



COUNCIL OF EUROPE    CONSEIL DE L'EUROPE

Strasbourg, 19 March 2010

THB-GRETA(2010)LD5

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

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**5th meeting of GRETA**  
(Strasbourg, 16-19 March 2010)

## **LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN**

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Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings  
Directorate General of Human Rights and Legal Affairs – DG-HL



1. The *Group of Experts on Action against Trafficking in Human Beings (GRETA)* held its 5th meeting at the Council of Europe in Strasbourg from 16 to 19 March 2010, with Ms Hanne Sophie GREVE in the chair during the first three days of the meeting and Mr Nicolas Le Coz, First Vice-President, during the fourth day of the meeting. The agenda, as adopted by GRETA, is set out in Appendix I. The list of participants appears in Appendix II.
2. GRETA noted with satisfaction that the *Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the parties* [THB-GRETA(2010)1] (hereinafter "the Questionnaire") had been sent, at the beginning of February, to the first ten parties to the Convention (Moldova, Romania, Austria, Albania, Georgia, Slovak Republic, Bulgaria, Croatia, Denmark and Cyprus). In accordance with the timetable drawn up by GRETA, the parties concerned were requested to return their reply by 1 September 2010 at the latest. GRETA encouraged them to reply before the deadline in order that it might start the evaluation procedure as soon as possible.
3. GRETA welcomed the fact that to date, 25 out of the 26 parties to the Convention had already appointed a "contact person" to liaise with GRETA. It was recalled that the contact persons would be responsible for distributing the Questionnaire to the different national bodies concerned, coordinating their replies and submitting to GRETA a consolidated version of the official reply to the Questionnaire. In accordance with Article 38-4 of the *Council of Europe Convention on Action against Trafficking in Human Beings* (hereinafter: "the Convention"), the contact person would also co-operate with GRETA in the organisation of country visits. Furthermore, the contact person would liaise with GRETA on all issues relating to the evaluation of the implementation of the Convention.
4. All the contact persons had been invited to an *Information Meeting on the First Round of the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings* which would take place in Strasbourg on 31 March 2010. During this meeting, the First Vice-President of GRETA would provide information on the Convention and its monitoring mechanism, and the Secretariat would provide guidelines for completing the Questionnaire. In addition, the Secretariat would give a presentation of the *Trafficking Information Management System (TIMS)*, which should, as far as possible, be used when replying to the Questionnaire.
5. GRETA held an exchange of views on the different practical aspects concerning the procedure for evaluating implementation of the Convention. In particular, it discussed the structure and the preparation of GRETA reports for the first evaluation round. GRETA requested the Secretariat to summarise the discussions and decisions taken in a document to be examined at its next meeting.
6. GRETA also held an exchange of views on the organisation of country visits to be carried out in the framework of the evaluation procedure. GRETA requested the Secretariat to summarise the discussions and decisions taken in a document to be examined at its next meeting.
7. GRETA continued with an exchange of views concerning its requests for information addressed to civil society in the framework of the evaluation procedure. GRETA requested the Secretariat to summarise the discussions and decisions taken in a document to be examined at its next meeting.
8. GRETA was informed of progress in the setting-up of the initial version of the *Trafficking Information Management System (TIMS)*. GRETA welcomed the fact that the system was ready in time for the first evaluation round and encouraged the parties to the Convention to use the system to return their replies to the Questionnaire.

9. GRETA held an exchange of views concerning the expertise desired for the two new members of GRETA. It was recalled that at its 2nd meeting (Strasbourg, 15 June 2009) the Committee of the Parties had stressed that the expertise needs of GRETA should be fully taken into account when electing the two new members of GRETA and had agreed that the elections for the two new members should take place at the end of 2010, with their term of office beginning early 2011. GRETA recalled that in accordance with the *Resolution CM/Res(2008)7 on rules on the election procedure of the members of the Group of Experts on Action against Trafficking in Human Beings (GRETA)* (hereinafter "the Resolution") the composition of GRETA should reflect a gender and geographical balance and should have a multidisciplinary expertise (Rule 6 of the Resolution), that the main legal systems should be represented (Rule 7 of the Resolution), and that no two members of GRETA may be nationals of the same state (Rule 8 of the Resolution).

10. Bearing in mind Rule 6 of the Resolution concerning the multidisciplinary expertise of GRETA, and taking into account the combined expertise of its present composition, GRETA debated the desired expertise for the two new members. It concluded that it would be useful to complement GRETA's current expertise with professional expertise in the preparation and analysis of statistics in social sciences or in the legal field. Furthermore, GRETA agreed that medical expertise in relation to the removal of organs and more generally expertise in the medical treatment of victims of trafficking would be useful.

