



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Strasbourg, 1 December 2011

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COMMITTEE OF THE PARTIES COUNCIL OF EUROPE CONVENTION ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS

6th meeting of the Committee of the Parties
(Strasbourg, 26 September 2011)

MEETING REPORT

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AGENDA ITEMS 1 AND 2: OPENING OF THE MEETING AND ADOPTION OF THE AGENDA

1. The Committee of the Parties of the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to respectively as “the Committee” and “the Convention”) held its 6th meeting on 26 September 2011 in Strasbourg with Ambassador Tatiana PÂRVU (Moldova) in the Chair. The agenda, as adopted by the Committee, is set out in Appendix I. The list of participants to the meeting is set out in Appendix II.
2. The Committee took note of the expiry of the second term of office of its Vice-Chair Ambassador Thomas HAJNOCZI (Austria). The Committee warmly thanked Ambassador HAJNOCZI for his contribution to the work of the Committee.

AGENDA ITEM 3: Election of a new member of the Group of Experts on Action against Trafficking in Human Beings (GRETA)

3.1 Admissibility of the candidatures for GRETA (rule 9, paragraph 1, and rule 13 of CM/Res(2008)7)

3. In pursuance of Article 36(2) of the Convention and in conformity with 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 (hereinafter referred to as “the Resolution”), the Committee examined the admissibility of the candidatures for election of a new member of GRETA submitted by the entitled Parties. The Committee took note of the fact that the name and curriculum vitae of only one candidate were submitted by Serbia within the deadline of 26 July 2011, while the name and curriculum vitae of a second candidate were submitted after this deadline. The Committee therefore decided that candidates nominated by Serbia could not stand for election as this nomination was not submitted in full compliance with the requirements of the Resolution.
4. The Committee noted that Cyprus, Spain and the United Kingdom had provided single-sex lists and in accordance with rule 10, paragraph 2, of the Resolution, the representatives of these Parties were invited to provide an explanation. The representatives of the Parties concerned explained that they had put forward only female candidates because these candidates had the most relevant experience and expertise in the field of action against trafficking in human beings. In the light of these explanations, the Committee decided to accept the lists of candidates submitted by Cyprus, Spain and the United Kingdom.
5. Bearing in mind the requirements laid down in the Resolution, the Committee decided that the candidates submitted by Belgium, Cyprus, Georgia, Latvia, Montenegro, Spain, Sweden and the United Kingdom were admissible to stand for election.

3.2 Assessment of whether the candidates nominated meet the requirements for membership of GRETA (rule 9, paragraph 2, of CM/Res(2008)7)

6. The Committee held a *tour de table* concerning the qualification and capacity requirements of the remaining candidates. Having examined the candidatures in the light of rule 9, paragraph 2 of the Resolution, the Committee declared that the candidates met the requirements for membership of GRETA as set out in Article 36 of the Convention and rules 2 to 5 of the Resolution.

3.3 Election of a new member of GRETA

7. In accordance with Article 36 of the Convention, and bearing in mind that the composition of GRETA should take into account a gender and geographical balance, as well as 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 from the same State (rule 8 of the Resolution), the Committee proceeded with the elections of a new member of GRETA in accordance with rule 14 of the Resolution.

8. Following three rounds of voting, the Committee elected Ms Leonor LADRON de GUEVARA y GUERRERO (Spanish) as the new member of GRETA. Pursuant to Rule 16, third paragraph of the Resolution, she was elected for the remainder of the term of the GRETA member who resigned on 2 May 2011, i.e. until 31 December 2012. The Committee wished the newly elected GRETA member every success in the important task of monitoring implementation of the Convention.

AGENDA ITEM 4: EXAMINATION OF GRETA'S REPORTS ON THE IMPLEMENTATION OF THE COUNCIL OF EUROPE CONVENTION ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS BY AUSTRIA, CYPRUS AND THE SLOVAK REPUBLIC

4.1 Draft recommendation to be adopted in respect of Austria

9. The Committee took note of the final report of GRETA on the implementation of the Council of Europe Convention by Austria and the final comments submitted by the Austrian authorities. Ambassador Elisabeth TICHY-FISSELBERGER, Deputy Director General for European and Economic Affairs of the Ministry for Foreign Affairs of Austria, highlighted the constructive dialogue and spirit of co-operation between GRETA and the Austrian authorities in the course of the evaluation. She stressed that GRETA's findings and conclusions would be a significant contribution to strengthening the action against trafficking in human beings in Austria.

