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

21st meeting of the Committee of the Parties

(Strasbourg, 13 October 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 21st meeting on 13 October 2017 in Strasbourg.
2. The meeting was opened by the Chair of the Committee of the Parties, Ambassador Christopher Yvon, Permanent Representative of the United Kingdom to the Council of Europe. He 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: Exchange of views with the President of GRETA

3. The Chair invited Ms Siobhán Mullally, President of GRETA, to take the floor for the periodic exchange of views with the Committee of the Parties.
4. The President of the Group of Experts on Action against Trafficking in Human Beings (GRETA) presented the main findings from GRETA's reports concerning Belarus (first evaluation round) and Bosnia and Herzegovina, France, Ireland and Norway (second evaluation round), which were the subject of draft recommendations by the Committee of the Parties. Concerning Belarus, she noted that GRETA had welcomed the measures taken to develop the legislative and institutional framework for combating human trafficking, to train relevant professionals and raise public awareness of trafficking, as well as promote international co-operation. However, GRETA had urged the Belarusian authorities to improve the identification of victims of trafficking, ensuring that it is independent from the criminal investigation, and to specifically define in law the recovery and reflection period. As regards the four second evaluation round reports, concerning Bosnia and Herzegovina, France, Ireland and Norway, while progress had been made in some areas, GRETA had identified certain gaps and had urged the national authorities to address them.
5. Ms Mullally also informed the Committee of the recent adoption by GRETA of final reports concerning Greece (first evaluation round), Belgium and Poland (second evaluation round), which had not yet been published.
6. Further, the President of GRETA informed the Committee that in June 2017, GRETA had launched an urgent procedure in respect of Hungary, pursuant to Rule 7 of the Rules of procedure for evaluating implementation of the Convention by the Parties. This decision had been taken by GRETA in the light of concerns around the identification and protection of victims of trafficking among asylum seekers, following the entry into force of Law No. T/13976 "On the amendment of certain acts related to increasing the strictness of procedures carried out in the areas of border management".
7. Ms Mullally noted that owing to the unfavourable staffing situation in the Secretariat, GRETA had had to postpone the second evaluation visit to Italy to early 2018. She recalled that the post of one administrator has been vacant since December 2016 and the most recent recruitment procedure had been frozen following the suspension by the Russian Federation of their contribution to the Council of Europe's budget for 2017.
8. The Chair thanked Ms Mullally for her presentation, the full text of which appears in Appendix III. He expressed hope that the vacancy in the Secretariat would soon be filled.

Agenda item 4: Examination of GRETA's reports on the implementation of the Convention on Action against Trafficking in Human Beings by Belarus, Bosnia and Herzegovina, France, Ireland and Norway and adoption of recommendations in respect of these Parties

9. The Chair noted that GRETA had adopted final reports concerning the implementation of the Convention by Belarus (1st evaluation round) and Bosnia and Herzegovina, France, Ireland and Norway (2nd evaluation round), which had been sent to the national authorities for final comments and, following their receipt, had been made public. The five draft recommendations based on these reports had been made available to the Committee on 15 September 2017.

4.1 Draft recommendation to be adopted in respect of Belarus

1. The Chair informed the Committee that the draft recommendation on Belarus followed the format of recommendations adopted in the context of the first evaluation round. He also noted that a round-table meeting on the implementation of the recommendations contained in GRETA's report had recently taken place in Minsk, with the involvement of relevant public authorities and civil society actors.

10. The Committee adopted the recommendation in respect of Belarus and decided to request the Government of Belarus to inform it of measures taken to comply with this recommendation by 14 October 2019.

4.2 Draft recommendation to be adopted in respect of Bosnia and Herzegovina

11. Ambassador Predrag Grgić (Bosnia and Herzegovina) expressed appreciation for the work of GRETA in the context of the second evaluation of the implementation of the Convention by Bosnia and Herzegovina and the positive contribution of the report to the fight against human trafficking in this country.

12. The Committee adopted the recommendation in respect of Bosnia and Herzegovina and decided to request the Government of Bosnia and Herzegovina to inform it of measures taken to comply with this recommendation by 15 October 2018.

4.3 Draft recommendation to be adopted in respect of France

13. Mr Jean-François Goujon-Fischer, representative of France, thanked GRETA for the constructive approach during the second evaluation and noted some of the measures planned by the French authorities with the view to implementing GRETA's recommendations, including training of consular staff and professionals involved in youth protection, funding research on THB, promoting corporate social responsibility, and improving the identification and assistance of child victims of trafficking. The full text of Mr Goujon-Fischer's statement appears in Appendix IV.

14. The Committee adopted the recommendation in respect of France and decided to request the French Government to inform it of measures taken to comply with this recommendation by 15 October 2018.

4.4 Draft recommendation to be adopted in respect of Ireland

15. Mr Conor Nelson, representative of Ireland, expressed appreciation for the constructive dialogue with GRETA in the context of the second evaluation round. He highlighted some of the steps taken in Ireland to strengthen implementation of the Convention, such as the review of victim identification procedures and discouraging demand for services from victims of trafficking. Mr Nelson stated that the recommendations will be considered in the context of the implementation of the National Action Plan against trafficking in human beings and that the authorities were looking forward to further engagement with GRETA. The full text of Mr Nelson's statement appears in Appendix V.