11. Bearing in mind Rule 6 of the Resolution, concerning the need for a gender balance in the composition of GRETA, and taking into consideration its current composition (nine women and four men), GRETA invited the Committee of the Parties to take into account the under-represented sex during the forthcoming elections.

12. GRETA was pleased to note that, since its last meeting, the Convention had been signed by two more Council of Europe member states, bringing the total number of signatures to 17. No additional ratifications had taken place (total number of ratifications: 26). GRETA once again urged the Council of Europe member states which had not already done so, the non-member states which have participated in the preparation of the Convention and the European Union to sign and/or ratify the Convention. In addition, GRETA called for other non-member states to accede to the Convention.

13. At the request of the Committee of the Ministers, GRETA adopted an *Opinion on the recommendations made in the Joint Council of Europe/United Nations Study on Trafficking in Organs, Tissues and Cells and Trafficking in Human Beings for the Purpose of the Removal of Organs, in particular the need to prepare an international legal instrument setting out a definition of trafficking in organs, tissues and cells*.

14. GRETA took note of the information on the Council of Europe activities of concern to GRETA. In particular, it welcomed the adoption of *Parliamentary Assembly Resolution 1702 (2010) on Action against trafficking in human beings: promoting the Council of Europe convention*, and *Parliamentary Assembly Recommendation 1895 (2010) on Action against trafficking in human beings: promoting the Council of Europe convention*. At the request of the Committee of Ministers, GRETA prepared comments on *Recommendation 1895 (2010)*.

15. GRETA welcomed the judgment of the European Court of Human Rights, *Rantsev v. Cyprus and Russia* of 7 January 2010, where the Court concluded that trafficking in human beings itself, within the meaning of Article 4-a of the *Council of Europe Convention on Action against Trafficking in Human Beings*, fell within the scope of Article 4 of the European Convention on Human Rights on the prohibition of slavery and forced labour. When monitoring the parties concerned, GRETA will take account of the conclusions of this judgment in its assessment. On the other hand, GRETA considered advisable that during the supervision of the execution of this judgment, the Committee of Ministers take due account of GRETA's relevant monitoring findings.

16. GRETA took note of the information on activities of international governmental and non-governmental organisations of interest to GRETA.

17. 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. First round of evaluation of the implementation of the Convention by the parties – exchange of views concerning the structure and preparation of GRETA Reports
4. First round of evaluation of the implementation of the Convention by the parties – exchange of views concerning country visits
5. First round of evaluation of the implementation of the Convention by the parties – exchange of views concerning GRETA's requests for information to civil society
6. Trafficking Information Management System (TIMS)
7. Election of two new members of GRETA – exchange of views
8. Opinion of GRETA on the recommendations made in the *Joint Council of Europe/United Nations Study on Trafficking in Organs, Tissues and Cells and Trafficking in Human Beings for the Purpose of the Removal of Organs*, in particular the need to prepare an international legal instrument setting out a definition of trafficking in organs, tissues and cells
- II. ITEMS FOR INFORMATION
9. State of signatures and ratifications of the Convention
10. Information on Council of Europe activities of interest to GRETA
11. Information on the activities of international governmental and non-governmental organisations of interest to GRETA
12. 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  
[Apologised]

Mr Davor DERENCINOVIC

Mr Vladimir GILCA

Ms Hanne Sophie GREVE  
[President of GRETA]

Mr Nicolas LE COZ  
[First Vice-President of GRETA]

Ms Alexandra MALANGONE

Ms Nell RASMUSSEN

Ms Leonor RODRIGUES

Ms Gulnara SHAHINIAN  
[Second Vice-President of GRETA]  
[Apologised]

Mr Robert STRATOBERDHA

Ms Diana TUDORACHE

#### Secretariat

**DIRECTORATE GENERAL OF HUMAN RIGHTS  
AND LEGAL AFFAIRS**

**Secretariat of the Council of Europe  
Convention on Action against Trafficking  
in Human Beings (GRETA and Committee  
of the Parties)**

Ms Marta REQUENA  
Executive Secretary

Mr David DOLIDZE  
Administrator

Ms Claudia LAM  
Administrator

Ms Carolina LASÉN DIAZ  
Administrator

Ms Rona STERRICKS  
Principal Administrative Assistant

Ms Yvette SCHILLER  
Secretarial Assistant

Ms Giovanna MONTAGNA  
Secretarial Assistant

#### Interpreters

Mr Nicolas GUITTONNEAU  
Mr Didier JUNGLING  
Ms Corinne MCGEORGE-MAGALLON  
Ms Bettina LUDEWIG-QUAINE