10. In the light of GRETA's report and the authorities' comments and pursuant to Article 38(7) of the Convention, the Committee adopted a recommendation addressed to the Austrian authorities concerning the measures to be taken to implement the conclusions of GRETA. The Committee requested the Government of Austria to inform it of the measures taken to comply with this recommendation by 26 September 2013.

4.2 Draft recommendation to be adopted in respect of Cyprus

11. The Committee took note of the final report of GRETA on the implementation of the Council of Europe Convention by Cyprus and the final comments submitted by the Cypriot authorities. Mr Stavros HATZIYIANNIS, representative of Cyprus in the Committee, expressed appreciation of GRETA's work and affirmed that the conclusions contained in the report would be duly taken into consideration by the Cypriot authorities in their anti-trafficking activities.

12. Having examined the final report of GRETA and the comments of the Cypriot authorities, and pursuant to Article 38(7) of the Convention, the Committee adopted a recommendation addressed to the Cypriot authorities concerning the measures to be taken to implement the conclusions of GRETA. The Committee requested the Government of Cyprus to inform it of the measures taken to comply with this recommendation by 26 September 2013.

4.3. Draft recommendation to be adopted in respect of the Slovak Republic

13. The Committee took note of the final report of GRETA on the implementation of the Council of Europe Convention by the Slovak Republic and the comments submitted by the Slovak authorities. Ambassador Emil KUCHAR, representative of the Slovak Republic in the Committee, welcomed the constrictive co-operation and dialogue between GRETA and the Slovak Authorities and expressed gratitude to GRETA for its report. He also highlighted the importance of maintaining a balanced approach to different sources of information on which GRETA bases its assessments and affirmed that GRETA's conclusions, reflected in the draft recommendation, would be a valuable contribution to achieving the objectives of the Convention in the Slovak Republic.

14. In the context of the examination of the draft recommendation, Ms Fredrike TAMAS-HERMELIN, representative of the Swedish delegation, raised the issue of the requirements which Article 26 of the Convention, entitled "non-punishment provision", places on States. She expressed the view that the choice of measures for implementing this provision was left to the Parties' discretion and should be based on the fundamental principles of their legal systems; the adoption of new legislation was not the only way for fulfilling obligations arising from this Article. The representatives of Denmark and Norway seconded this view. The Committee noted that the Slovak authorities had themselves indicated that it was intended to amend the legislation with a view to allowing for the possibility of not imposing penalties against THB victims for their engagement in criminal activity if they were forced to do so in direct connection with their being trafficked.

15. Having examined the final report of GRETA and the comments of the Slovak authorities, and pursuant to Article 38(7) of the Convention, the Committee adopted a recommendation addressed to the Slovak authorities concerning the measures to be taken to implement the conclusions of GRETA. The Committee requested the Government of the Slovak Republic to inform it of the measures taken to comply with this recommendation by 26 September 2013.

AGENDA ITEM 5: ELECTION OF THE VICE-CHAIR OF THE COMMITTEE OF THE PARTIES

16. Following the expiry of the second term of office of its previous Vice Chair (Ambassador Thomas HAJNOCZI, Austria), the Committee, in accordance with rule 4 of its Rules of Procedure, elected Ambassador Alain COOLS (Belgium) as Vice-Chair for a first term of office of one year starting on 26 September 2011.

AGENDA ITEM 6: DATE OF THE NEXT MEETING

17. Bearing in mind that the final GRETA reports concerning Albania, Bulgaria, Croatia and Denmark will be published in December 2011, the Committee decided to hold its next meeting on 30 January 2012.

AGENDA ITEM 7: EXCHANGE OF VIEWS WITH THE PRESIDENT OF GRETA

18. The Committee held an exchange of views with Mr Nicolas Le Coz, President of GRETA and took note of the First General Report on GRETA's activities covering the period from February 2009 to July 2011. The Committee congratulated GRETA for the work carried out and re-iterated its full support to GRETA. In this respect, the Committee stressed that adequate human and financial resources are yet to be provided to GRETA and agreed to continue following this issue.