16. The Committee adopted the recommendation in respect of Ireland and decided to request the Irish Government to inform it of measures taken to comply with this recommendation by 15 October 2018.

4.5 Draft recommendation to be adopted in respect of Norway

17. The Committee adopted the recommendation in respect of Norway and decided to request the Norwegian Government inform to it of measures taken to comply with this recommendation by 15 October 2018.

Agenda item 5: Government reports submitted in reply to Committee of the Parties' recommendations

First evaluation round

18. The Chair indicated that the Governments of Finland, Germany, Hungary and Lithuania had submitted their replies to the Committee of the Parties' recommendations (adopted on 15 June 2015), 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.

19. Ms Liisa Valjento, Counsellor in the Unit for Human Rights Courts and Conventions of the Finnish Ministry of Foreign Affairs, highlighted some of the steps taken in Finland in response to the Committee of the Parties' recommendations. A new National Action Plan against Human Trafficking for 2016-2017 has been adopted and the Government had allocated around €500 000 for its implementation. Since January 2017, the Victim Assistance System has formed part of the Finnish Immigration Service. Further, Ms Valjento drew the Committee's attention to a separate statement of the Finnish National Rapporteur on Trafficking in Human Beings, attached to the reply. The full text of Ms Valjento's statement appears in Appendix VI.

20. Ms Ruth Niebuer of the German Federal Ministry for Family Affairs Senior Citizens, Women and Youth referred to the round-table meeting held in Berlin in May 2017 on the follow-up given to GRETA's report and the Committee of the Parties' recommendation, which had provided an opportunity to take stock of measures taken and discuss ways forward. She referred to recent legislative developments, including amendments of the Criminal Code and the entry into force of the Act on Regulating the Business of Prostitution and Protecting Persons Working in Prostitution. Further, a consultation had started in 2016 to examine the possibility of establishing an independent national rapporteur. The full text of Ms Niebuer's statement appears in Appendix VII.

21. The Committee took note of the report submitted by Hungary (received on 23 June 2017).

22. The Committee also took note of the report submitted by the Lithuania (received on 16 June 2017).

Second evaluation round

23. The Chair recalled that at its 18th meeting on 8 June 2016, the Committee had adopted recommendations in the context of the second evaluation round of the Convention concerning Albania, Bulgaria, Croatia, Denmark, Georgia and the Republic of Moldova, 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 six Parties had been made available on the Committee's restricted website.

24. Ms Avenilda Doko, representative of Albania, expressed the gratitude of the Albanian authorities for the constructive dialogue with GRETA and the Committee of the Parties and confirmed the authorities' readiness to continue co-operation in the implementation of the Convention.

25. The President of GRETA noted that according to the report submitted by the Albanian authorities, some of the recommendations had been implemented or were in the process of being implemented. However, she noted that no information had been provided on steps taken to proactively identify victims of trafficking among irregular migrants and asylum seekers, including unaccompanied children. Further, it appeared that the guardianship system had not been reviewed. No developments were reported as regards the provision of information and legal assistance to victims of trafficking in seeking compensation from offenders, or on the setting up of a State compensation scheme.

26. Concerning the report submitted by the Bulgarian authorities, Ms Mullally noted that the information contained in it suggested that progress had been made in implementing a number of recommendations, such as setting up additional shelters for victims of trafficking, improving the identification and protection of child victims of trafficking, and facilitating access to compensation. However, several recommendations remained to be addressed, in particular concerning the reinforcement of the resources of labour inspectors and the introduction of a legal provision on the recovery and reflection period.

27. Ms Ankica Vrkljan Sučić, representative of Croatia, expressed appreciation of the co-operation with the Committee of the Parties and GRETA and readiness to continue the constructive dialogue.

28. The President of GRETA noted that some of the recommendations in respect of Croatia had been implemented or were in the process of implementation. However, she pointed to the lack of information as to whether the rules and criteria for granting State compensation had been reviewed. Further, she noted that information provided by the authorities as regards financial investigations was insufficient.

29. Concerning Denmark, the President of GRETA noted that the report submitted by the authorities indicated that most of the recommendations had been implemented. However, Denmark had not implemented the recommendation concerning the introduction of the recovery and reflection period in law.

30. Ambassador Irakli Giviashvili (Georgia) referred to the adoption of a new National Action Plan for combating human trafficking, for the period 2017-2018, as well as the strengthening cross-border co-operation. The full text of Mr Giviashvili's statement appears in Appendix VIII.

31. The President of GRETA noted that the report submitted by the Georgian authorities suggested that progress had been made in the implementation of some of the recommendations. However, no information had been provided on measures taken to detect victims of trafficking among asylum seekers and persons placed in immigration detention centres, and no legislative review was envisaged to define in law the recovery and reflection period. The recommendation to facilitate and guarantee access to compensation for victims of trafficking from the offenders also remained to be implemented.

