



## **Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings**

### **Recommendation CP(2018)6 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Serbia**

*adopted at the 22nd meeting of the Committee of the Parties  
on 9 February 2018*

The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to as "the Convention"), acting under the terms of Article 38(7) of the Convention;

Having regard to the purposes of the Convention to prevent and combat trafficking in human beings, while guaranteeing gender equality, protect the human rights of victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, ensure the effective investigation and prosecution of the offences related to trafficking in human beings, and promote international co-operation;

Bearing in mind the provisions of Article 36(1) of the Convention concerning the monitoring role of the Group of Experts on Action against Trafficking in Human Beings (GRETA) in the implementation of the Convention;

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Serbia on 14 April 2009;

Recalling Committee of the Parties' Recommendation CP(2014)6 of 7 February 2014 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Serbia and the report of the authorities of Serbia on measures taken to comply with this recommendation, submitted on 19 May 2016;

Having examined the second report concerning the implementation of the Convention by Serbia adopted by GRETA at its 30th meeting (20-24 November 2017), as well as the comments of the Government received on 16 January 2018;

1. Welcomes the progress made since the first round of evaluation in the following areas:
  - the further development of the legal and institutional framework for combating trafficking in human beings, including the setting up of the Office for Co-ordinating Action against Human Trafficking, headed by the National Anti-Trafficking Co-ordinator;
  - the efforts to provide training on human trafficking to relevant professionals and to expand the categories of staff targeted, including asylum officers;
  - the research carried out on different aspects of trafficking, including on the risks of human trafficking of migrants with irregular status and on the setting up of a State compensation scheme;
  - the steps taken in the area of prevention of human trafficking through awareness raising campaigns and measures to reduce the vulnerability of children to trafficking, including ensuring that all children are registered at birth;

- the drawing up of guidelines on the implementation of the non-punishment principle with regard to victims of human trafficking;
- the increased application of the status of especially vulnerable witnesses to victims of trafficking during criminal proceedings.

2. Recommends that the Serbian authorities take measures to address the following issues for immediate action identified in GRETA's report:

- strengthen efforts in the area of prevention of child trafficking, in particular by:
  - ensuring that unaccompanied and separated children benefit from effective care arrangements, including safe and appropriate accommodation, and that reception centres for migrants, centres for social work and facilities for children have adequate human and financial resources to fulfil their tasks efficiently;
  - ensuring timely appointment of guardians and effective guardianship to unaccompanied foreign children;
- take steps to improve assistance to victims of trafficking, in particular by:
  - ensuring that specialised support and services are provided to victims of trafficking;
  - guaranteeing the availability of appropriate and safe accommodation with a sufficient number of places for victims of trafficking, including men;
  - providing adequate financing for services delivered by specialised NGOs;
  - facilitating the reintegration of victims of trafficking into society, including by providing them with vocational training, and ensuring adequate resources the services assisting them in their integration;
- take further steps to improve the identification and assistance of child victims of trafficking, in particular by:
  - intensifying their efforts to identify victims of trafficking among unaccompanied and separated foreign children in reception centres for migrants and asylum seekers, other facilities and outside any formal facilities;
  - providing adequate assistance and services adapted to the needs and the rights of child victims of trafficking;
  - providing further training to all stakeholders (police, migration and asylum authorities, centres for social work, NGOs, health care and education professionals) as well as guidance for the identification of child victims of trafficking;
- ensure, in compliance with Article 13 of the Convention, that all presumed foreign victims of trafficking are offered a recovery and reflection period and all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention during this period;
- adopt measures to facilitate and guarantee access to compensation for victims of trafficking, including by:
  - ensuring that victims of trafficking are systematically informed in a language that they can understand of the right to seek compensation and the procedures to be followed;
  - enabling victims of trafficking to exercise their right to compensation, by building the capacity of legal practitioners to support victims to claim compensation and including compensation into existing training programmes for law enforcement officials and the judiciary;
  - encouraging prosecutors to request compensation orders to the largest possible extent and judges to consider compensation claims in criminal proceedings;

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- making full use of the legislation on the freezing and forfeiture of assets to secure compensation to victims of THB;
  - setting up a State compensation scheme for victims of THB, regardless of their nationality and residence status.

3. Requests the Government of Serbia to report to the Committee of the Parties on the measures taken to improve the implementation of the Convention in the above-mentioned areas by 9 February 2019.

4. Recommends that the Government of Serbia take measures to implement the further conclusions of GRETA's second evaluation report.

5. Invites the Government of Serbia to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.