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

20th meeting of the Committee of the Parties

(Strasbourg, 10 March 2017)

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 to the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to respectively as “the Committee” and “the Convention”) held its 20th meeting on 10 March 2017 in Strasbourg.
2. Due to the expiry of the terms of office of the Chair of the Committee, Ambassador Ardiana HOBDAI (Albania), and her imminent departure from Strasbourg, and the Vice-Chair of the Committee, Ambassador Markus BÖRLIN (Switzerland), the meeting was opened by the Executive Secretary of the Convention, Ms Petya NESTOROVA. She invited the Committee to adopt the draft agenda. The agenda, as adopted by the Committee, is set out in Appendix I. The list of participants is set out in Appendix II.

Agenda item 3: Election of the Chair and Vice-Chair of the Committee of the Parties

3. The Executive Secretary recalled that the term of office of the Chair and the Vice-Chair was one year and could be renewed once. She informed the Committee that Ambassador Christopher YVON (United Kingdom) had expressed interest in becoming Chair of the Committee of the Parties. No other candidates for the Chair of the Committee were proposed. The Committee elected Ambassador YVON as its Chair by acclamation for a first term of office of one year, starting on 10 March 2017.
4. Ambassador YVON thanked the Committee for the confidence place in him and stated that he would strive to promote awareness of the Convention and the work of its monitoring mechanism. He also paid tribute to the outgoing Chair, Ambassador HOBDAI, and Vice-Chair, Ambassador BÖRLIN, thanking them for their diligence and professionalism.
5. The Chair invited members to elect a new Vice-Chair of the Committee. The Secretariat had received an expression of interest from Ambassador Corina CĂLIGĂRU (Republic of Moldova). No other candidates for were proposed. The Committee elected Ambassador CĂLIGĂRU as its Vice-Chair by acclamation for a first term of office of one year, starting on 10 March 2017.
6. Ambassador BÖRLIN, speaking also on behalf of Ambassador HOBDAI, congratulated Ambassador YVON and Ambassador CĂLIGĂRU on their election and wished them a successful term of office.

Agenda item 4: Exchange of views with the President of GRETA *ad interim*

7. The Chair invited Ms Siobhán MULLALLY, President of GRETA *ad interim*, to take the floor for the periodic exchange of views with the Committee of the Parties.
8. The President *ad interim* of the Group of Experts on Action against Trafficking in Human Beings (GRETA) highlighted the main findings from GRETA’s second round reports concerning Armenia, Latvia, Malta and Portugal, which were the subject of draft recommendations by the Committee of the Parties. These reports showed that many of GRETA’s recommendations made in the first round reports had been implemented. However, certain provisions of the Convention were still not fully complied.
9. Ms Mullally informed the Committee that GRETA was planning to carry out 12 evaluation visits in 2017. Further, she noted the publication of GRETA’s urgent procedure report on Italy which assessed the specific situation of forced returns of victims of trafficking from Italy and the identification of victims of trafficking among asylum seekers and migrants. She also informed the Committee that the thematic chapter of GRETA’s 6th General Report, covering the calendar year 2016, would focus on the issue of child trafficking.

10. Moreover, Ms Mullaly referred to the replies submitted by Austria, Cyprus and the Slovak Republic in response to the Committee's recommendations in the context of the second evaluation round, which focused on a limited number of issues for urgent action identified in GRETA's reports. She noted that GRETA had not yet had the opportunity to examine these reports, but that it would be important to ensure that States Parties are encouraged to continue their efforts. As regards the Austrian report, Ms Mullaly noted that the Austrian authorities had not yet put in place a comprehensive and coherent data collection system on human trafficking. On a positive note, guidelines for the identification, referral and protection of child victims of trafficking had been finalised. However, no information was provided on the setting up of specialised centres for child victims of trafficking (other than the already existing Drehscheibe Centre in Vienna). Further, there was still no provision in law concerning the recovery and reflection period. Ms Mullaly noted that the reply of the Cypriot authorities showed that measures had been taken to strengthen labour inspections and the supervision of private employment agencies, but there was no information suggesting that there were inspections of domestic workers in private households, which had been identified by GRETA as a problematic area. She stressed that the creation of a state budget line for the victim support fund was a significant step in the right direction, but unless the legislation making state compensation conditional on failure to obtain compensation in civil proceedings was amended, obtaining state compensation would remain in practice impossible. As regard the Slovak Republic, Ms Mullaly noted that no information had been provided on measures taken to establish a procedure for the identification of child victims of trafficking and to appoint legal guardians without delay. The authorities had also not reviewed the age assessment procedure. Further, the authorities had not followed the recommendation to amend the legal provisions concerning the recovery and reflection period. The full text of Ms Mullaly's statement appears in Appendix III.

11. The Chair thanked Ms Mullaly for her presentation.

Agenda item 5: Examination of GRETA's reports on the implementation of the Convention on Action against Trafficking in Human Beings by Armenia, Latvia, Malta and Portugal and adoption of recommendations in respect of these Parties

12. The Chair recalled that GRETA had adopted final reports concerning the implementation of the Convention by Armenia, Latvia, Malta and Portugal. These reports had been sent to the respective national authorities for final comments and, following their receipt, were about to be made public. The four draft recommendations based on GRETA's reports and taking into account the final comments received from the Parties concerned had been made available provided to the Committee on 13 February 2017.

5.1 Draft recommendation to be adopted in respect of Armenia

13. The Chair indicated that in advance of the meeting, the Secretariat had received a request for an amendment of the draft recommendation concerning Armenia and asked the Armenian representative to take the floor to explain the proposal. Ambassador Vahram KAZHOYAN, Director of the International Organisations Department of the Ministry of Foreign Affairs of Armenia, Chair of the inter-agency working group for combating Trafficking under the Governmental Anti-trafficking Council of Armenia, thanked GRETA for the work on the report and referred to the steps taken by Armenia to comply with the recommendations from the first evaluation round, notably the enactment of new anti-trafficking legislation and the review of the National Referral Mechanism for victims of trafficking. Ambassador Kazhoyan proposed to amend the final bullet point of the part welcoming progress made since the first evaluation round, by adding the words "protection" and "including a lump-sum financial compensation to victims of trafficking" in respect of the new procedures for providing assistance to victims of trafficking. The full text of Ambassador Kazhoyan's statement appears in Appendix IV.

14. The Committee agreed to the proposed amendment and adopted the recommendation in respect of Armenia as amended. It decided to request the Armenian Government to inform it of measures taken to comply with this recommendation by 10 March 2018.

5.2 Draft recommendation to be adopted in respect of Latvia

15. Ambassador Ivars PUNDURS (Latvia) thanked GRETA and the Secretariat for the work put into preparing the second evaluation report on Latvia and noted that report had been considered by all ministries and agencies involved in the implementation of the national anti-trafficking policy and that there was recognition of the need for more efforts to strengthen targeted action. He noted that Latvia was about to sign the Council of Europe Convention against Trafficking in Human Organs. The full text of Ambassador Pundurs' statement appears in Appendix V.