32. Mr Andrei Ursu, representative of the Republic of Moldova, expressed appreciation for the constructive dialogue with the Committee of the Parties and GRETA. As well as the support provided and fruitful co-operation and a meaningful dialogue with GRETA, whose recommendations proved utility in enhancing the response of the authorities to trafficking in human beings. Mr Ursu also thanked the Council of Europe Secretariat for the support provided to the Moldovan authorities in the implementation of anti-trafficking policies and measures.

33. The President of GRETA noted the steps taken by the Moldovan authorities to meet the recommendations in the areas of victim support and access to compensation. However, she stressed the need for additional information on the Joint Risk Assessment Group and access to health care for victims of trafficking.

34. The Chair of the Committee thanked the representatives of the Parties which had submitted reports in response to the Committee's recommendations for their interventions. He also thanked the President of GRETA for GRETA's input in the consideration of the replies.

Agenda item 6: Follow up to be given to government reports submitted in reply to Committee of the Parties recommendations

35. The Committee thanked the authorities of Finland, Germany, Hungary and Lithuania 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.

36. The Chair indicated that the reports submitted by Albania, Bulgaria, Croatia, Denmark, Georgia and the Republic of Moldova in the context of the second evaluation round would also be made public on the Council of Europe's Anti-Trafficking website. The Committee agreed to send letters to these six Parties to the Convention, asking them to provide further information on certain issues identified following their examination by GRETA.

37. Following the Committee's 20th meeting, letters had been sent to the authorities of Austria, Cyprus and the Slovak Republic, asking them to provide further information on certain issues stemming from their reports on the implementation of the Committee's recommendations. Such additional information had been submitted by the authorities of Austria (on 13 September 2017) and Cyprus (on 4 October 2017). The Slovak authorities had asked for an extension of the deadline to submit the additional information requested. The Chair invited representatives of Austria and Cyprus to take the floor.

38. Ms Barbara Grosse of the Federal Ministry of Europe, Integration and Foreign Affairs of Austria, referred to the work carried out to implement the new National Referral Mechanism for child victims of trafficking, including training to relevant professionals. She noted the adoption of a decree by the Federal Ministry of Justice containing guidance for prosecutors and judges on the implementation of the non-punishment provision and the participation of representatives of the Prosecutor's Office in some of the meetings of the Task Force on Combating Human Trafficking. Further, Ms Grosse underlined that the setting up of a specialised centre for child victims of trafficking was considered as a priority and several provinces were examining the possibility of hosting such a centre. Finally, she noted some practical difficulties as regards the setting up of a unified data collection system on trafficking in human beings.

39. Mr Michael Karagiorgis, representative of Cyprus, stressed his country's readiness to continue the dialogue with GRETA in making further progress in the implementation of the Convention.

40. Mr Tomáš Grünwald, representative of the Slovak Republic, informed the Committee that the Slovak authorities were in the process of finalising their reply.¹

¹ The reply of the Slovak authorities was submitted on 13 November 2017.

Agenda item 7: Activities aimed at strengthening the implementation of GRETA's conclusions and the Committee of the Parties' recommendations

41. Ms Petya Nestorova, Executive Secretary of the Convention, informed the Committee that the Council of Europe, in collaboration with the City of Strasbourg, the Prefect of the Region *Grand Est* and the Academy of Strasbourg, was organising a public event entitled "Child trafficking: new faces of slavery, in France as well" to mark the European Day against Trafficking in Human Beings on 18 October 2017. Students and teachers from several secondary schools in Strasbourg had been invited to a film showing and a debate with the participation of experts and front-line actors. In the follow-up to the event, the students were expected to work on projects related to raising awareness of human trafficking, the results of which would be presented in the spring of 2018.

42. The Executive Secretary provided information about a regional expert workshop on enhancing international legal co-operation in the investigation and prosecution of cases of trafficking in human beings and the protection of victims' rights, to be held in Sofia, Bulgaria, on 8-9 November 2017.² She added that a training session on financial investigations in human trafficking cases had taken place in Kyiv, Ukraine, on 25-26 April 2017.

43. Further, Ms Nestorova informed the Committee of the organisation of round-table meetings in Budapest (10 April), Berlin (9 May) and Bern (10 October), to discuss progress in the implementation of the recommendations made by the Committee of the Parties and GRETA's reports.

44. Moreover, the Executive Secretary informed the Committee that two anti-trafficking projects were currently being implemented, in Serbia and the "former Yugoslav Republic of Macedonia", under the co-operation initiative of the European Union and Council of Europe "Horizontal Facility for the Western Balkans and Turkey".

45. The Executive Secretary also provided updated information concerning the setting up of HUDOC-GRETA site, on which all GRETA reports will be placed in a manner allowing search by means of disaggregated data filters. In addition, she informed the Committee of the recent publication of an online course on combating human trafficking for legal professionals, developed by the European Programme for Human Rights Education for Legal Professionals (HELP).

46. The Chair thanked the Executive Secretary and her team for the efforts made to develop co-operation activities with a view to strengthening the implementation of the Convention.