AGENDA ITEM 8: STATE OF SIGNATURES AND RATIFICATIONS OF THE COUNCIL OF EUROPE CONVENTION ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS

19. The Committee noted with satisfaction that since its 5th meeting (6 December 2010), the Convention had been ratified by one more member state, bringing the total number of ratifications to 34. The Committee once again urged the Council of Europe member states which had not already done so, the non-member states which had participated in the preparation of the Convention, and the European Union to sign and/or ratify the Convention. In addition, the Committee called for other non-member states to accede to the Convention.

AGENDA ITEM 9 AND 10: INFORMATION ON COUNCIL OF EUROPE ACTIVITIES OF INTEREST TO THE COMMITTEE OF THE PARTIES AND OTHER INTERNATIONAL ORGANISATIONS OF INTEREST TO THE COMMITTEE

20. M. Luis Pablo TARIN MARTIN, representative of the European Union in the Committee, informed the participants of the meeting on the latest developments in the European Union concerning action against trafficking in human beings. In particular, he informed the Committee about the adoption on 5 April 2011 of Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims, and the appointment of Ms Myria VASSILIADOU as Anti-trafficking Co-ordinator on behalf of the European Commission. Further, a new integrated strategy of the European Union on action against trafficking in human beings was being prepared for adoption in 2012 and all stakeholders, including the Council of Europe, were being involved in consultations on the strategy. Finally, he informed the Committee of the publication of the first report on the implementation of the Action Oriented Paper on strengthening the EU external dimension against trafficking in human beings.

21. The Executive Secretary informed the Committee of recent co-operation between the Council of Europe and the Organisation for Security and Co-operation in Europe (OSCE) in the field of action against trafficking in human beings, in particular the forthcoming OSCE/CoE Co-ordination Group meeting, scheduled to take place on 21 October in Vienna.

AGENDA ITEM 11: OTHER BUSINESS

22. No other business has been dealt with at this meeting.

ADOPTION OF THE LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN

23. The Committee adopted the list of decisions taken at the meeting, which in accordance with rule 11 of its Rules of Procedure, was made public.

Appendix I

Agenda

- 1. Opening of the meeting**
- I. ITEMS FOR DECISION**
- 2. Adoption of the draft agenda**
- 3. Election of a new member of the Group of Experts on Action against Trafficking in Human Beings (GRETA)**
- 4. Examination of GRETA's reports on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Austria, Cyprus and the Slovak Republic**
 - 4.1. Draft recommendation to be adopted in respect of Austria**
 - 4.2. Draft recommendation to be adopted in respect of Cyprus**
 - 4.3. Draft recommendation to be adopted in respect of the Slovak Republic**
- 5. Election of the Vice-Chair of the Committee of the Parties**
- 6. Date of the next meeting**
- II. ITEMS FOR INFORMATION**
- 7. Exchange of views with the President of GRETA**
- 8. State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings**
- 9. Information on Council of Europe activities of interest to the Committee of the Parties**
- 10. Information on the activities of other international organisations of interest to the Committee of the Parties**
- 11. Other business**
- III. ADOPTION OF THE LIST OF DECISIONS**

Appendix II

List of Participants

Members of the Committee of the Parties Membres du Comité des Parties

ALBANIA/ALBANIE

M. Fatjon PENI
Représentant Permanent Adjoint
auprès du Conseil de l'Europe

ANDORRA/ANDORRE

M. Ramon TENA
Adjoint au Représentant Permanent
auprès du Conseil de l'Europe

ARMENIA/ARMÉNIE

Ms Varduhi MELIKYAN
Deputy Permanent Representative
to the Council of Europe

AUSTRIA/AUTRICHE

Mr Thomas HAJNOCZI
Vice-Chair of the Committee of the Parties
Ambassador Extraordinary and Plenipotentiary
Permanent Representative
to the Council of Europe

Mrs Elisabeth TICHY-FISSELBERGER
Ambassador
Ministry for European and International Affairs
Director General
Head of the Legal and Consular Section