16. The Committee adopted the recommendation in respect of Latvia and requested the Latvian Government to inform it of measures taken to comply with this recommendation by 10 March 2018.

5.3 Draft recommendation to be adopted in respect of Malta

17. Ms Tania CARABOTT, Deputy Permanent Representative of Malta to the Council of Europe, thanked GRETA and the Secretariat for the work put into preparing the second evaluation report on Malta, which had noted the improvements made by Malta, such as the adoption of the new Victims of Crime Act, the reinforcement of the Police Vice Squad, the putting in place of a National Referral Mechanism, and the provision of assistance to victims and training to professionals. The full text of Ms Carabott's statement appears in Appendix VI.

18. The Committee adopted the recommendation in respect of Malta and decided to request the Maltese Government to inform it of measures taken to comply with this recommendation by 10 March 2018.

5.4 Draft recommendation to be adopted in respect of Portugal

19. Mr Manuel ALBANO, National Rapporteur for Trafficking in Human Beings of Portugal, expressed the Portuguese authorities' gratitude for the constructive report prepared by GRETA. In addition to the information contained in the report, he noted that the authorities were preparing the setting up of a shelter for child victims of trafficking and that a training toolkit for social workers concerning methods of identification and risk assessment had been drawn up. Further, with a view to facilitating access to compensation, the relevant legislation was under review. Mr Albano noted that in the view of the Portuguese authorities, national legislation was in line with the requirement of Article 26 of the Convention concerning the non-punishment provision. The full text of Mr Albano's statement appears in Appendix VII.

20. The Committee adopted the recommendation in respect of Portugal and decided to request the Portuguese Government to inform it of measures taken to comply with this recommendation by 10 March 2018.

Agenda item 6: Government reports submitted in reply to Committee of the Parties' recommendations

First evaluation round

21. The Chair indicated that the Governments of Andorra, Iceland, Italy, the Netherlands, San Marino and Ukraine had submitted their replies to the Committee of the Parties' recommendations (respectively adopted on 7 July 2014 as concerns the Netherlands and on 5 December 2014 as concerns the other countries), requesting them to inform the Committee of measures taken to comply with the recommendations within a two-year period. The Chair invited the representatives to these countries to take the floor concerning their authorities' replies to the Committee of the Parties' recommendations.

22. Mr Joan Forner Rovira, Deputy Permanent Representative of Andorra expressed the Andorran authorities' appreciation for the round-table meeting organised by the Secretariat to the Convention in October 2016. Referring to the report submitted by Andorra on 5 December 2016, he informed the Committee of the approval on 8 March 2017 of a draft law on trafficking on human beings, establishing measures to combat trafficking and protect victims, which was pending approval by Parliament. Further, he noted that the Andorran Government had decided to draft a protocol on action to protect victims of trafficking, which would bring together in a co-ordinated effort all relevant stakeholders. The full text of Mr Forner Rovira's statement appears in Appendix VIII.

23. The Committee took note of the report submitted by Iceland (received on 17 February 2017).

24. The Committee took note of the report submitted by Italy (received on 5 December 2016).

25. The Committee took note of the report submitted by the Netherlands (received on 16 February 2017).

26. Ms Michela BOVI, Deputy Permanent Representative of San Marino, referred to the report submitted by her authorities on 27 December 2016. She noted the adoption of a new law on residence permits and progress made in the area of providing information and assistance to foreign workers. Further, legislative amendments had been adopted enabling all victims of trafficking to benefit from protection and assistance measures and facilitating access to state compensation. The full text of Ms Bovi's statement appears in Appendix IX.

27. Mr Oleksandr KULIKOVSKYI, Deputy Permanent Representative of Ukraine, thanked GRETA and the Secretariat for fruitful co-operation and affirmed the Ukrainian authorities' resolution to continue treating the fight against human trafficking as a priority. He referred to some of the information contained in the Ukrainian authorities' report submitted on 6 December 2017, in particular the recently adopted national anti-trafficking strategy and action plan, as well as legislative amendments to strengthen the protection of victims. Further, he stressed the training provided to relevant professionals and expressed appreciation of the forthcoming holding of a training session on financial investigations into cases of human trafficking by the Council of Europe in Kyiv in April 2017. The full text of Mr Kulikovskiy's statement appears in Appendix X.

Second evaluation round

28. The Chair recalled that at its 17th meeting on 30 November 2015, the Committee had adopted the first three recommendations in the context of the second evaluation round of the Convention, concerning Austria, Cyprus and the Slovak Republic, requesting the national authorities to inform it of measures taken to comply with the recommendations within a one-year period. The reports submitted by these three Parties had been received on time and made available on the Committee's restricted website. With a view to facilitating the consideration of these reports and the follow-up to be given to them, a table comparing the information provided in the reports with the recommended action had been prepared by the Secretariat and circulated on 6 March 2017.

29. Mr Georg SCHNETZER of the Federal Ministry of Europe, Integration and Foreign Affairs of Austria, took the floor concerning the report submitted by Austria. He commented on each of the five issues for immediate action identified in GRETA's report and included in the Committee of the Parties' recommendation. In addition to the information provided in the Austrian authorities' report, he noted that the setting up of specialised centres for child victims of trafficking would probably be one of the priorities of the next National Action Plan on Combating Human Trafficking (2018-2020) and that on 17 February 2017, the Federal Ministry of Justice had released a decree on the implementation of the non-punishment provision in the context of criminal law. Mr SCHNETZER's statement is reproduced in Appendix XI.

30. Ms Antje WUNDERLICH of the Federal Ministry for Family Affairs Senior Citizens, Women and Youth of Germany put a question concerning GRETA's interpretation of non-punishment provision of the Convention, which in the understanding of the German authorities provided for the possibility of not imposing penalties on victims of trafficking for their involvement in unlawful activities, without there being a blanket exemption from all responsibility.

31. The President of GRETA *ad interim* welcomed the collation of criminal statistics by Austria and stated that GRETA would be interested in receiving the explanatory note concerning the existence of different systems of data collection on trafficking in human beings. She stated that the involvement of prosecutors in the Austrian Task Force on Combating Human Trafficking was important as it strengthened their specialisation. Further, she noted the attention paid to setting up specialised shelters for child victims of trafficking and welcomed the issuing of guidance on the non-punishment provision. In response to the question put by Ms Wunderlich, Ms Mullally explained that GRETA considered the effective application of the non-punishment provision as being critical to the human rights approach of the Convention, which is why GRETA recommended the adoption of a specific legal provision on the issue of non-punishment of victims of trafficking, to the extent that they have been compelled to commit unlawful activities, and/or the issuance of guidance on the non-punishment provision for relevant professionals.