Agenda item 8: State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings

47. The Chair informed the Committee that since the last meeting of the Committee on 10 March 2017, the Czech Republic had ratified the Convention. The entry into force of the Convention in respect of the Czech Republic on 7 July 2017 had brought the number of Parties to the Convention to 47. The Chair stressed the importance of a pan-European approach to the challenges posed by human trafficking and called upon the Russian Federation to sign and ratify the Convention without delay.

² More information about the workshop is available via the following link:
www.coe.int/en/web/anti-human-trafficking/-/improving-international-co-operation-in-tackling-transnational-trafficking-in-human-beings-regional-expert-workshop-in-sofia

48. Furthermore, the Government of Tunisia had recently submitted a request to accede to the Convention, which was being studied by the Treaty Office and would subsequently be considered by the Committee of Ministers. The Chair recalled that according to Article 43 of the Convention, the Committee of Ministers of the Council of Europe may, after consultation of the Parties to the Convention and obtaining their unanimous consent, invite any non-member State of the Council of Europe, which has not participated in the elaboration of the Convention, to accede to this Convention by a decision taken by the majority provided for in Article 20 d. of the Statute of the Council of Europe, and by unanimous vote of the representatives of the Contracting States entitled to sit on the Committee of Ministers.

Agenda item 9: Dates of future meetings

49. The Committee decided to hold its 22nd meeting on Friday, 9 February 2018.

Agenda item 10: Other business

50. The Chair noted that the proposed exchange of views with representatives of other regional intergovernmental organisations engaged in action against human trafficking had had to be postponed. The Secretariat had contacted five regional organisations: the Organization of American States (OAS), the Association of Southeast Asian Nations (ASEAN), the Arab League, the African Union and the Economic Community of West African States (ECOWAS). While most of them had replied positively, requests were made to cover the cost of participation, which in the current budgetary climate was not possible. The Chair suggested that the invitation could be repeated in 2018, on the occasion of the event to mark the 10th anniversary of the entry into force of the Council of Europe Anti-Trafficking Convention.

Agenda item 11: Adoption of the list of decisions taken

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

Appendix I

Agenda

1. Opening of the meeting
2. Adoption of the draft agenda
3. Exchange of views with the President of GRETA
4. Examination of GRETA's reports on the implementation of the Convention on Action against Trafficking in Human Beings by Belarus, Bosnia and Herzegovina, France, Ireland and Norway and adoption of recommendations in respect of these Parties
 - 4.1 *Belarus*
 - 4.2 *Bosnia and Herzegovina*
 - 4.3 *France*
 - 4.4 *Ireland*
 - 4.5 *Norway*
5. Government reports submitted in reply to Committee of the Parties recommendations
 - First evaluation round*
 - 5.1. *Finland*
 - 5.2. *Germany*
 - 5.3. *Hungary*
 - 5.4. *Lithuania*
 - Second evaluation round*
 - 5.5. *Albania*
 - 5.6. *Bulgaria*
 - 5.7. *Croatia*
 - 5.8. *Denmark*
 - 5.9. *Georgia*
 - 5.10. *Republic of Moldova*
6. Follow up to be given to Government reports submitted in reply to Committee of the Parties recommendations
7. Activities aimed at strengthening the implementation of GRETA's conclusions and the Committee of the Parties' recommendations
8. State of signatures and ratifications of the Council of Europe Convention on Action against Trafficking in Human Beings
9. Dates of future meetings
10. Other business
11. 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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Mme Geraldine Sasplugas Requena
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ARMENIA / ARMÉNIE

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Deputy to the Permanent Representative
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AUSTRIA / AUTRICHE

Ms Barbara Grosse
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Ministry for Europe, Integration and Foreign Affairs

AZERBAIJAN / AZERBAÏDJAN

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Représentant Permanent
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BELARUS/ BÉLARUS

M. Andrei Sukhorenko
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CYPRUS / CHYPRE

Mr Michael Karagiorgis
Deputy Permanent Representative
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CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE

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Mr Tomáš Grünwald
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Participants of the Committee of the Parties Participants du Comité des Parties

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Mr Jari Vilén (*apologised/excused*)
Ambassador
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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

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
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humains (GRETA et Comité des Parties)

Ms Petya Nestorova
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Mr Alexander Bartling
Administrator – Co-operation Activities

Mr David Dolidze
Administrator

Mr Markus Lehner
Administrator

Mr Mats Lindberg
Administrator

Mr Fatih Susuz
Administrator – Co-operation Activities

Ms Ursula Sticker
Co-operation Activities

Ms Melissa Charbonnel
Administrative Assistant

Ms Giorgia Spada
Administrative Assistant

Ms Fabienne Schaeffer-Lopez
Administrative Assistant (co-operation activities)

Ms Julia Litzkow
Trainee

Congress of Local and Regional Authorities of
the Council of Europe / Congrès des Pouvoirs
Locaux et Régionaux du Conseil de l'Europe

Mme Muriel Grimmeissen
Co-Secretary to the Current Affairs Committee

Interpreters / Interprètes

Ms Rémy Jain

Ms Julia Tanner

M. Jean-Jacques Pedussaud

Appendix III

Statement by the President of GRETA

Mr Chair, Excellencies, Ladies and Gentlemen,

Since the last meeting of the Committee of the Parties on 10 March 2017, GRETA has held two plenary meetings (27-31 March 2017 and 3-7 July 2017). As the first meeting, GRETA held elections for its new Bureau and I was elected as GRETA's President for a term of office of two years, together with Jan van Dijk and Ryszard Piotrowicz as, respectively, First and Second Vice-Presidents.