AZERBAIJAN/ AZERBAÏDJAN

Mr Jalal MIRZAYEV
Deputy Permanent Representative
to the Council of Europe

Mr Agil GUNASHOV
Deputy Permanent Representative
to the Council of Europe

BELGIUM/BELGIQUE

Mme Marjan JANSSENS
Représentante Permanente Adjointe
auprès du Conseil de l'Europe

BOSNIA AND HERZEGOVINA/ BOSNIE-HERZÉGOVINE

Ms Mirsa MUHAREMAGIC
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BULGARIA/BULGARIE

Mr Andrey TEHOV
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative
to the Council of Europe

Mr Mihail BOZHKOV
Deputy to the Permanent Representative
to the Council of Europe

CROATIA/CROATIE

Mr Ivan MINTAS
Deputy to the Permanent Representative
to the Council of Europe

CYPRUS/CHYPRE

Mr Stavros HATZIYIANNIS
Deputy Permanent Representative
to the Council of Europe

DENMARK/DANEMARK

Mr Claus von BARNEKOW
Ambassador
Permanent Representative
to the Council of Europe

FRANCE

M. Florian LIÉTOUT
Adjoint au Représentant Permanent
auprès du Conseil de l'Europe

GEORGIA/GÉORGIE

Mr Mamuka JGENTI
Ambassador
Permanent Representative
to the Council of Europe

Mr Irakli GIVIASHVILI
Deputy Permanent Representative
to the Council of Europe

IRELAND/ IRLANDE

Mr Richard SCANNELL
Chargé d'Affaires a.i.
Deputy Permanent Representative
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[Apologised/Excusé]

Ms Ruth A. DILLON
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ITALY/ITALIE

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Ms Daniela d'ORLANDI
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to the Council of Europe

LATVIA/LETTONIE

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Mme Anne KAYSER-ATTUIL
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Mr Albert GHIGO
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to the Council of Europe

MOLDOVA

Mme Tatiana PÂRVU
Chair of the Committee of the Parties
Ambassador
Permanent Representative
to the Council of Europe

Ms Violeta AGRICI
Deputy Permanent Representative
to the Council of Europe

MONTENEGRO/MONTÉNÉGRO

Ms Ana VUKADINOVIĆ
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Permanent Representative
to the Council of Europe

NETHERLANDS/PAYS BAS

Ms Kanta ADHIN
Deputy Permanent Representative
to the Council of Europe

Ms Eveline PENNINGNS
Senior policy advisor for combating human trafficking,
Ministry of Security and Justice

NORWAY/NORVÈGE

Mr Jo HØVIK
Deputy to the Permanent Representative
to the Council of Europe

POLAND/POLOGNE

Mr Robert DRZAZGA
Deputy to the Permanent Representative
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PORTUGAL

M. Paulo NEVES POCINHO
Chargé d'affaires a.i.
Représentant Permanent Adjoint
auprès du Conseil de l'Europe

M. Luís B. SEQUEIRA
Adjoint au Représentant Permanent
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ROMANIA/ROUMANIE

Mr Stelian STOIAN
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[Apologised/Excusé]

SAN MARINO/SAINT-MARIN

Mme Barbara PARA
Ambassadrice
Représentante Permanente
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Mlle Michela BOVI
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Mr Emil KUČHÁR
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Ms Soňa DANOVÁ
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Permanent Representative
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Ms Fredrike TAMAS-HERMELIN
Deputy to the Permanent Representative
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**"THE FORMER YUGOSLAV REPUBLIC OF
MACEDONIA"/ « L'EX-RÉPUBLIQUE YUGOSLAVE
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Mr Serhii SHEVCHUK
Deputy Permanent Representative
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Participants of the Committee of the Parties / Participants du Comité des Parties

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Thematic Co-ordinator on Equality and Trafficking
Chair of the Committee of the Parties
Ambassador
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/ Commission sur l'égalité des chances pour les femmes
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Mr Keith Whitmore, President
Congress of Regional and Local Authorities

[Apologised/Excusé]

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Mr Nicolas LE COZ
President of GRETA

Secretariat / Secrétariat

**Directorate General of Human Rights and
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de l'homme et des affaires juridiques**

**Directorate of Monitoring /
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