32. Mr Michael KARAGIORGIS, Deputy Permanent Representative of Cyprus to the Council of Europe, referred to the report submitted by Cyprus on 12 December 2016 and noted that the National Referral Mechanism for victims of trafficking, which was adopted in May 2016, contains specific and detailed guidelines on the handling of cases of child victims of trafficking. The full text of Mr Karagiorgis' statement appears in Appendix XII.

33. The Chairperson of GRETA *ad Interim*, Ms Siobhán MULLALLY, thanked the Cypriot authorities to their continued commitment to engaging with GRETA. She noted that the evaluation of measures to prevent child trafficking and protect child victims of trafficking was a priority for the second evaluation round of the Convention and therefore this issue should remain at the focus of the work in Cyprus.

34. Mr Tomáš GRÜNWARD, Deputy to the Permanent Representative of Slovak Republic, highlighted the measures reported by the Slovak authorities in reply to the Committee of the Parties' recommendation. He referred to the recent update of the methodological guide for professionals who can identify victims of trafficking, with a special focus of children and foreign nationals. Further, the Act on the Criminal Liability of Legal Persons and the Act on the Recognition and Enforcement of Property Decisions Rendered in Criminal Proceedings in the European Union had entered into force, and a new Act on the Victims of Crime was in preparation. Mr Grünwald's statement is reproduced in Appendix XIII.

35. The President of GRETA *ad interim*, thanked the representative of the Slovak Republic for the additional information provided, but noted that GRETA remained concerned by the procedure for age assessment and the appointment of guardians to child victims of trafficking.

Agenda item 7: Follow up to be given to government reports submitted in reply to Committee of the Parties recommendations

36. The Committee thanked the authorities of Andorra, Iceland, Italy, Netherlands, San Marino and Ukraine for the information provided on measures taken to implement the Committee's recommendations and decided to forward their reports to GRETA for consideration in the framework of the second evaluation round. The Committee also decided to make the reports public on the Council of Europe's anti-trafficking website.

37. The Chair indicated that the reports submitted by Austria, Cyprus and the Slovak Republic in the context of the second evaluation round would also be transmitted to GRETA and made public on the Council of Europe's Anti-Trafficking website. The Committee agreed that, following examination of the reports by GRETA, letters would be sent to these three Parties to the Convention, asking them to provide further information on certain issues.

Agenda item 8: Co-operation activities aimed at strengthening the implementation of GRETA's conclusions and the Committee of the Parties' recommendations

38. The Executive Secretary informed the Committee of the organisation of a meeting of lawyers and NGOs providing legal assistance to victims of trafficking in human beings on 22 and 23 November 2016 in Strasbourg. The aims of this meeting were to bring together experienced lawyers representing trafficking victims as a start for the setting up of a network of such lawyers and to contribute to the improvement of access to legal assistance and representation of trafficked persons, from their first contact with the authorities, as an integral part of national assistance systems.

39. The Executive Secretary also informed the Committee about the signing of a grant agreement with Italy concerning the provision of training to law enforcement officers and social workers on identifying victims of human trafficking in mixed migratory flows. The project will run throughout 2017 and is being implemented by the Institute for Economic and Social Research (IRES) in Torino and the Prosecutor's Office of Piedmont Region. The Executive Secretary further referred to a forthcoming training session on financial investigations in human trafficking cases, to be held in Kyiv, Ukraine, in April 2017 in Kyiv.

40. Moreover, the Executive Secretary referred to plans to organise a regional expert workshop event on international legal co-operation in combating trafficking in human beings, which would seek to improve the exchange of information, the setting up of Joint Investigation Teams, the freezing and confiscation of assets, and measures relating to endangered and missing persons. A letter communicating the venue and dates of this event would be circulated in due course.

41. In addition, the Executive Secretary announced the forthcoming organisation of round-table meetings in Italy, Hungary, Germany and Switzerland. She also mentioned the forthcoming creation of HUDOC-GRETA site on which all GRETA reports will be placed and would be possible to make searches using a number of filters.

Agenda item 9: Information on the anti-trafficking activities of other international organisations of interest to the Committee of the Parties

42. The Executive Secretary informed the Committee of the entry into force of the 2014 ILO Protocol to the Forced Labour Convention on 9 November 2016. Further, she referred to the publication in December 2017 of the latest UNODC Global Report on Trafficking in Persons, which showed that child trafficking was on the rise and concerned about a quarter of identified victims. The forthcoming annual conference organised by the OSCE in April 2017 in Vienna would focus on the issue of child trafficking.

43. Ambassador Gilles HEYVAERT (Belgium) asked if the proportion of children among victims of trafficking was similar at global and European level. The Executive Secretary referred to the forthcoming 6th General Report on GRETA's activities, which showed considerable variations in the number and proportion of child victims of trafficking identified in different Parties to the Convention (between 3% and 43% of all victims), but on average, in the period 2012-2015, children represented 26% of the identified victims of human trafficking in the countries covered by the report.

44. Mr Georg SCHNETZER (Austria) informed the Committee that under the Austrian chairmanship of the OSCE, an event on preventing the exploitation of domestic staff in diplomatic households would take place on 12 May 2017 in Vienna. He also referred to two ongoing OSCE projects, one entitled "Combating Trafficking along Migration Routes" under which training was provided to relevant professionals, and the second on the prevention of trafficking in human beings for the purpose of labour exploitation in supply chains.

Agenda item 10: State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings

45. The Committee noted that since the last meeting of the Committee on 4 November 2016, there had been no new signatures or ratifications of the Convention, keeping the number of Parties at 46.

46. Mr Jiří ŠLAIS, Deputy Permanent Representative of the Czech Republic to the Council of Europe, informed the Committee that the instrument of ratification of the Convention had been signed by the President of the Czech Republic on 31 January 2017 and would be deposited in the coming weeks.

47. The Chair stressed the importance of a pan-European approach to the challenges posed by human trafficking and called upon the Council of Europe member States which have not already done so to sign and/or ratify the Convention.

Agenda item 11: Dates of future meeting

48. The Committee decided to hold its 20th meeting on **Friday, 13 October 2017**.

Agenda item 12: Other business

49. The Executive Secretary suggested that the Committee might explore ways to co-operation with other regional organisation, such as the Association of Southeast Asian Nations (ASEAN) which had recently adopted a Convention against Trafficking in Persons, Especially Women and Children. Further, she suggested that the Committee could discuss a possible follow-up to the New York Declaration for Refugees and Migrants adopted at the UN Summit for Refugees and Migrants on 19 September 2016, which contains references to the fight against human trafficking.