At its meeting in March, GRETA adopted final reports concerning Belarus (first evaluation round) and Bosnia and Herzegovina, France and Norway (second evaluation round), which have since been made public and are the subject of draft recommendations that you will discuss and adopt today. Further, at the meeting in July, GRETA adopted final reports concerning Greece (first evaluation round) and Belgium, Ireland and Poland (second evaluation round). The report on Ireland has been made public and is the subject of a draft recommendation which is on your agenda today. The remaining three reports will be published following the receipt of the national authorities' comments.

I would therefore like to highlight some of the main issues arising from GRETA's five recently published reports.

Belarus was evaluated by GRETA for the first time. GRETA welcomed the adoption of relevant legislation and regulations, the setting up of the International Training Centre on Migration and Combating Trafficking in Human Beings, the measures taken to raise public awareness and the efforts in the area of international co-operation. However, GRETA urged the Belarusian authorities to ensure that the identification of victims of trafficking is independent from the criminal investigation and to specifically define in law the recovery and reflection period. As only a few victims of trafficking have received compensation from the perpetrators, GRETA urged the authorities to set up a State compensation scheme accessible to victims of trafficking and to systematically inform them about the right to seek compensation, as well as to ensure their effective access to legal aid.

In Bosnia and Herzegovina, GRETA welcomed the legislative changes made since the publication of its first report in May 2013, including the introduction of the criminal offence of human trafficking in the criminal codes of the Republika Srpska, the Federation of Bosnia and Herzegovina and the Brčko District, the adoption of legal provisions concerning the non-punishment of victims of trafficking for offences committed by them as a result of being trafficked, and the inclusion of the recovery and reflection period in the new Law on Foreigners. The majority of the identified victims of human trafficking in Bosnia and Herzegovina have been children and GRETA has urged the authorities to strengthen their efforts to prevent child trafficking, including by strengthening the role and capacity of social work centres to play a proactive role in alerting other relevant authorities to possible cases of human trafficking and exploitation. Further, GRETA has called on the authorities of Bosnia and Herzegovina to improve the identification of victims of trafficking and the provision of adequate assistance to them, regardless of the victims' co-operation with the investigating and prosecuting authorities. GRETA also urged the authorities to adopt measures to facilitate and guarantee access to compensation for victims of trafficking from the perpetrators or the State.

In France, GRETA welcomed the legislative changes that have been made with regard to the criminalisation of trafficking in human beings and strengthening victims' rights. Other positive developments include the adoption of the first National Action Plan against trafficking in human beings in May 2014, measures to provide training for the relevant professionals and the appointment of specialised contact persons for trafficking within the French Office for the Protection of Refugees and Stateless Persons (OFPRA). However, GRETA called on the French authorities to strengthen the prevention of child trafficking and to ensure that unaccompanied children benefit from effective care arrangements, including accommodation, access to education and healthcare. GRETA also urged the French authorities to ensure that, in practice, the identification of trafficking victims is not conditional on their co-operation with the law enforcement agencies and covers all trafficking victims, regardless of the purpose of exploitation. Another urgent recommendation concerned access to specialised assistance and accommodation for trafficking victims. The authorities should grant foreign victims of trafficking a proper recovery and reflection period and ensure that victims of trafficking are not punished for offences committed as a result of being trafficking.

In the report on Norway, GRETA welcomed the progress made in several areas, such as the development of the legal framework by increasing the maximum penalty for human trafficking and the establishment of specialised anti-trafficking units in the five largest police districts. GRETA also commended the fact that the Criminal Injuries Compensation Authority has granted compensation to victims of trafficking in a number of cases. However, GRETA urged the Norwegian authorities to set up a formalised National Referral Mechanism which defines the procedures and roles of all who may come into contact with victims of trafficking, and to improve the identification of victims of trafficking among asylum seekers, migrants and persons placed in detention centres. Other issues for immediate action include providing appropriate accommodation, access to free legal assistance and psychological support to child victims of human trafficking. Moreover, Norway should take further steps to address the problem of children going missing while in care of the state.

Finally, in Ireland, GRETA welcomed the development of the legal framework and the adoption a new comprehensive national action plan to prevent and combat human trafficking. Efforts have also been made to raise public awareness of human trafficking, discourage demand and assess the impact of public campaigns and other measures. The inclusion of the Human Trafficking Investigation and Co-ordination Unit in the newly established Garda National Protective Services Bureau has resulted in separating the identification of victims of trafficking from immigration control, as recommended by GRETA in its first report. However, GRETA urged the Irish authorities to improve the identification of victims of human trafficking and to review the policy of housing presumed victims of trafficking in accommodation centres for asylum seekers as a matter of priority. Trafficking for the purpose of labour exploitation has been on the increase in Ireland and GRETA asked the Irish authorities to take additional measures to prevent it, such as to review the regulations applicable to migrant workers in the fisheries industry and home care, and to ensure that labour inspections are properly resourced, frequent and targeted at sectors at high risk of human trafficking. The number of convictions for human trafficking in Ireland remains very low and GRETA called on the Irish authorities to ensure that human trafficking offences are investigated and prosecuted effectively, leading to proportionate and dissuasive sanctions. GRETA also urged the authorities to encourage prosecutors to request compensation orders and to make the State compensation scheme effectively accessible to victims of trafficking.

