council of Europe Convention on Action against Trafficking in Human Beings* (CETS No. 197),

Having regard to its *Internal rules of procedure*,

In accordance with paragraph 1 of article 36 of the Convention, GRETA shall monitor the implementation of this Convention by the parties

Pursuant to paragraphs 1 to 6 of article 38 of the Convention,

Adopts the present rules:

PART I: EVALUATION PROCEDURE

Rule 1 – Evaluation by rounds

The *Group of Experts on Action against Trafficking in Human Beings* (hereinafter referred to as “GRETA”) shall evaluate the implementation of the *Council of Europe Convention on Action against Trafficking in Human Beings* (hereinafter referred to as the “Convention”) by the parties following a procedure divided in rounds.

Rule 2 – Duration of rounds

The duration of each evaluation round shall be four years unless otherwise decided by GRETA by unanimity.

Rule 3 – Initiation of rounds

The first evaluation round with regard to a party is initiated by addressing the questionnaire for this round to the party at the earliest one year and at the latest two years following the entry into force of the Convention for the party concerned. Subsequent rounds for a party are initiated by addressing the questionnaire for each round four years from the date the party received the previous questionnaire, unless otherwise decided by GRETA under rule 2 above with regard to the duration of the previous round.

All parties shall undergo all evaluation rounds unless otherwise decided by GRETA by unanimity.

Rule 4 – Provisions to be evaluated

GRETA shall select the specific provisions of the Convention on which each evaluation round shall be based.

For the first evaluation round, GRETA shall select the provisions of the Convention which will provide an overview of implementation of the Convention by each party.

PART II: MEANS OF EVALUATION

Rule 5 – Questionnaire and replies

For each evaluation round GRETA shall prepare a questionnaire on the implementation by the parties of the specific provisions of the Convention on which the evaluation is based. The questionnaire shall be public.

The questionnaire shall be addressed to the parties, if possible through the “contact person” appointed by the latter to liaise with GRETA. The parties shall respond to the questionnaire within the time-limit set by GRETA. The replies to the questionnaire shall be detailed, answer all questions and contain all necessary reference texts. The replies to the questionnaire shall be returned to the Executive Secretary of the Convention.

GRETA shall treat replies to the questionnaire as confidential unless a party requests publication.

Rule 6 – Requests for additional information and replies

GRETA may also address requests for additional information to the parties. The provisions in paragraph 2 of rule 5 above apply *mutatis mutandis*.

GRETA shall decide whether a request for additional information is public or confidential.

GRETA shall treat replies to requests for additional information as confidential unless a party requests publication.

Rule 7 – Information from civil society

GRETA may decide to address the questionnaire adopted under rule 5 above or any other request for information to specific non-governmental organisations, other relevant organisations and members of civil society of the parties, which shall be invited to respond to it within the time-limit set by GRETA. They shall be active in the field of action against trafficking in human beings and preferably national coalitions of organisations, or national branches of international non-governmental organisations. Moreover, they shall have access to reliable sources of information and be capable of carrying out the necessary verifications of this information. The replies to the questionnaire or requests for information shall be returned to the Executive Secretary of the Convention.

GRETA shall treat replies to the questionnaire or requests for information as confidential unless the respondent requests publication.

Rule 8 – Country visits

Subsidiarily to the information submitted in writing, GRETA may decide to carry out a country visit to the party concerned if it considers it necessary to complement this information or to evaluate the practical implementation of the measures taken.

GRETA shall appoint a delegation to carry out the country visit consisting of the Rapporteur(s) for the report on the party concerned and, if necessary, one or more other members of GRETA. A GRETA member who is a national of the party concerned shall not be member of the delegation. The delegation shall be accompanied by one or more members of the Secretariat of the Convention and, if necessary, interpreters. GRETA may also decide that the delegation shall be assisted by specialists in specific fields.

GRETA shall inform the party concerned of its intention to carry out the country visit. The visit to the party concerned shall be organised and carried out in cooperation with the “contact person” appointed by the latter to liaise with GRETA. GRETA may also, if necessary, decide that the delegation carrying out the visit be assisted in the organisation of the visit by one or more independent national experts.

The delegation carrying out the visit shall decide on the programme of the country visit. It shall decide on the dates of the visit and organise meetings with governmental bodies in cooperation with the “contact person”. Meetings with non-governmental organisations, other relevant organisations and members of civil society shall be organised directly with them.

Following the visit, the delegation shall submit a written summary of its findings to GRETA. This summary shall be confidential.

Rule 9 – Other means of evaluation

GRETA may decide other appropriate means to carry out the evaluation of the implementation of the Convention by the parties. GRETA may, in particular, organise hearings with various actors in the field of action against trafficking in human beings and otherwise have recourse to the assistance of experts or consultants.

GRETA shall treat the information collected as confidential.

Rule 10 – Communications received

The Executive Secretary shall bring to the attention of GRETA any communication addressed to GRETA, unless the information contained in it falls outside its field of competence.

Any relevant communication received by individual members of GRETA shall be forwarded to the Executive Secretary who shall bring it to the attention of GRETA.

Rule 11 – Languages for communication with GRETA

Replies to the questionnaire and all requests for information or any other communication addressed to GRETA shall be submitted in one of the official languages of the Council of Europe, which are English and French.

PART III: REPORTS AND CONCLUSIONS

Rule 12 – Rapporteur(s)

GRETA shall appoint a Rapporteur for each report evaluating the implementation of the Convention by a party. GRETA may appoint one or more additional Rapporteurs if so required.

Rule 13 – Draft report

The Rapporteur(s) shall prepare a draft report consisting of a descriptive part, an analytical part and conclusions. The descriptive part shall contain the findings related to the implementation by the party of the provisions of the Convention under evaluation. This part shall be prepared on the basis of the replies to the questionnaire and any other information collected by GRETA. The analytical part shall contain reasoned observations on the party's implementation. The conclusions shall set out suggestions and proposals concerning the way in which the party may deal with any problems which have been identified.

The draft report shall be examined, discussed and approved by GRETA in plenary.

The draft report as approved by GRETA shall be transmitted to the party concerned for comments to be provided within the time-limit set by GRETA.

GRETA shall treat as confidential the draft report and any comments to it submitted by the party concerned.

Rule 14 – Report and conclusions

If the party concerned submits comments to the draft report within the time-limit set by GRETA, they shall be taken into account by GRETA when establishing its report and conclusions.

GRETA shall adopt its report and conclusions by two-thirds majority of the votes cast.

The report and conclusions shall be transmitted to the party, which shall be invited to submit any final comments within a month of adoption.

GRETA's report and conclusions, together with eventual comments by the party concerned, shall be made public, at the expiry of the time-limit of one month to make comments, and sent to the Committee of the Parties.

An effective communication strategy shall be prepared to further the impact of GRETA's reports and conclusions.

PART IV: INFORMATION TECHNOLOGY

Rule 15 – Use of information technology

To contribute to the efficient functioning of the monitoring mechanism and to facilitate the work of all stakeholders involved, information technology, in particular any dedicated software applications, shall be used at every step of the procedure for evaluating the implementation of the Convention by the parties.

PART V: AMENDMENTS

Rule 16 – Amendment of the rules

These rules may be amended by decision taken by a majority of the members of GRETA.