Agenda item 13: Adoption of the list of decisions taken

50. The Committee approved the decisions taken at the meeting.

Appendix I

Agenda

1. **Opening of the meeting**
2. **Adoption of the draft agenda**
3. **Election of the Chair and Vice-Chair of the Committee of the Parties**
4. **Exchange of views with the President of GRETA, ad interim**
5. **Examination of GRETA's reports on the implementation of the Convention on Action against Trafficking in Human Beings by Armenia, Latvia, Malta and Portugal and adoption of recommendations in respect of these Parties**
 - 5.1 *Armenia*
 - 5.2 *Latvia*
 - 5.3 *Malta*
 - 5.4 *Portugal*
6. **Government reports submitted in reply to Committee of the Parties recommendations**

First evaluation round

 - 6.1. *Andorra*
 - 6.2. *Iceland*
 - 6.3 *Italy*
 - 6.4 *Netherlands*
 - 6.5 *San Marino*
 - 6.6 *Ukraine*

Second evaluation round

 - 6.7. *Austria*
 - 6.8. *Cyprus*
 - 6.9. *Slovak Republic*
7. **Follow up to be given to Government reports submitted in reply to Committee of the Parties recommendations**
8. **Co-operation activities aimed at strengthening the implementation of GRETA's conclusions and the Committee of the Parties' recommendations**
9. **Information on the anti-trafficking activities of other international organisations of interest to the Committee of the Parties**
10. **State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings**
11. **Dates of future meetings**
12. **Other business**
13. **Adoption of the list of decisions taken**

Appendix II

List of participants / Liste de participants

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

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Ms Avenilda DOKO
Deputy to the Permanent Representative
to the Council of Europe

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“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” / « L'EX-RÉPUBLIQUE YOUGOSLAVE DE MACÉDOINE »

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Permanent Representative to the Council of Europe

UKRAINE

Mr Oleksandr KULIKOVSKYI
Deputy to the Permanent Representative
to the Council of Europe

UNITED KINGDOM / ROYAUME UNI

Mr Christopher YVON
Ambassador Extraordinary and Plenipotentiary
Permanent Representative to the Council of Europe

Mr Mark GOREY
Deputy to the Permanent Representative

Participants of the Committee of the Parties Participants du Comité des Parties

Signatory States / États signataires

CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE

Mr Jiří ŠLAIS
Deputy Permanent Representative
to the Council of Europe

COUNCIL OF EUROPE BODIES / ORGANES DU CONSEIL DE L'EUROPE

COMMITTEE OF MINISTERS / COMITÉ DES MINISTRES

Ms Theodora CONSTANTINIDOU
Ambassador (*apologised/excusée*)
Permanent Representative to the Council of Europe

PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE / ASSEMBLÉE PARLEMENTAIRE DU CONSEIL DE L'EUROPE

Ms Elena CENTEMERO (*apologised/excusée*)
Chairperson
Committee on Equality and Non-Discrimination

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF THE COUNCIL OF EUROPE / CONGRÈS DES POUVOIRS LOCAUX ET RÉGIONAUX DU CONSEIL DE L'EUROPE

Ms Gudrun Mosler-Törnström (*apologised/excusée*)
President

COUNCIL OF EUROPE COMMISSIONER FOR HUMAN RIGHTS / COMMISSAIRE AUX DROITS DE L'HOMME DU CONSEIL DE L'EUROPE

Mr Nils MUIŽNIEKS (*apologised/excusé*)

CONFERENCE OF INTERNATIONAL NON- GOVERNMENTAL ORGANISATIONS OF THE COUNCIL OF EUROPE / CONFÉRENCE DES ORGANISATIONS INTERNATIONALES NON- GOUVERNEMENTALES DU CONSEIL DE L'EUROPE

Ms Anna RURKA (*apologised / excusée*)
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Mr Jari VILÉN (*apologised/excusé*)
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Head of the European Union Delegation to the Council
of Europe

Others / Autres

GROUP OF EXPERTS ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS / GROUPE D'EXPERTS SUR LA LUTTE CONTRE LA TRAITE DES ÊTRES HUMAINS (GRETA)

Ms Siobhán MULLALLY
President of GRETA, *ad interim*

Secretariat / Secrétariat

**Directorate General of Democracy /
Direction générale de la Démocratie**

**Secretariat of the Council of Europe Convention
on Action against Trafficking in Human Beings
(GRETA and Committee of the Parties) /
Secrétariat de la Convention du Conseil de
l'Europe sur la lutte contre la traite des êtres
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Ms Petya NESTOROVA
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Mr David DOLIDZE (*apologised/excused*)
Administrator

Mr Markus LEHNER
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Mr Mats LINDBERG
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Mr Alexander BARTLING
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Interpreters / Interprètes

Mme Pascale MICHLIN

Ms Gillian WAKEHURST

Appendix III

Intervention of Ms Siobhán Mullally, President of GRETA *ad interim*

Mr Chair, Excellencies, Ladies and Gentlemen,

Since the last meeting of the Committee of the Parties on 4 November 2016, GRETA has held one plenary meeting (28 November – 2 December 2016). As GRETA's membership was renewed at the end of the year, pending the election of a new Bureau that will take place at the next meeting (27-31 March 2017), GRETA appointed me as its President, *ad interim*, and I am honoured to address you in this capacity.

At its last meeting, GRETA adopted final reports concerning **Armenia, Latvia, Malta and Portugal**, in the context of the second evaluation round of the Anti-Trafficking Convention. These four reports are the subject of draft recommendations that you will discuss and adopt today. I would therefore like to highlight the main findings of GRETA from these reports.

In **Armenia**, GRETA has welcomed the adoption of dedicated anti-trafficking legislation, providing for a new procedure for the identification of victims of trafficking and the support and protection measures to which victims are entitled, including a recovery and reflection period, a residence permit and a lump-sum compensation (equalling 500 euros). One of GRETA's essential first round recommendations - that the identification of victims is disconnected from the opening of criminal proceedings – has been addressed by the new law.

However, despite the progress achieved, GRETA has urged the Armenian authorities to strengthen their efforts to prevent trafficking for the purpose of labour exploitation, which has been on the rise, as well as to improve the prevention of trafficking in children, paying particular attention to groups at risk. As regards the assistance provided to victims, GRETA has called on the authorities to ensure that male victims of trafficking are guaranteed safe accommodation and assistance adapted to their needs, and that the reintegration of victims into society is facilitated. Another urgent recommendation concerns access to compensation for victims of trafficking as none of them have received compensation from the offenders and the lump-sum compensation from the State was expected to enter into force on 1 January 2017.

In **Latvia**, GRETA has welcomed the steps to further develop the legislative framework, train relevant professionals and raise awareness. Progress has also been made in the area of providing assistance to victims of trafficking, thanks to increased public funding. The Latvian authorities have been involved in research projects, together with partners from other EU countries, shedding light on new trends in human trafficking, in particular sham marriages.