In June 2017, GRETA launched an urgent procedure in respect of Hungary, pursuant to Rule 7 of the Rules of procedure for evaluating implementation of the Convention by the Parties. The adoption of Law No. T/13976 "On the amendment of certain acts related to increasing the strictness of procedures carried out in the areas of border management" raises a number of questions related to GRETA's mandate. The law provides for the automatic detention of asylum seekers, including families with children and unaccompanied minors from the age of 14, in transit zones at the border. These transit zones are apparently not covered by the identification and referral system under Government Decree No. 354/2012 (XII.13) on the Identification of Victims of Trafficking in Human Beings. Only a limited number of NGOs reportedly have access to the transit zones and they are not specialised or trained in detecting victims of human trafficking. The responses received from the Hungarian authorities to the questions put by GRETA have not been sufficient to allay GRETA's concerns and therefore an urgent procedure visit to Hungary will be organised in the near future.

As regards GRETA's plans until the end of 2017, we have had to postpone the visit to Italy to early 2018, due to the unfavourable staffing situation in the Secretariat. The post of one administrator has been vacant since December 2016. The Executive Secretary has interviewed a number of candidates and has proposed in June the recruitment of a candidate from the reserve list, who is a French national (this is important as there are currently no French drafters among the administrators in the Anti-Trafficking Division). However, her recruitment has been frozen following the suspension by the Russian Federation of their contribution to the 2017 budget. I understand that a decision of principle has been taken by the Committee of Ministers to protect monitoring activities from being affected by the RF's suspension of the payment of the remainder of the 2017 contribution, and it would be natural to apply this same logic to human resources of the monitoring mechanisms as well.

Finally, GRETA is following closely the United Nation's preparatory process for a global compact for safe, orderly and regular migration and has submitted a written contribution to the Office of the High Commissioner for Human Rights on the thematic session "Smuggling of migrants, trafficking in persons and contemporary forms of slavery, including appropriate identification, protection and assistance to migrants and trafficking victims". In this context, I participated in a meeting organised by the UN General Assembly in Vienna on 4-5 September 2017 which covered this thematic session.

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

Thank you for your attention.

Appendix IV

Statement by Mr Jean-François Goujon-Fischer, Deputy to the Permanent Representative of France

France thanks the GRETA delegation, which took a particularly constructive approach when carrying out its evaluation visit to France from 5 to 9 September 2016. We also appreciate the quality of the GRETA report on the implementation of the Council of Europe's Anti-Trafficking Convention, which provides an overview and an overall assessment of our public policies in this area. It is the wish of France to align its action with international recommendations, including those made in the GRETA report.

As you know, the French authorities wished to provide additional observations in reply and put forward their views on some of GRETA's findings and recommendations.

Some of these recommendations relate to global anti-trafficking policy. The observations of France have sought to show how action has already been taken in connection with the points raised along the lines of the recommendations made: further training for staff assigned to work in consulates, training for staff involved in the judicial protection of juveniles, support and funding for research into human trafficking, corporate social responsibility, care for child victims, especially unaccompanied minors, non-prosecution of child victims of trafficking for the purpose of forced criminality or begging, assessment of the age of minors, identifying and assisting child victims, right to stay, missing children, etc.

Other recommendations advocate introducing specific provisions into the Criminal Code or steering criminal law policy in the area of trafficking in human beings. On these points, France, which fully shares GRETA's views on the goals to be attained, has explained why it does not consider it expedient to introduce those provisions into the Criminal Code. This is notably the case where the issue of vulnerability is concerned. France intends to maintain its stance on these points and makes reference to the written observations it has provided.

Appendix V

Statement by Mr Conor Nelson, Deputy to the Permanent Representative of Ireland

Good morning,

I wish to thank the GRETA Secretariat for the preparation of the Report and to thank in particular the expert members who travelled to Ireland in December 2016 as part of the evaluation process.

The Report is in keeping with the process of constructive dialogue within which Ireland engages both NGOs and international monitoring bodies. Ireland's commentary as published with the Report seeks to provide further clarity in that same spirit of constructive dialogue.

The Recommendations endorsed by the Committee of Parties themselves cover a very broad range of policy and procedures and have implications for a range of State agencies, most of whom are regularly engaged through consultative structures, but some of whom, the judiciary and the prosecution service for example, are independent of government.

I would like to specifically mention some of the most important developments, both recent and on-going:

- The criminalisation of the purchase of sex under the Criminal Law (Sexual Offences) Act 2017, and the removal of those providing sexual services through prostitution, from existing offences of soliciting and loitering, thus seeking to reduce the demand for sexual services, and cease punishing the vulnerable. The laws will be reviewed after three years and will be accompanied by targeted funding aimed at those seeking to exit prostitution.
- The transfer of responsibility for coordinating human trafficking investigations from the immigration police to a dedicated National Protective Services Bureau, thus placing the emphasis firmly on victim support. This is accompanied by a roll-out of regional protective service bureaus around the country, each with expertise in human trafficking.
- The on-going review of victim identification procedures, supported by GRETA, and which aims to formalise existing procedures for entry into the National Referral Mechanism for suspected victims of trafficking. Ireland hopes to pilot new procedures in 2018.
- Regular and on-going training and awareness-raising programmes for those frontline state services most likely to encounter victims – police, staff of the international protection office, and our newly civilianised border control staff.
- Further increases to funding for NGOs to provide services to victims of trafficking. In 2016 this corresponded to almost €7,000 for each suspected adult victim, and is in addition to the direct provision of accommodation, food and healthcare through the national referral mechanism, as well as legal aid and other welfare supports.
- These measures take place under Ireland's Second National Action Plan to Prevent and Combat Human Trafficking, the whole-of-government plan which was launched one year ago and which guides the work of all state agencies in this area.

The recommendations for Ireland will be considered in the context of that Plan and we look forward to further engagement with GRETA as we seek to progress them.

Thank you.

Appendix VI

Statement by Ms Liisa Valjento, Unit for Human Rights Courts and Conventions Ministry of Foreign Affairs, Finland

Mr Chairman,

We are grateful to the Committee of the Parties and to GRETA for the recommendations that have allowed us to reflect on different measures that we have in place at the moment and on how the implementation of the Convention could be further improved by Finland.

The reply of the Government of Finland includes the outcome of an extensive consultation round undertaken among different national and local authorities, as well as other stakeholders, such as non-governmental organisations operating in this field. Additionally, the Finnish National Rapporteur on Trafficking in Human Beings gave on the basis of the Government reply her independent and separate statement that was attached to the reply. It is our intention to follow this procedure regarding the future evaluation rounds as well.

There are a couple of issues that I would like to highlight from the Government reply.

The reason why the Finnish Government has not taken measures to amend legislation to state explicitly the irrelevance of the victim's consent is that according to the general principle of our criminal law a victim of a serious offence cannot give his or her consent in a sense that the consent would make the offence unpunishable. The status of the criminal law principles is high in our system but the reasoning of the Government's proposal for legislation has even more weight. The irrelevance of the consent of a victim was mentioned twice in the reasoning of the 2014 Government law proposal. Since there have been no indications that trafficking provisions would be applied in a way not in line with Article 4, subparagraph b, of the Convention, we believe having found a solution that is both consistent and in line with the criminal law regime as a whole and at the same time takes into account the boundaries that the Convention imposes.

The Government Action Plan against Human Trafficking for 2016-2017 was adopted last year. The Action Plan includes nine measures concerning different areas of anti-trafficking. There is a national coordination structure in charge of monitoring the implementation of the Action Plan and the Government has allocated approximately half a million euros for the implementation. There are currently three projects underway.

The Action Plan was drafted in broad cooperation with the NGOs and other members of the civil society, and they are also closely connected to the follow-up of the implementation within the national coordination network.

The Assistance System for Victims of Human Trafficking is a state actor in charge of assisting victims and potential victims, their formal identification and issuing reflection and recovery periods. Its functions are regulated by the reformed Reception Act of 2015 and since January 2017 the Assistance System forms part of the Finnish Immigration Service maintaining at the same time its status as an independent decision-maker in the field of victim assistance. The Assistance System is in daily cooperation with different national and municipal authorities and NGOs. The National Rapporteur is currently preparing a comprehensive study of the whole System and will report on it in 2018.

The question regarding establishing as a criminal offence the use of services that are the object of labour exploitation was to some extent evaluated when the Convention was ratified by Finland in 2012. Labour related trafficking differs from sexual trafficking in a way that the user of services is not necessarily directly in contact with the victim of trafficking, and for that reason cannot evaluate the working conditions of the victim. For example a customer dining in a restaurant could not have the knowledge that a person working in the kitchen is a victim of trafficking. Article 19 of the Convention does not oblige either to criminalise the use of the services of victims.

The Government has launched several initiatives regarding the victim identification. It is very important to further develop practices aiming to this end. Training is essential and we consider it important to focus on the best interest of the child.

According to section 38 b of the Reception Act, assistance is planned and executed taking into account the victim's individual situation and requirements for assistance. An individual assistance plan is drafted together with each customer. Assistance is always given on a consensual basis. Victims with a municipality of residence receive assistance from their home municipality. In case of asylum seekers or persons without residence permits or documents, the authority responsible for providing services is the Joutseno reception centre.

Since 2015, the Assistance System has been authorized to grant both reflection and recovery periods. Both have been actively used. Recovery period which is meant for persons legally present in Finland, is granted to the victim for 30-90 days during which time no information of the victim is given to the police, and the police is not allowed to approach the victim.

Reflection period, which is meant for persons illegally present in Finland, is governed by the Aliens Act and it can be granted for up to six months. During this time the police can contact and interrogate the victim if considered necessary. However, there is no information of any such case or situation where the victim would have been interrogated by an investigative authority during a reflection period granted by the Assistance System.