However, GRETA is concerned that the current victim identification procedure in Latvia risks leaving out third-country nationals. Consequently, GRETA has urged the Latvian authorities to take additional measures to improve the identification of victims, through reviewing the procedure and indicators, providing additional training to relevant staff, and paying increased attention to detecting victims of trafficking among asylum seekers and migrants. Similar to Armenia, GRETA has called on the Latvian authorities to facilitate and guarantee access to compensation for victims of trafficking. One of GRETA's recommendations from the first evaluation round, concerning the recovery and reflection period, has not been implemented by Latvia and therefore GRETA has once again urged the authorities to define this period in law as provided for in the Convention.

In the report on the **Malta**, GRETA has commended the developments in the legislative framework (including the expanded definition of human trafficking and the adoption of a new Victims of Crime Act) and the focus of the new national anti-trafficking action plan on the provision of assistance to victims and on action against trafficking for the purpose of labour exploitation. Another positive development is the putting into place of a National Referral Mechanism, involving both governmental agencies and NGOs, which defines the roles and responsibilities of stakeholders in detecting, identifying and assisting victims.

However, GRETA is concerned that the legal provisions concerning the recovery and reflection period have not been amended and has once again urged the Maltese authorities to do that, specifying the aspects which need to be changed in order to comply with Article 13 of the Convention. Another recommendation from the first round which was repeated concerns the investigation and adjudication of trafficking offences.

Further, efforts need to be made to made provision for male victims of trafficking and to improve access to compensation.

Finally, in **Portugal**, GRETA has welcomed the further development of the legislative framework, the independent assessment of the national anti-trafficking action plan, and the setting up of specialised anti-trafficking structures and co-ordination networks. Another positive development is the review of the National Referral Mechanism, the opening of two more shelters for victims of trafficking, and the setting up of additional multi-disciplinary teams.

However, despite the progress achieved, GRETA has urged the Portuguese authorities to facilitate access to compensation to victims of trafficking (the number of such compensations being very low) and to ensure that trafficking offences are investigated proactively and lead to effective, proportionate and dissuasive sanctions.

In respect of all four countries, GRETA has expressed concerns that child trafficking remains underreported and there is a continuing lack of safe accommodation for children who are suspected or known to have been trafficked. GRETA has called on the authorities of the four countries to take steps to improve the identification and protection of child victims of trafficking, ensuring that the best interests of the child are effectively respected. As you know, GRETA's second evaluation round pays particular attention to measures taken to address the vulnerability of children to trafficking and GRETA's **6th General Report**, which will be published later this month, includes a thematic section on the issue of child trafficking. This report will be the subject of the exchange between the Committee of Ministers and GRETA's President on 5 April 2017.

On 30 January 2017, GRETA made public its **urgent procedure report on Italy**, which assesses the specific situation of forced returns of victims of trafficking from Italy and the identification of victims of trafficking among asylum seekers and migrants.

As regards GRETA's **plans to 2017**, we have a busy schedule of visits (12), two of which have already taken place, and dates for some of the others have been agreed with the national authorities. I wish to stress the importance of providing timely replies to GRETA's questionnaire so that the second monitoring round of the Convention can be completed on schedule.

At this meeting, the Committee of the Parties will consider for the first time replies submitted by three Parties to the Convention, namely **Austria, Cyprus and the Slovak Republic**, in response to the first three Committee's recommendations issued in the context of the second evaluation round of the Convention. These reports focus on a limited number of issues for urgent action identified in GRETA's reports, which serve as the basis of the Committee's recommendations. GRETA has not yet had the occasion to examine these reports (this will happen at GRETA's next plenary meeting at the end of March), but today's meeting is an occasion for the Committee of the Parties to reflect on how States Parties can be urged and helped to continue their efforts.

Having looked myself at these reports, I note that the **Austrian** authorities have not yet put in place a comprehensive and coherent data collection system on human trafficking, by compiling data from the main actors, but this is "work in progress". While the finalisation of the guidelines for identification, referral and protection of child victims of trafficking is a welcome development, there is no information on the setting up of specialised centres for child victims of trafficking (other than the already existing *Drehscheibe Centre* in Vienna). Further, there is still no provision in law on the recovery and reflection period (this remains regulated by an internal decree of the Ministry of the Interior). As regards the involvement of prosecutors in the Task Force which co-ordinated anti-trafficking action, the authorities maintain that this is not necessary as the Ministry of Justice, to which the Prosecutor's Office is subordinated, is already represented in the Task Force and prosecutors participate on an ad hoc basis in meetings of the Task Force.

In **Cyprus**, measures have been taken to strengthen labour inspections and the supervision of private employment agencies, but there is no information suggesting that there are inspections of domestic workers in private households, which has been identified by GRETA as a problematic area. There is still no referral mechanism for children and the new national strategy should address child trafficking. The creation of a state budget line for the victim support fund constitutes a significant step in the right direction, but unless the legislation making state compensation conditional on failure to obtain compensation in civil proceedings is amended, obtaining state compensation will remain in practice impossible.

As regard the report from the **Slovak Republic**, no information is provided on measures taken to establish a procedure for the identification of child victims of trafficking and to appoint legal guardians without delay. The authorities maintain that carpal (hand/wrist) X-ray is the most reliable age verification method, whereas according to international best practice, age assessment must take into account psychological, cognitive or behavioural factors. Further, the authorities have not followed the recommendation to amend the legal provisions concerning the recovery and reflection period. As regards the other recommendations, while the information provided addresses some of the issues, it is silent on other important aspects or the position of the authorities is that no changes are necessary.

I trust that the Committee of the Parties will continue reinforcing GRETA's monitoring findings through its work and support to States Parties in improving the implementation of the Convention.

Thank you for your attention.

Appendix IV

**Statement by Ambassador Vahram Kazhoyan
Head of the Department of International Organisations,
Ministry of Foreign Affairs of Armenia
Chair of the inter-agency working group for combating Trafficking
under the Governmental Anti-trafficking Council of Armenia,**

- *GRETA report on the implementation of the Convention against Trafficking in Human Beings by Armenia*
- *Draft Recommendations of the Committee of the Parties on the implementation of the Convention against Trafficking in Human Beings by Armenia*

Thank you Mr Chair

First of all the Armenian delegation wishes to congratulate Ambassador Christopher YVON, Permanent Representative of the United Kingdom, on his election as Chair of the Committee of the Parties and Ambassador Corina CĂLIGĂRU, Permanent Representative of the Republic of Moldova, on her election as Vice-Chair, and wishes them every success in their respective offices.

Today the recommendations addressed to the Armenian authorities have been submitted to our Committee for adoption.

As Chair of the multi-agency working group, which is part of Armenia's governmental anti-trafficking advisory body, I wish to express my government's strong and unswerving commitment to the tasks we are faced with in preventing and combating trafficking in human beings. I also wish to reaffirm our resolve to continue the dialogue with GRETA and to continue to take and strengthen the necessary measures, in co-operation with civil society, to ensure that our response to the growing threat of trafficking, particularly in the context of current challenges, is as effective as possible.

The GRETA report on Armenia is the outcome of the 2nd evaluation cycle. It reflects the conclusions of the discussions of the GRETA delegation of experts during its evaluation visit to Armenia in December 2015 and its exchanges with both the representatives of government bodies and national NGOs working in this field.

The steps taken by the Armenian authorities to comply with the recommendations of the previous cycle include, in particular, the enactment of new anti-trafficking legislation and other related legislative acts – the review of the national mechanism for the referral of victims and the establishment of the Committee for the identification of victims of trafficking, with the inclusion of civil society. These initiatives are the outcome of the consultations with GRETA and its expert opinions, as well as of the appropriate application of the synergies of the relevant international organisations. This has helped us to improve the way in which we deal with the victims of trafficking, the training of staff working on the ground and our awareness of problems that lead to labour exploitation.

Armenia obviously intends to continue its efforts to prevent and combat trafficking and will take account of the recommendations addressed to it by GRETA.

Before I finish, I would like to point out that the Armenian delegation has submitted a written amendment to the draft recommendations addressed to the Armenian authorities, which is more of a factual proposal to supplement the 6th sub-paragraph of paragraph 1 concerning the progress made by the Armenian authorities in combating trafficking in human beings. Given that the Law of the Republic of Armenia on the identification of and support the victims of trafficking regulates the mechanisms for the protection of victims of trafficking, and that Article 22, para. 16 of this law provides for a lump-sum financial compensation for the victims of trafficking, we propose that the 6th sub-paragraph of paragraph 1 be paraphrased as follows:

“the adoption of new procedures for providing protection and assistance, including compensation to victims of trafficking, as well as a procedure for the safe return of victims of trafficking.”

Given its factual nature, we trust that this amendment will receive widespread support.

Thank you, Mr Chair.

Appendix V

Statement by Ambassador Ivars Pundurs, Permanent Representative of Latvia to the Council of Europe

Latvia expresses its gratitude and appreciation to GRETA and the Secretariat of the Council of Europe for work done to provide evaluation of anti-trafficking efforts implemented by Latvian institutions and development of the comprehensive second evaluation round Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Latvia. The report was considered by competent line ministries, public and law enforcement institutions involved in the implementation of the national anti-trafficking policy.

Latvia acknowledges that the report highlights issues and areas which require more efforts and improvements to strengthen targeted actions and measures addressing trafficking in human beings and providing efficient protection of and support to victims of trafficking in human beings.

Latvia is delighted to inform that the Council of Europe Convention against Trafficking in Human Organs will be signed by the Minister of Justice on 29-30 March 2017 in Strasbourg.

Latvian institutions will continue to improve the procedures of identification of victims of trafficking in human beings by reviewing and supplementing legal acts, strengthening the National Referral Mechanism, ensuring training for practitioners to comply with victim-centred, child-friendly and human rights oriented principles and standards.

The Ministry of the Interior which is the national body responsible for the planning and coordination of implementation of the anti-trafficking policy in Latvia has started evaluation of the implementation of the National Anti-Trafficking Strategy in close cooperation with line ministries, public and municipal institutions, law enforcement agencies and non-governmental organisations. The mid-term report covering the years 2014 – 2016 will be developed considering national information and the GRETA Report and it should be submitted to the Government of Latvia for consideration by the 30 June 2017.

The Ministry of the Interior believes that recommendations for Latvia adopted today by the Committee of the Parties to the Convention will provide a strong and argument based conclusions and proposals to be included in the mid-term informative report regarding needed improvements and additional funding to implement all counter-trafficking actions and measures provided by the National Anti-Trafficking Strategy for the years 2014 – 2020.

Appendix VI

Statement by Ms Tania Carabott, Deputy Permanent Representative of Malta to the Council of Europe

This delegation would like to thank GRETA as well as the Secretariat for the final report concerning the implementation of the Convention by Malta in its second evaluation round. It is indeed very welcoming that the report acknowledges and commends the progress achieved by Malta since its first report.

Important positive developments have been registered and it is worth mentioning here the further improvements in the legal framework, the adoption of the new Victims of Crime Act, the reinforcement of the Police Vice Squad, the putting in place of a National Referral mechanism and the assistance to victims and training to professionals as provided for in the Third National Action Plan against THB (2015-2016).

The Maltese authorities recognise that further progress in some spheres is necessary. The new Action Plan envisages tackling particular issues expressed by GRETA and hence we are confident that Malta will thus be equipped to further implement recommendations.

We thank GRETA for the constructive cooperation within which the visit to Malta was conducted and we assure you of Malta's continued cooperation and support. Malta remains committed to the fight against human trafficking and towards the support of victims of this heinous crime. Action will therefore continue being taken with a view to apprehending offenders and protecting victims, with due regard to the recommendations made in this report.

Thank you.

Appendix VII

Statement by Mr Manuel Albano, National Rapporteur for Trafficking in Human Beings of Portugal

The Portuguese Government would like to express its gratitude to the group of Experts on Action against Trafficking in Human Beings (GRETA) for their efforts and the constructive report on the implementation by Portugal of the provisions of the Council of Europe Convention on Action against Trafficking in Human Beings.

We would also like to express their congratulations to the new chair and vice chair for their election.

Taking into account what has been said by the President of GRETA in their introduction remarks, we would like to update the information, on that issues.

Portugal is preparing the implementation of a shelter for children victims of trafficking. All the support and services will be adapted to the needs of the children. Also there has been created a Training Toolkit to social workers, introducing preventive methods based on identification and risks assessment, empowerment and life-skills education approach and data gathering through participatory research. This Training Toolkit was implemented.

The legislation regarding compensation that may facilitate the compensation procedures is under review.

Concerning the Non-Punishment, Article 280 of the Code of Criminal Procedure may be applied to victims of trafficking, who have taken part in unlawful activities under duress, if the proceeding is for a crime in relation to which the criminal law expressly establishes the possibility of “discontinuance for discharge”. The Portuguese Criminal Code includes several types of crime that expressly comprise the possibility of exemption of punishment, namely in cases of exculpatory necessity set for in Article 35 CC (1- Whoever commits an unlawful act appropriate to avoid a present danger, not differently removable, that threatens life, physical integrity, honour or freedom of the agent or of a third person, acts without guilt when it is not reasonable to demand, according to the circumstances of the case, a different behaviour). The requirements of discharge are provided by Article 74 (1) CC, and, in these cases, the judge may decide to the “discontinuance for discharge” of the proceeding, so we think we are in line with article 26 of the convention.

We also like to stress, that the Government of Portugal is fully engaged in continuing the fruitful on-going dialogue and cooperation with GRETA.

Appendix VIII

Statement by Mr Joan Forner Rovira Deputy Permanent Representative of Andorra to the Council of Europe

Thank you Chairperson, and good morning colleagues,

Since this is the first time I take the floor, I would like, as previous speakers have done it before me, to congratulate you both, Mr Chair and Mrs Vice-Chair, for your election and to wish you, on behalf of this delegation, great success during your mandates.