It is the Assistance System's duty to make sure that victims have access to information on relevant judicial and administrative procedures in a language they can understand. Victims are entitled to legal aid as stipulated in the Criminal Procedure Act and the Legal Aid Act.

Training is provided for the Police, Border Guard and prosecutors who also do intensive cooperation in the investigation. As a sign of effective anti-trafficking activities, including identification of victims and related investigations, is the fact that the number of human trafficking investigations by the pre-trial authorities has risen significantly during the previous years.

Thank you for your attention.

Appendix VII

Statement by Ms Ruth Niebuer, Head of Unit 403, Protection of Women from Violence, Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, Germany

Thank you, Chair.

First of all, I would like to stress that the German government appreciated very much the good and constructive cooperation with GRETA and the Committee of the Parties during the first evaluation round. The recommendations by the Committee of Parties based on GRETA's thorough analysis are helpful guidelines in our work up until today.

The round-table meeting on the implementation of the recommendations in Berlin in May of this year was a very good opportunity to take stock and to discuss ways forward. We have received the meeting-report and are going to consider the suggestions for activities proposed by the Council of Europe to support Germany in its anti-trafficking efforts.

Since the publication of the GRETA Report on Germany on 3rd June 2015, efforts on the part of the Federal Government – in close consultation with the Länder and associations – have especially focused on improving the legal basis for action against human trafficking.

The three most important legislative achievements in the last legislative period form part of the core of our country-report. I would like to mention them briefly:

On 15 October 2016, the Act to Reinforce the Fight against Human Trafficking (Gesetz zur Verbesserung der Bekämpfung des Menschenhandels) entered into force. The Act includes inter alia a revised version of the rules of the German Criminal Code on human trafficking. It contains the necessary legislative measures to implement Directive 2011/36/EU to prevent and combat human trafficking and protect victims and in this way the definitions of the Council of Europe Convention.

Furthermore the Act on Regulating the Business of Prostitution and Protecting Persons Working in Prostitution was approved on 27 October 2016 and entered into force on 1st July 2017, providing for the first time a legal basis on which to regulate prostitution and protect prostitutes against exploitation and human trafficking.

The aim is to create a legislative basis for guaranteeing contractual working conditions, protecting the health of prostitutes, and combatting crime in prostitution, such as human trafficking, violence against and the exploitation of prostitutes, and procurement.

The Federal Government and the Länder now face the task of implementing these new legal provisions and putting them into practice.

Our country-report thus comes in a phase of transition in efforts to combat trafficking of human beings in Germany. It sets out the measures taken thus far at Federal and Länder level in implementing the GRETA recommendations. A range of additional measures will also be taken in the coming months.

In this context I would like to mention briefly one of our ongoing processes with the aim to improve the knowledge base and the coordination of our fight against trafficking in human beings:

In 2016 we launched a consultation process between the Federal ministries to assess the possibilities for both the creation of an independent national rapporteur and the creation of a mechanism to improve coordination of all Federal Government strategies and measures to combat human trafficking. Our aim would be to implement these structures within the legislative period that has just begun in Germany. Governmental consultations are still on-going, though.

I would like to close my intervention at this point. But we are going to continue the dialogue with GRETA and this Committee in the near future. For Germany the second evaluation round has already begun. We are currently preparing our second report to GRETA and we are looking forward to a new round of fruitful and constructive exchange.

Appendix VIII

Statement of Ambassador Irakli GIVIASHVILI, Permanent Representative of Georgia

Mr Chairman,

The Georgian authorities appreciate the external evaluation of the reforms implemented in terms of fight against human trafficking and recommendations given by the GRETA. The assessment of the experts of GRETA has been highly worthwhile and beneficial for further developing Georgian counter-trafficking policy.

Combating Human Trafficking is one of the key priorities for the Government of Georgia. Under the policy of the "4 Ps" the Government is committed to take efficient measures to further enhance Prevention, Protection, Prosecution and Partnership, which is also enshrined in the 2017-2018 National Action Plan on Combating Human Trafficking adopted by the Anti-Trafficking Council on 15 December 2016.

The Government of Georgia also pays particular attention to expanding international cooperation in combating cross-border trafficking. Georgian law enforcement agencies closely cooperate with their counterparts in law enforcement field and through police attaches. Starting from 2013 Government of Georgia has increased the number of Georgian police attachés abroad. Currently, Georgia has 13 police attachés deployed in the following 13 countries: Armenia, Austria, Azerbaijan, Belarus, France, Germany, Greece, Italy, Poland, Spain, Sweden, Turkey and Ukraine.

Notably, most of GRETA recommendations were translated as the future activities in the newly adopted National Action Plan for 2017-2018. In particular we have committed to conduct various researches on THB related issues, including assessment of the risks and threats of trafficking in minors and analysing the practice of granting the compensation to the THB victims.

Anti-trafficking measures taken by the Georgian government was positively assessed by the US State Department in 2017 US Report on Trafficking in Persons. According to the latest report, Georgia remains in Tier 1 and shares leading position among other western countries, including the EU member states.

Thank you.