With regards to the measures taken to comply with this Committee's recommendations on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, I will not repeat what it is in our reply already and in the 6 annexes that we sent together to the Committee, but to inform, instead, you of the following:

Firstly, my authorities ask me to convey to the Secretariat of the Committee its sincere appreciation for promoting the organization of a round table in Andorra that took place last fall, which helped us to clarify many issues and to finalize the scope of our internal reforms.

Secondly, as a result, the Committee of Ministers approved this Wednesday, 8 of March, the draft law on trafficking on human beings, which establishes specific measures to combat trafficking and to protect its victims. The law will be sent next week to the Parliament for its approval.

Thirdly, the Government, also following this Committee recommendation, decided to draft a Protocol on action to protect victims of trafficking by assuring the efficient coordination of all stakeholders who would be involved in a case of human trafficking, such as, enforcement agents, prosecutors, judges and social services.

And finally, I would like to reiterate that, although no victims of trafficking in human beings have ever been identified and there have been no reports suggesting that there might have been a victim of such hideous crime in Andorra, we are confident that with the measures submitted to you in compliance with the recommendations, this Committee will conclude that my Government stands ready to comply with the obligations set in the Convention.

Thank you Mr Chairman.

Appendix IX

Comments of Ms Michela Bovi, Deputy Permanent Representative of San Marino to the Council of Europe

The San Marino authorities have the honour of reporting to the Committee of the Parties on the progress made in the area of action against trafficking in human beings since the adoption of the first GRETA report in 2014.

Firstly, it is important to emphasise that no cases of trafficking in human beings have been reported on the territory of San Marino to date. Even so, numerous efforts have been made in our country in terms of commitment to action against this phenomenon and raising awareness of it.

Where changes to legislation are concerned, the new law on stay permits, whose adoption was announced in our comments on the first report, has effectively entered into force. Caregivers now have an annual permit, which plugs legal loopholes. The same legislative text now provides for a stay permit on humanitarian grounds of social protection and the possibility of issuing the permit to victims of trafficking in human beings as defined by the international human rights protection instruments ratified by the Republic of San Marino, in the light of their personal circumstances and/or their cooperation with investigations or criminal proceedings.

Permits are renewed if necessary, on the basis of instructions from the Authority for Equal Opportunities and the judicial authorities. It may be said, therefore, that the relevant recommendations have been taken into account.

In addition, progress has also been made in the area of information provision to foreign workers, through the setting up of a specific office providing assistance.

One of GRETA's major concerns was that victims should be expressly included in protection measures. Through the passing of the "Provisions bringing San Marino's system into line with the provisions of the Council of Europe Convention on preventing and combating violence against women and domestic violence" which entered into force on 6 May 2016, a new definition of violence has been adopted and uses the notion of **person** in its description of the victim, meaning that any victims of trafficking in human beings (men, women or children) are included. Moreover, measures of assistance are applicable - and this is expressly stated in the law - to any form of violence, including deprivation of liberty, coercion and the threat of violence. Accordingly, financial assistance and help for looking for employment, consultations with legal experts, accommodation, education and training, and counselling are guaranteed for any victim.

The problem concerning compensation for victims has also been resolved in the same legal text, which provides for compensation by the State where it has failed to adopt protection and prevention measures. Where other types of compensation are concerned, a Fund providing financial assistance to victims of violence, managed by the Authority for Equal Opportunities, has been set up.

It should be pointed out to the Committee that the crisis in the Government previously in place and the early dissolution of Parliament slowed efforts to implement and plan certain activities, including amendments to legislation. A new Parliament has been elected since then, and the current Government has been in charge since 28 December 2016.

The authorities of San Marino have responded very favourably to the proposal to hold a round table to exchange views with members of GRETA on the implementation of GRETA's recommendations; it will be held on 16 June. The authorities are aware that much remains to be done, particularly with regard to training. This event will certainly be useful in securing further progress in this area.

Appendix X

Statement by Mr Oleksandr Kulikovskiy, Deputy Permanent Representative of Ukraine to the Council of Europe

We are very pleased to confirm that trafficking of human beings remains one of the Ukrainian priorities in the social sphere.

First of all, on behalf of the Government of Ukraine let me express a gratitude to the Secretariat of GERETA and GRETA experts for fruitful cooperation and efficient consultations that were held in Kiev in May 2016.

I would like to underline that Government of Ukraine constantly improves legislation on combating human trafficking, in particular:

- the National strategy or counter-trafficking program for the period until 2020 has been approved;
- the Action plan with separate chapter «Combating gender-based violence, human trafficking and slavery» has been approved within the framework of implementation of the National Strategy on human rights for the period until 2020;
- Financial assistance for victims had been increased on initiative of the Ministry of Social Policy of Ukraine to 3 living wages from January 1, 2017. The increase stipulates ensuring victims by immediate needs such as documents, clothes or medicines;
- the National Action Plan «Women, Peace and Safety» has been adopted on the implementation of the UN Security Council Resolution 1325(2000).

The draft law «On amendments to certain legislative acts of Ukraine on strengthening anti-trafficking and protecting victims» was elaborated in 2016 *in order* to strengthen the protection of victims of trafficking. The main goal of the act is also to empower local governments onto improving access of victims of trafficking for assistance. The draft law has been approved by all relevant ministries and the Cabinet of Ministers of Ukraine. It has been registered in Verkhovna Rada of Ukraine for further adoption.

The Ministry of Social Policy of Ukraine is working on strengthening the process of detection and identification of victims of trafficking in close cooperation with the main stakeholders, in particular the National Police, the State Border Service, the State Migration Service, and Ministry of Foreign Affairs, international and non-governmental organisations.

The Ministry of Social Policy of Ukraine provides trainings, studies, workshops, seminars and conferences on combating human trafficking, also for investigators and prosecutors.

For the first time two social videos «Combating child begging» and «Prevention of labor exploitation», which will be broadcast on Ukrainian television, were made for budgetary funds.

Training for Ukrainian law enforcement officials on financial investigations into cases of trafficking in human beings will take place in Kyiv in April 2017. And we are very grateful to the Council of Europe and secretariat of GRETA for organizing such a visit.

I would like also to mention that number of people who obtain the status of trafficking victims in 2016 was increased comparing to 2014 and 2015.

We understand that only proactive governmental policy in combating human trafficking would help protect our citizens from getting into trafficking situations.

Recognising the new challenges, the Government of Ukraine continues to make efforts to improve public policy in combating human trafficking: improve legislation in this area, strengthen cooperation between stakeholders, carry out information campaigns for the population and improve the qualifications of specialists who work in this area, including prosecutors and judges to ensure further effective protection and assistance to victims.

Appendix XI

Statement delivered by Mr Georg Schnetzer, Federal Ministry of Europe, Integration and Foreign Affairs of Austria, Co-ordination of the Task Force on Combating Human Trafficking

Congratulation to Chair and Vice-Chair on their election.

Concerning the comments of the Secretariat on Austria's report in response to the Committee of the Parties' recommendation we would like to make the following remarks:

1. The Austrian report contained explanations for the decision not to include the Prosecutor's Office in the Task Force on Combating Human Trafficking. Additionally, this decision can also be explained by the hierarchical structure of the Prosecution offices. 17 public prosecution offices are bound by instructions of 4 senior public prosecution offices and ultimately of the Federal Minister of Justice. Including prosecution offices would mean including all four senior prosecution office, which does not seem very practicable. Besides that, they are not independent but subordinate to the Federal Minister of Justice. The Ministry of Justice is a very active member of the Task Force.
2. GRETA recommended disaggregation of statistics concerning sex, age, type of exploitation, country of origin and/or destination. This recommendation has been put into practice in the criminal statistics of the Criminal Intelligence Service Austria since 2015. Differences between the existing statistics by different authorities and NGO's will be evaluated and laid down in an explanatory document due to be finalised in the next months.
3. The Working Group on Child Trafficking under the umbrella of the Task Force on Combating Human Trafficking has recently finalised its comprehensive work on guidelines for identifying and referral of victims of child trafficking (National Referral Mechanism). The question of the establishment of specialised centres for child victims of trafficking other than the existing Drehscheibe Centre in Vienna will be one of the priorities to be addressed in the work of the Working Group in the coming months and probably in the next National Action Plan on combating Human Trafficking (2018-2020), besides the systematisation of training for staff of child and youth welfare and recommendations for common standards for accommodation of Unaccompanied Minors in the nine federal provinces. Different youth protection laws apply in each of the nine federal provinces. Due to this fragmented responsibility, it might be time consuming to negotiate a common approach.
4. In response to the Secretariat's comment that there is still no provision in law on the recovery and reflection period, but "only" an "internal decree" contained in the "Handbook on the Aliens' Law", it should be underlined that the „Handbook on the Aliens' Law“ is more than just an internal guideline since it has the status of a decree and thus is legally binding for all police officers.
5. Concerning GRETA's recommendation to take additional measures to ensure compliance with the principle of non-punishment contained in Article 26 of the Convention, a decree of the Federal Ministry of Justice on implementation of the non-punishment principle in the context of criminal law has been released and published on 17 February 2017, addressed to prosecution offices and courts. A separate release to police offices is being prepared by the Federal Ministry of the Interior. As a further step, a similar decree for the context of administrative law sanctions is being considered in the framework of the ad hoc working group of the Task Force on Combating Human Trafficking that deals with the implementation of the non-punishment principle.

Appendix XII

Statement by Mr Michael Karagiorgis, Deputy Permanent Representative of Cyprus to the Council of Europe

Thank you, Chair.

Allow me first to congratulate you and the Vice Chair for your election and to wish you success during your tenure.

The measures adopted by Cyprus following the Recommendation on the second evaluation round have been submitted in a report dated 30 November 2016 and were circulated by the Secretariat in document CP(2017)12.

In view of this meeting, the Secretariat prepared a table in which the recommendations and the responses were put together, with comments on behalf of the Secretariat.

I am thankful to the President ad interim of GRETA for her initial remarks. I wish to reassure her for the commitment of the Republic of Cyprus to continue working constructively and in full cooperation with GRETA, towards addressing the challenges in implementing fully the Convention. In this regard my authorities are looking forward to the assessment by GRETA of the measures presented in the Report.

There is only one issue I would like to refer to at this stage. It concerns the comment of the Secretariat on the Children Referral Mechanism. The same issue was also mentioned by the President of GRETA ad interim. On this issue I would like to inform the Committee that the general National Referral Mechanism adopted in May 2016, contains special and detailed guidelines on the handling of cases of child victims.

However, both the comments of the Secretariat and the views presented today orally by the President ad interim will be forwarded to Nicosia and I am sure that my authorities will address the issues in the same constructive manner as they have been doing so far.

Appendix XIII

Statement by Mr Tomáš Grünwald, Deputy to the Permanent Representative of the Slovak Republic to the Council of Europe

Let me start by thanking for this possibility to address the Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings today and on behalf of the Government of the Slovak Republic express appreciations for the cooperation with this Committee and the Group of Experts on Action against Trafficking in Human Beings, which is highly valued by my authorities. Let me also appreciate professional and experienced perspective on the implementation of the Convention by those bodies, including advice and recommendations addressed to my country with regard to further improvement of a current state.

As you know the Slovak Republic has been one of the first ten countries that ratified the Convention and two monitoring circles have been carried out by the Group of Experts so far. Please be also recalled that at its 17th meeting held in November 2015 this Committee considered the second evaluation report of the Group of Experts on the implementation of the Convention by the Slovak Republic together with the Comments submitted by the Slovak authorities based on the replies to questionnaire which had been distributed to all relevant stakeholders.

Following the GRETA's conclusions, this Committee adopted recommendation on the implementation of the Convention by the Slovak Republic and the Government of the Slovak Republic was requested to submit information on the measures adopted to address the issues for immediate action identified in the GRETA's report. This Committee also recommended the Slovak government to take measures to implement further conclusions emerging from the GRETA's second evaluation report and to keep GRETA regularly informed of the measures adopted.

Information provided by the Slovak Republic on measures adopted to enhance implementation of the Convention in line with the recommendation has been sent to the Secretariat and subsequently to the Committee. Let me now draw your attention to the measures adopted:

During the period of the second evaluation round, the Methodological guide aimed at proceeding to provide assistance to victims of trafficking with special focus on minors and foreigners has been amended. This methodological guide is intended for specific groups of professionals who can identify victims of trafficking – minors or foreigners and it was amended on the basis of the comments received from relevant stakeholders being active in the area of combating trafficking in human beings in the Slovak Republic.

According to the National programme for Combating Trafficking in Human Beings for 2015-2018, during 2016 the relevant groups of professionals were provided with training on the issue of identification of the victims, possibilities for the support and protection of victims and the rights of victims. In comparison with the previous years there were changes as regards trainings as the Slovak authorities also included providers of the support for the victims to the training curriculum. For your further information there are trainings provided to the employees of foster houses and specialized educational facilities for children in the course of this year.

Last but not least, the Act on the Criminal Liability of Legal Persons as well as the Act on the Recognition and Enforcement of Property Decision Rendered in Criminal Proceedings in the European Union have entered into force. Both legal acts relate to categories of criminal offenses of trafficking. The laws also allow recognition of judgments relating to the property issued in criminal matters, inter alia, for the offense of trafficking in the European Union. The draft of a new Act on the Victims of Crime is being prepared by experts also to pursue a full transposition of the EU Directive establishing Minimum Standards on the Rights, Support and Protection of Victims of Crime.

To conclude let me express assurances of willingness of the Slovak government to continue dialogue and further cooperation with this Committee and the Group of experts.